

STATE OF MINNESOTA

NINETY-FIRST SESSION — 2020

 NINETIETH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 9, 2020

The House of Representatives convened at 1:30 p.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Representative Lisa Demuth, District 13A, Cold Spring, 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:

Acomb	Davnie	Hansen	Lesch	Nelson, N.	Sauke
Albright	Dehn	Hassan	Liebling	Neu	Schomacker
Anderson	Demuth	Hausman	Lien	Noor	Schultz
Backer	Dettmer	Heinrich	Lillie	Nornes	Scott
Bahner	Drazkowski	Heintzeman	Lippert	Novotny	Stephenson
Bahr	Ecklund	Her	Lislegard	O'Driscoll	Sundin
Baker	Edelson	Hertaus	Long	Olson	Swedzinski
Becker-Finn	Elkins	Hornstein	Lucero	O'Neill	Tabke
Bennett	Erickson	Howard	Lueck	Pelowski	Theis
Bernardy	Fabian	Huot	Mahoney	Persell	Torkelson
Bierman	Fischer	Johnson	Mariani	Petersburg	Urdahl
Boe	Franson	Jordan	Marquart	Pierson	Vang
Brand	Freiberg	Jurgens	Masin	Pinto	Vogel
Cantrell	Garofalo	Kiel	McDonald	Poppe	Wagenius
Carlson, A.	Gomez	Klevorn	Mekeland	Poston	Wazlawik
Carlson, L.	Green	Koegel	Miller	Pryor	West
Christensen	Grossell	Kotyza-Witthuhn	Moller	Quam	Winkler
Claflin	Gruenhagen	Koznick	Moran	Richardson	Wolgamott
Considine	Gunther	Kresha	Morrison	Robbins	Xiong, J.
Daniels	Haley	Kunesh-Podein	Munson	Runbeck	Xiong, T.
Daudt	Halverson	Layman	Murphy	Sandell	Youakim
Davids	Hamilton	Lee	Nelson, M.	Sandstede	Spk. Hortman

A quorum was present.

Mann and Nash were excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 2466 and H. F. No. 2475, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Schultz moved that S. F. No. 2466 be substituted for H. F. No. 2475 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3357 and H. F. No. 3517, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Lesch moved that S. F. No. 3357 be substituted for H. F. No. 3517 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Youakim from the Committee on Education Policy to which was referred:

H. F. No. 163, A bill for an act relating to education; school board vacancies; making technical changes; amending Minnesota Statutes 2018, section 123B.09, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
GENERAL EDUCATION

Section 1. Minnesota Statutes 2018, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including (i) the English and, where practicable, the native language development and the academic achievement of English learners; and (ii) for all learners, access to culturally relevant or ethnic studies curriculum using culturally responsive methodologies;

(5) a process to examine the equitable distribution of teachers and strategies to ensure ~~low income and minority children~~ from low-income families, families of color, and American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that integrate high-quality instruction; rigorous curriculum; technology; inclusive and respectful learning and work environments for all students, families, and staff; and a collaborative professional culture that ~~develops and supports~~ retains qualified and racially, ethnically, and linguistically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan.

EFFECTIVE DATE. This section is effective for all strategic plans reviewed and updated after the day of final enactment.

Sec. 2. Minnesota Statutes 2018, section 120B.11, subdivision 3, is amended to read:

Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards, consistent with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. The district advisory committee ~~shall~~ must pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district advisory committee under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school board rigorous academic standards; student achievement goals and measures consistent with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district assessments; means to improve students' equitable access to effective and more diverse teachers; strategies to ensure the curriculum and learning and work environments are inclusive and respectful toward all racial and ethnic groups; and program evaluations. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs. Whenever possible, parents and other community residents ~~shall~~ must comprise at least two-thirds of advisory committee members.

EFFECTIVE DATE. This section is effective for all strategic plans reviewed and updated after the day of final enactment.

Sec. 3. Minnesota Statutes 2018, section 123B.09, subdivision 2, is amended to read:

Subd. 2. **School board member training.** A member shall receive training in school finance and management developed in consultation with the Minnesota School Boards Association and consistent with section 127A.19. The School Boards Association must make available to each newly elected school board member training in school finance and management consistent with section 127A.19 within 180 days of that member taking office. The program shall be developed in consultation with the department and appropriate representatives of higher education. For purposes of this subdivision only, the definition of school board member includes a board member of a tribal contract school under section 124D.83.

Sec. 4. Minnesota Statutes 2018, section 123B.147, subdivision 3, is amended to read:

Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory, and instructional leadership services, under the supervision of the superintendent of schools of the district and according to the policies, rules, and regulations of the school board, for the planning, management, operation, and evaluation of the education program of the building or buildings to which the principal is assigned.

(b) To enhance a principal's culturally responsive leadership skills and support and improve teaching practices, school performance, and student achievement for diverse student populations, including at-risk students, children with disabilities, English learners, and gifted students, among others, a district must develop and implement a performance-based system for annually evaluating school principals assigned to supervise a school building within the district. The evaluation must be designed to improve teaching and learning by supporting the principal in shaping the school's professional environment and developing teacher quality, performance, and effectiveness. The annual evaluation must:

(1) support and improve a principal's instructional leadership, organizational management, and professional development, and strengthen the principal's capacity in the areas of instruction, supervision, evaluation, and teacher development;

(2) support and improve a principal's culturally responsive leadership practices that create inclusive and respectful teaching and learning environments for all students, families, and employees;

~~(2)~~ (3) include formative and summative evaluations based on multiple measures of student progress toward career and college readiness;

~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and goals, and the principal's own professional multiyear growth plans and goals, all of which must support the principal's leadership behaviors and practices, rigorous curriculum, school performance, and high-quality instruction;

~~(4)~~ (5) include on-the-job observations and previous evaluations;

~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation and incorporate district achievement goals and targets;

~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and learning, curriculum and instruction, student learning, culturally responsive leadership practices, and a collaborative professional culture; and

~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria under this subdivision, implement a plan to improve the principal's performance and specify the procedure and consequence if the principal's performance is not improved.

The provisions of this paragraph are intended to provide districts with sufficient flexibility to accommodate district needs and goals related to developing, supporting, and evaluating principals.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 5. Minnesota Statutes 2018, section 123B.52, subdivision 1, is amended to read:

Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws and information systems software, or for the construction or repair of school houses, the estimated cost or value of which shall exceed that specified in section 471.345, subdivision 3, must not be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. This notice must state the time and place of receiving bids and contain a brief description of the subject matter.

Additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract for which a call for bids has been issued must be awarded to the lowest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law. The person to whom the contract is awarded shall give a sufficient bond to the board for its faithful performance. Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to the purchase of a finished tangible product, a board may require, at its discretion, a performance bond of a contractor in the amount the board considers necessary. A record must be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected as provided in this section. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district must be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts must not exceed two years with an option on the part of the district to renew for an additional two years, except as provided in subdivision 3 or 7. Contracts for the purchase of perishable food items, except milk for school lunches and vocational training programs, in any amount may be made by direct negotiation by obtaining two or more written quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt.

Every contract made without compliance with the provisions of this section shall be void. Except in the case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

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

Sec. 6. Minnesota Statutes 2018, section 124D.861, subdivision 2, is amended to read:

Subd. 2. **Plan implementation; components.** (a) The school board of each eligible district must formally develop and implement a long-term plan under this section. The plan must be incorporated into the district's comprehensive strategic plan under section 120B.11. ~~Plan components may include: innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices; family engagement initiatives that involve families in their students' academic life and success; professional development opportunities for teachers and administrators focused on improving the academic achievement of all students,~~

~~including teachers and administrators who are members of populations underrepresented among the licensed teachers or administrators in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic opportunities and effective and more diverse instructors focused on rigor and college and career readiness for underserved students, including students enrolled in alternative learning centers under section 123A.05, public alternative programs under section 126C.05, subdivision 15, and contract alternative programs under section 124D.69, among other underserved students; or recruitment and retention of teachers and administrators with diverse racial and ethnic backgrounds.~~

(b) The plan must contain goals for:

(1) reducing the disparities in academic achievement and in equitable access to effective and more diverse teachers among all students and specific categories of students under section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender, disability, and English learners; and

(2) increasing racial and economic diversity and integration in schools and districts.

(c) The plan must include strategies to make schools' curriculum and learning and work environments more inclusive and respectful of students' racial, ethnic, and linguistic diversity and to address issues of structural inequities in schools that create opportunity and achievement gaps for students, families, and staff who are of color or who are American Indian. Examples of possible structural inequities include but are not limited to policies and practices that unintentionally result in disparate referrals and suspension, inequitable access to advanced coursework, overrepresentation in lower level coursework, inequitable participation in cocurricular activities, inequitable parent involvement, and lack of access to racially and ethnically diverse teachers.

(d) Plan components and strategies should be informed by local data and may include but are not limited to the following efforts:

(1) innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices;

(2) family engagement initiatives that involve families in their students' academic life and success, and improve relations between home and school;

(3) creating opportunities for students, families, staff, and community members who are of color or American Indian to share their experiences in the school setting with school staff and administration to inform development of specific proposals for making school environments more inclusive and respectful toward all students, families, and staff;

(4) professional development opportunities for teachers and administrators focused on improving the academic achievement of all students, including knowledge, skills, and dispositions needed to be culturally responsive and successfully serve students who are from diverse racial, ethnic, and linguistic backgrounds;

(5) recruitment and retention of teachers, administrators, cultural and family liaisons, paraprofessionals, and other nonlicensed staff from racial, ethnic, and linguistic backgrounds represented in the student population to strengthen relationships with all students, families, and other members of the community;

(6) examining academic and discipline data, reexamining institutional policies and practices that result in opportunity and achievement disparities between racial and ethnic groups, and making necessary changes that increase access, meaningful participation, representation, and positive outcomes for students of color, American Indian students, and students who qualify for free or reduced-price lunch;

(7) increased programmatic opportunities and effective and more diverse instructors focused on rigor and college and career readiness for underserved students, including but not limited to students enrolled in alternative learning centers under section 123A.05, public alternative programs under section 126C.05, subdivision 15, and contract alternative programs under section 124D.69;

(8) developing or expanding ethnic studies course offerings to provide all students with in-depth opportunities to learn about their own and others' cultures and historical experiences; or

(9) examining and revising curricula in various subjects to be culturally relevant and inclusive of various racial and ethnic groups while meeting state academic standards.

~~(b)~~ (e) Among other requirements, an eligible district must implement effective, research-based interventions that include formative assessment practices to reduce the disparities in student academic performance among the specific categories of students as measured by student progress and growth on state reading and math assessments and as aligned with section 120B.11.

~~(c)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and services under this section, which may include forming collaborations or a single, seven-county metropolitan areawide partnership of eligible districts for this purpose.

EFFECTIVE DATE. This section is effective for all plans reviewed and updated after the day of final enactment.

Sec. 7. Minnesota Statutes 2018, section 124E.03, subdivision 2, is amended to read:

Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.

(c) A charter school must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(d) A charter school is a district for the purposes of tort liability under chapter 466.

(e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.

(g) A charter school must comply with continuing truant notification under section 260A.03.

(h) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d). The teacher evaluation process in this paragraph does not create any additional employment rights for teachers.

(i) A charter school must adopt a policy, plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for the world's best workforce.

(j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.

(k) A charter school is subject to and must comply with the uniform municipal contracting law under section 471.345 in the same manner as a school district.

Sec. 8. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under subdivision 11, paragraph (a), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per adjusted pupil unit. The ballot may state a schedule, determined by the board, of increased revenue per adjusted pupil unit that differs from year to year over the number of years for which the increased revenue is authorized or may state that the amount shall increase annually by the rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies. The ballot, including a ballot on the question to revoke or reduce the increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per pupil." The notice required under section 275.60 may be modified to read, in cases of renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of, School District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the adjusted pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

(b) The board must deliver by mail at least 15 days but no more than ~~30~~ 45 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

EFFECTIVE DATE. This section is effective July 1, 2020, and applies to referendum notices mailed on or after that date.

Sec. 9. Minnesota Statutes 2018, section 127A.353, subdivision 2, is amended to read:

Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the basis of outstanding professional qualifications and knowledge of finance, business practices, minerals, forest and real estate management, and the fiduciary responsibilities of a trustee to the beneficiaries of a trust. The school trust lands director serves in the unclassified service for a term of four years. The first term ~~shall end~~ ends on December 31, 2020. The governor may remove the school trust lands director for cause. If a director resigns or is removed for cause, the governor shall appoint a director for the remainder of the term.

Sec. 10. Minnesota Statutes 2018, section 127A.353, subdivision 4, is amended to read:

Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

(1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary capacity for trust beneficiaries in accordance with the principles under section 127A.351;

(2) evaluate the school trust land asset position;

(3) determine the estimated current and potential market value of school trust lands;

(4) advise and provide recommendations to the governor, Executive Council, commissioner of natural resources, and the Legislative Permanent School Fund Commission on the management of school trust lands, including on school trust land management policies and other policies that may affect the goal under section 127A.31;

(5) advise and provide recommendations to the Executive Council and Land Exchange Board on all matters regarding school trust lands presented to either body;

(6) advise and provide recommendations to the commissioner of natural resources on managing school trust lands, including but not limited to advice and recommendations on:

- (i) Department of Natural Resources school trust land management plans;
- (ii) leases of school trust lands;
- (iii) royalty agreements on school trust lands;
- (iv) land sales and exchanges;
- (v) cost certification; and
- (vi) revenue generating options;

(7) serve as temporary trustee of school trust lands for school trust lands subject to proposed or active eminent domain proceedings;

(8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision 5;

~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review an annual budget and management plan for the director that includes proposed legislative changes that will improve the asset allocation of the school trust lands;

~~(6)~~ (10) develop a ten-year strategic plan and a 25-year framework for management of school trust lands, in conjunction with the commissioner of natural resources, that is updated every five years and implemented by the commissioner, with goals to:

- (i) retain core real estate assets;
- (ii) increase the value of the real estate assets and the cash flow from those assets;
- (iii) rebalance the portfolio in assets with high performance potential and the strategic disposal of selected assets;
- (iv) establish priorities for management actions; and
- (v) balance revenue enhancement and resource stewardship; and

~~(7) submit to the Legislative Permanent School Fund Commission for review an annual budget and management plan for the director; and~~

~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the work of the director by reporting to the Legislative Permanent School Fund Commission in a public meeting at least once during each calendar quarter.

(b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall have the authority to~~ may:

- (1) direct and control money appropriated to the director;

(2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~ staff within the limitations of money appropriated to the director;

(3) enter into interdepartmental agreements with any other state agency;

(4) enter into joint powers agreements under chapter 471;

(5) evaluate and initiate real estate development projects on school trust lands with the advice of the Legislative Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the permanent school fund; and

~~(6) serve as temporary trustee of school trust land for school trust lands subject to proposed or active eminent domain proceedings; and~~

~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or exchanges to the commissioner of natural resources and the Legislative Permanent School Fund Commission.

ARTICLE 2 EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2018, section 120A.22, subdivision 7, is amended to read:

Subd. 7. **Education records.** (a) A district, a charter school, or a nonpublic school that receives services or aid under sections 123B.40 to 123B.48 from which a student is transferring must transmit the student's educational records, within ten business days of a request, to the district, the charter school, or the nonpublic school in which the student is enrolling. Districts, charter schools, and nonpublic schools that receive services or aid under sections 123B.40 to 123B.48 must make reasonable efforts to determine the district, the charter school, or the nonpublic school in which a transferring student is next enrolling in order to comply with this subdivision.

(b) A closed charter school must transfer the student's educational records, within ten business days of the school's closure, to the student's school district of residence where the records must be retained unless the records are otherwise transferred under this subdivision.

(c) A school district, a charter school, or a nonpublic school that receives services or aid under sections 123B.40 to 123B.48 that transmits a student's educational records to another school district or other educational entity, charter school, or nonpublic school to which the student is transferring must include in the transmitted records information about any formal suspension, expulsion, and exclusion disciplinary action under sections 121A.40 to 121A.56. Transmitted records must document any service a pupil requires to prevent the inappropriate behavior from recurring. The district, the charter school, or the nonpublic school that receives services or aid under sections 123B.40 to 123B.48 must provide notice to a student and the student's parent or guardian that formal disciplinary records will be transferred as part of the student's educational record, in accordance with data practices under chapter 13 and the Family Educational Rights and Privacy Act of 1974, United States Code, title 20, section 1232(g).

(d) Notwithstanding section 138.17, a principal or chief administrative officer must remove from a student's educational record and destroy a probable cause notice received under section 260B.171, subdivision 5, or paragraph (e), if one year has elapsed since the date of the notice and the principal or chief administrative officer has not received a disposition or court order related to the offense described in the notice. This paragraph does not apply if the student no longer attends the school when this one-year period expires.

(e) A principal or chief administrative officer who receives a probable cause notice under section 260B.171, subdivision 5, or a disposition or court order, must include a copy of that data in the student's educational records if they are transmitted to another school, unless the data are required to be destroyed under paragraph (d) or section 121A.75.

Sec. 2. Minnesota Statutes 2018, section 120B.021, subdivision 2, is amended to read:

Subd. 2. **Standards development.** (a) The commissioner must consider advice from at least the following stakeholders in developing statewide rigorous core academic standards in language arts, mathematics, science, social studies, including history, geography, economics, government and citizenship, and the arts:

(1) the Tribal Nations Education Committee under section 124D.79, subdivision 4, and representatives from Minnesota's tribal nations and communities, including both Anishinaabe and Dakota;

~~(1)~~ (2) parents of school-age children and members of the public throughout the state;

~~(2)~~ (3) teachers throughout the state currently licensed and providing instruction in language arts, mathematics, science, social studies, or the arts and licensed elementary and secondary school principals throughout the state currently administering a school site;

~~(3)~~ (4) currently serving members of local school boards and charter school boards throughout the state;

~~(4)~~ (5) faculty teaching core subjects at postsecondary institutions in Minnesota; and

~~(5)~~ (6) representatives of the Minnesota business community.

(b) Academic standards must:

(1) be clear, concise, objective, measurable, and grade-level appropriate;

(2) not require a specific teaching methodology or curriculum; and

(3) be consistent with the Constitutions of the United States and the state of Minnesota.

Sec. 3. Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2, is amended to read:

Subd. 2. **Identification; report.** (a) Each school district must identify before the end of kindergarten, grade 1, and grade 2 all students who are not reading at grade level. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened, in a locally determined manner, for characteristics of dyslexia.

(b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened, in a locally determined manner, for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

(c) Reading assessments in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive assessment and annually report summary assessment results to the commissioner by July 1.

(d) The district also must annually report to the commissioner by July 1 a summary of the district's efforts to screen and identify students ~~with:~~

~~(1) who demonstrate characteristics of dyslexia; using screening tools such as those recommended by the department's dyslexia specialist; or~~

~~(2) convergence insufficiency disorder.~~ With respect to students screened or identified under paragraph (a), the report must include:

(1) a summary of the district's efforts to screen for dyslexia;

(2) the number of students screened for that reporting year; and

(3) the number of students demonstrating characteristics of dyslexia for that year.

(e) A student identified under this subdivision must be provided with alternate instruction under section 125A.56, subdivision 1.

EFFECTIVE DATE. This section is effective for the 2020-2021 school year and later.

Sec. 4. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision to read:

Subd. 13. Pupil withdrawal agreement. "Pupil withdrawal agreement" means a verbal or written agreement between a school or district administrator and a pupil's parent or guardian to withdraw a student from the school district to avoid an expulsion or exclusion dismissal proceeding. The duration of a withdrawal agreement cannot be for more than a 12-month period.

EFFECTIVE DATE. This section is effective for the 2020-2021 school year and later.

Sec. 5. Minnesota Statutes 2018, section 121A.45, subdivision 1, is amended to read:

Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil without attempting to provide alternative educational services before dismissal proceedings or pupil withdrawal proceedings, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property.

EFFECTIVE DATE. This section is effective for the 2020-2021 school year and later.

Sec. 6. Minnesota Statutes 2018, section 121A.53, subdivision 1, is amended to read:

Subdivision 1. **Exclusions and expulsions; pupil withdrawals and physical assaults.** Consistent with subdivision 2, the school board must report through the department electronic reporting system each exclusion or expulsion ~~and~~ each physical assault of a district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days of the effective date of the dismissal action, pupil withdrawal, or assault to the commissioner of education. This report must include a statement of alternative educational services, or other sanction, intervention, or resolution in response to the assault given the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

EFFECTIVE DATE. This section is effective for the 2020-2021 school year and later.

Sec. 7. Minnesota Statutes 2018, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that

postsecondary institution. If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; ~~and~~ and

(2) the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 8. Minnesota Statutes 2018, section 124D.09, subdivision 12, is amended to read:

Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit a course under this section.

(b) A district ~~shall~~ must grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who ~~shall~~ must determine the number of credits that ~~shall~~ must be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board ~~shall~~ must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits ~~shall be~~ is final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's ~~grade~~ grades in each course taken for secondary credit under this section, including interim or nonfinal grades earned during the academic term. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one

MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 9. Minnesota Statutes 2018, section 124D.165, subdivision 3, is amended to read:

Subd. 3. **Administration.** (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner must give highest priority to applications from children who:

(1) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;

(2) are in foster care or otherwise in need of protection or services; or

(3) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

(b) The commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.02.

(c) A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. For fiscal year 2018 and later, the statewide amount of funding directly designated by the commissioner must not exceed the funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.

(d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ten months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. A child may not be awarded more than one scholarship in a 12-month period.

(e) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program or within 90 days after the child's third birthday if awarded a scholarship under the age of three.

(f) For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (c) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved scholarship recipient enrolled under paragraph (c) according to the metered payment system or another schedule established by the commissioner.

Sec. 10. Minnesota Statutes 2018, section 124D.165, subdivision 4, is amended to read:

Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an early learning scholarship, a program must:

(1) participate in the quality rating and improvement system under section 124D.142; and

(2) beginning ~~July 1, 2020~~ when 40 percent of programs eligible for rating under section 124D.142 have received ratings, have a three- or four-star rating in the quality rating and improvement system.

(b) Any program accepting scholarships must use the revenue to supplement and not supplant federal funding.

~~(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship program pilot sites are eligible to accept an early learning scholarship under this section.~~

Sec. 11. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND OBJECTS OF CULTURAL SIGNIFICANCE.**

A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, tribal regalia, or objects of cultural significance at a graduation ceremony.

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

Sec. 12. Minnesota Statutes 2018, section 125A.30, is amended to read:

125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.

(a) A group of school districts or special education cooperatives, in cooperation with the county and tribal health and human service agencies located in the county or counties in which the districts or cooperatives are located, must establish an Interagency Early Intervention Committee for children with disabilities under age five and their families under this section, and for children with disabilities ages three to 22 consistent with the requirements under sections 125A.023 and 125A.027. Committees must include representatives of local health, education, and county human service agencies, early childhood family education programs, Head Start, parents of young children with disabilities under age 12, child care resource and referral agencies, school readiness programs, current service providers, and agencies that serve families experiencing homelessness, and may also include representatives from other private or public agencies and school nurses. The committee must elect a chair from among its members and must meet at least quarterly.

(b) The committee must develop and implement interagency policies and procedures concerning the following ongoing duties:

(1) develop public awareness systems designed to inform potential recipient families, especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, of available programs and services;

(2) to reduce families' need for future services, and especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who: (i) is the subject of a substantiated case of abuse or neglect or (ii) is identified as directly affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure;

(3) implement a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;

(4) identify the current services and funding being provided within the community for children with disabilities under age five and their families; and

(5) develop a plan for the allocation and expenditure of federal early intervention funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313).

(c) The local committee shall also participate in needs assessments and program planning activities conducted by local social service, health and education agencies for young children with disabilities and their families.

ARTICLE 3 TEACHERS

Section 1. **[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

Subdivision 1. **Purpose.** This section sets short-term and long-term state goals for increasing the percentage of teachers of color and American Indian teachers in Minnesota and for ensuring all students have equitable access to effective and racially and ethnically diverse teachers who reflect the diversity of students. The goals and report required under this section are also important for meeting state goals for the world's best workforce under section 120B.11, achievement and integration under section 124D.861, and higher education attainment under section 135A.012, all of which have been established to close persistent opportunity and achievement gaps that limit students' success in school and life and impede the state's economic growth.

Subd. 2. **Equitable access to racially and ethnically diverse teachers.** The percentage of teachers who are of color or American Indian in Minnesota should increase at least two percentage points per year to have a teaching workforce that more closely reflects the state's increasingly diverse student population and to ensure all students have equitable access to effective and diverse teachers by 2040.

Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person.

Subd. 4. **Reporting.** Beginning in 2020 and every even-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.2451, 122A.63, 122A.635, 122A.70, 124D.09, 124D.861, 136A.1275, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must also include recommendations for state policy and funding needed to achieve the goals of this section, as well as plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2020 report must include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established. The board must consult with the state Indian Affairs Council and other ethnic

councils along with other community and stakeholder groups, including students of color and American Indian students, in developing the report. By November 1 of each even-numbered year, the board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance. The report must be available to the public on the board's website.

Sec. 2. Minnesota Statutes 2018, section 122A.07, subdivision 1, is amended to read:

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board consists of ~~14~~ 13 members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Sec. 3. Minnesota Statutes 2018, section 122A.07, subdivision 2, is amended to read:

Subd. 2. **Eligibility; board composition.** Each nominee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

(1) ~~six~~ seven teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment, have at least five years of teaching experience, and were not serving in an administrative function at a school district or school when appointed. The ~~six~~ seven teachers must include the following:

(i) one teacher in a charter school;

(ii) one teacher from the seven-county metropolitan area, as defined in section 473.121, subdivision 2;

(iii) one teacher from outside the seven-county metropolitan area;

(iv) one teacher from a related service category licensed by the board;

(v) one special education teacher; and

(vi) two teachers who represent current or emerging trends in education;

~~(vi)~~ (2) one teacher ~~from~~ educator currently teaching in a state-approved teacher preparation program;

~~(2)~~ (3) one superintendent that alternates each term between a superintendent from the seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from outside the metropolitan area;

~~(3)~~ (4) one school district human resources director;

~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2, who oversees a special education program;

~~(5)~~ (6) one principal that alternates each term between an elementary and a secondary school principal; and

~~(6)~~ (7) one member of the public that may be a current or former school board member.

Sec. 4. Minnesota Statutes 2018, section 122A.181, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c). The board may submit written comments to the district or charter school that requested the renewal regarding the candidate.

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position;

(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license; ~~and~~

(3) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board approving the request for the initial Tier 1 license; and

(4) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.

The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

EFFECTIVE DATE. This section is effective for licenses issued on or after July 1, 2021.

Sec. 5. Minnesota Statutes 2018, section 122A.182, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards Board must approve a request from a district or charter school to issue a Tier 2 license in a specified content area to a candidate if:

(1) the candidate meets the educational or professional requirements in paragraph (b) or (c);

(2) the candidate:

(i) has completed the coursework required under subdivision 2;

(ii) is enrolled in a ~~Minnesota-approved~~ state-approved teacher preparation program; or

(iii) has a master's degree in the specified content area; and

(3) the district or charter school demonstrates that a criminal background check under section 122A.18, subdivision 8, has been completed on the candidate.

(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside a career and technical education or career pathways course of study.

(c) A candidate for a Tier 2 license must have one of the following credentials in a relevant content area to teach a class or course in a career and technical education or career pathways course of study:

- (1) an associate's degree;
- (2) a professional certification; or
- (3) five years of relevant work experience.

Sec. 6. Minnesota Statutes 2018, section 122A.182, subdivision 2, is amended to read:

Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:

- (1) at least eight upper division or graduate-level credits in the relevant content area;
- (2) field-specific methods of training, including coursework;
- (3) at least two years of teaching experience in a similar content area in any state, as determined by the board;
- (4) a passing score on either the pedagogy exam or performance assessment and a passing score on content exams under section 122A.185; or
- (5) completion of a state-approved teacher preparation program.

(b) For purposes of paragraph (a), "upper division" means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field. Candidates must identify the upper division credits that fulfill the requirement in paragraph (a), clause (1).

Sec. 7. Minnesota Statutes 2018, section 122A.182, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed three times. Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license must participate in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), and mental illness training under section 122A.187, subdivision 6. The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.

EFFECTIVE DATE. This section is effective for licenses issued on or after July 1, 2021.

Sec. 8. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics before being granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to pupils in elementary, secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary, secondary, or special education programs if candidates meet the other requirements in section 122A.181, 122A.182, or 122A.183, respectively.

(b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations of licensure field specific content. The content examination requirement does not apply if no relevant content exam exists.

(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must pass test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, knowledge and understanding of the foundations of reading development, development of reading comprehension and reading assessment and instruction, and the ability to integrate that knowledge and understanding into instruction strategies under section 122A.06, subdivision 4.

(d) The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

Sec. 9. Minnesota Statutes 2018, section 122A.187, subdivision 6, is amended to read:

Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers renewing a ~~Tier 3 or Tier 4~~ teaching license under sections ~~122A.183 and 122A.181 to 122A.184, respectively,~~ to include in the renewal requirements at least one hour of suicide prevention best practices training in each licensure renewal period based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this subdivision, ~~and further preparation, first, in. Initial training must include~~ understanding the key warning signs of early-onset mental illness in children and adolescents, ~~and then,~~ during subsequent licensure renewal periods, ~~preparation may~~ training must include ~~providing~~ a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

Sec. 10. Minnesota Statutes 2018, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 5;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;

(3) ~~must be based on professional teaching standards established in rule;~~ create, adopt, or revise a rubric of performance standards for teacher practice that must include culturally responsive methodologies and at least three levels of performance to determine common descriptions of effectiveness;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) through (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 5.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 11. Minnesota Statutes 2018, section 122A.41, subdivision 5, is amended to read:

Subd. 5. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop an annual teacher evaluation and peer review process for probationary and nonprobationary teachers through joint agreement. If a school board and the exclusive representative of the teachers in the district do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan developed under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 2;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator;

(3) ~~must be based on professional teaching standards established in rule~~ create, adopt, or revise a rubric of performance standards for teacher practice that must include culturally responsive methodologies and at least three levels of performance to determine common descriptions of effectiveness;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) through (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 12. **TEACHER MENTORSHIP WORKING GROUP.**

Subdivision 1. **Establishment; purpose.** The Teacher Mentorship Working Group is established to gather information and design a model teacher mentorship program for use by school districts.

Subd. 2. **Membership.** The Teacher Mentorship Working Group shall consist of the following members:

(1) the commissioner of education or the commissioner's designee;

(2) a member appointed by Education Minnesota;

(3) a member appointed by the Minnesota School Boards Association;

(4) a member appointed by the Minnesota Association of School Administrators;

(5) a member appointed by the Minnesota Elementary School Principals' Association; and

(6) a member appointed by the Minnesota Association of Secondary School Principals.

Subd. 3. **Duties.** The working group must:

(1) identify existing teacher mentorship programs within school districts, including the number of districts with existing programs;

(2) identify uses of two-percent set-aside money by school districts, including the proportions used for mentorship programs and other categories;

(3) develop a model teacher mentorship program, or multiple model programs, for use by school districts; and

(4) report the results of its work to the legislature.

Subd. 4. **Administration.** (a) Each appointing entity under subdivision 2 must make appointments and notify the commissioner of education by September 1, 2020.

(b) The commissioner of education or the commissioner's designee must convene the initial meeting of the working group no later than October 1, 2020. At the initial meeting, the members of the working group must elect a chair or cochaIRS from among the working group members.

(c) Upon request of the working group, the Department of Education must use existing resources to provide data, information, meeting space, and administrative services to the working group. The working group may also use legislative staff and staff from any of the appointing authorities, except the governor's office, to provide information, drafting, and other support necessary to fulfill its duties.

(d) Members of the working group serve without compensation or payment of expenses.

Subd. 5. **Report required.** No later than November 1, 2021, the working group must submit a written report describing its work and recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education.

Subd. 6. **Expiration date.** The working group under this section expires December 31, 2021, or upon submission of the report required under subdivision 5, whichever is earlier.

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

ARTICLE 4 SPECIAL EDUCATION

Section 1. Minnesota Statutes 2018, section 125A.08, is amended to read:

125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.

(a) At the beginning of each school year, each school district shall have in effect, for each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individualized education program team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing how to provide the appropriate services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. Before a school district evaluation team makes a determination of other health disability under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation team must seek written documentation of the student's medically diagnosed chronic or acute health condition signed by a licensed physician or a licensed health care provider acting within the scope of the provider's practice. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

(c) For all paraprofessionals employed to work in programs whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or beginning at the time of employment, each paraprofessional must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) annual training opportunities are required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(3) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

(d) A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of their student.

EFFECTIVE DATE. This section applies to functional behavior assessments conducted on or after July, 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 125A.50, subdivision 1, is amended to read:

Subdivision 1. **Commissioner approval.** The commissioner may approve applications from districts initiating or significantly changing a program to provide prevention services as an alternative to special education and other compensatory programs. A district with an approved program may provide instruction and services in a regular

education classroom, or an area learning center, to eligible pupils. Pupils eligible to participate in the program are pupils who need additional academic or behavioral support to succeed in the general education environment and who may eventually qualify for special education instruction or related services under sections 125A.03 to 125A.24 and 125A.65 if the intervention services authorized by this section were unavailable. A pupil with a disability as defined under sections 125A.03 to 125A.24 and 125A.65, whose individualized education program team has determined that the pupil does not require special education services in the area of the district's approved program, may participate in the approved program as long as participation does not result in an increase in costs for the program or displace a pupil who does not currently have a disability. Pupils may be provided services during extended school days and throughout the entire year and through the assurance of mastery program under sections 125A.03 to 125A.24 and 125A.65.

EFFECTIVE DATE. This section is effective July 1, 2020.

ARTICLE 5 HEALTH AND SAFETY

Section 1. Minnesota Statutes 2018, section 121A.22, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** (a) This section applies only:

- (1) when the parent of a pupil requests school personnel to administer drugs or medicine to the pupil; or
- (2) when administration is allowed by the individualized education program of a child with a disability.

The request of a parent may be oral or in writing. An oral request must be reduced to writing within two school days, provided that the district may rely on an oral request until a written request is received.

(b) If the administration of a drug or medication described in paragraph (a) requires a school to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

Sec. 2. Minnesota Statutes 2018, section 121A.22, is amended by adding a subdivision to read:

Subd. 4a. **Unclaimed drugs or medications.** (a) Each school district must adopt a procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this subdivision. The procedure must ensure that before the transportation of any prescription drug or medication under this subdivision, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. The procedure must provide that transportation of unclaimed or unused prescription drugs or medications occur at least annually, or more frequently as determined by the school district.

(b) If the unclaimed or abandoned prescription drug is not a controlled substance as defined under section 152.01, subdivision 4, or is an over-the-counter medication, the school district may designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or may request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.

(c) If the unclaimed or abandoned prescription drug is a controlled substance as defined in section 152.01, subdivision 4, a school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

ARTICLE 6
NUTRITION

Section 1. Minnesota Statutes 2018, section 124D.111, is amended to read:

124D.111 SCHOOL MEAL POLICY; LUNCH AID; FOOD SERVICE ACCOUNTING.

Subdivision 1. **School ~~lunch aid computation~~ meal policy.** (a) Each Minnesota participant in the national school lunch program must adopt and post to its website, or the website of the organization where the meal is served, a school meal policy. The policy must:

(1) be in writing, accessible in multiple languages, and clearly communicate student meal charges when payment cannot be collected at the point of service;

(2) be reasonable and well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing any student;

(3) address whether the participant uses a collection agency to collect unpaid school meal debt;

(4) require any communication to collect unpaid school meal debt be done by school staff trained on the school district's policy on collecting student meal debt;

(5) require that all communication relating to school meal debt be delivered only to a student's parent or guardian and not directly to the student;

(6) ensure that once a participant has placed a meal on a tray or otherwise served the meal to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official because the student has outstanding meal debt;

(7) ensure that a student who has been determined eligible for free or reduced-price lunch must always be served a reimbursable meal even if the student has outstanding debt;

(8) provide the vendor with its school meal policy if the school contracts with a third party for its meal services; and

(9) require school nutrition staff be trained on the policy.

(b) Any contract between a school and a third-party provider of meal services entered into or modified on or after July 1, 2020, must ensure that the third-party provider adheres to the participant's school meal policy.

Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay participants in the national school lunch program the amount of 12.5 cents for each full paid and free student lunch and 52.5 cents for each reduced-price lunch served to students.

Subd. 2. **Application.** A school district, charter school, nonpublic school, or other participant in the national school lunch program shall apply to the department for this payment on forms provided by the department.

Subd. 2a. **Federal child and adult care food program; criteria and notice.** The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program. The posted criteria and information must inform interested nonprofit organizations about:

(1) the criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;

(2) the commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and

(3) any appeal or other recourse available to a disapproved applicant.

Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must be recorded as provided in this subdivision.

(b) In each district, the expenses for a school food service program for pupils must be attributed to a school food service fund. Under a food service program, the school food service may prepare or serve milk, meals, or snacks in connection with school or community service activities.

(c) Revenues and expenditures for food service activities must be recorded in the food service fund. The costs of processing applications, accounting for meals, preparing and serving food, providing kitchen custodial services, and other expenses involving the preparing of meals or the kitchen section of the lunchroom may be charged to the food service fund or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial services, lunchroom utilities, and other administrative costs of the food service program must be charged to the general fund.

That portion of superintendent and fiscal manager costs that can be documented as attributable to the food service program may be charged to the food service fund provided that the school district does not employ or contract with a food service director or other individual who manages the food service program, or food service management company. If the cost of the superintendent or fiscal manager is charged to the food service fund, the charge must be at a wage rate not to exceed the statewide average for food service directors as determined by the department.

(d) Capital expenditures for the purchase of food service equipment must be made from the general fund and not the food service fund, unless the restricted balance in the food service fund at the end of the last fiscal year is greater than the cost of the equipment to be purchased.

(e) If the condition set out in paragraph (d) applies, the equipment may be purchased from the food service fund.

(f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit is not eliminated by revenues from food service operations in the next fiscal year, then the deficit must be eliminated by a permanent fund transfer from the general fund at the end of that second fiscal year. However, if a district contracts with a food service management company during the period in which the deficit has accrued, the deficit must be eliminated by a payment from the food service management company.

(g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund for up to three years without making the permanent transfer if the district submits to the commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at the end of the third fiscal year.

(h) If a surplus in the food service fund exists at the end of a fiscal year for three successive years, a district may recode for that fiscal year the costs of lunchroom supervision, lunchroom custodial services, lunchroom utilities, and other administrative costs of the food service program charged to the general fund according to paragraph (c) and charge those costs to the food service fund in a total amount not to exceed the amount of surplus in the food service fund.

Subd. 4. **No fees.** A participant that receives school lunch aid under this section must make lunch available without charge and must not deny a school lunch to all participating students who qualify for free or reduced-price meals, whether or not that student has an outstanding balance in the student's meal account attributable to a la carte purchases or for any other reason.

Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students in a respectful manner according to the policy adopted under subdivision 1. The participant must ensure that any reminders for payment of outstanding student meal balances debt do not intentionally demean or, stigmatize, or humiliate any child participating in the school lunch program. The participant must not impose any other restriction prohibited under section 123B.37 due to unpaid student meal debt. The participant must not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal debt.

(b) If the commissioner or the commissioner's designee determines a participant has violated the requirement to provide meals to participating students in a respectful manner, the commissioner or the commissioner's designee must send a letter of noncompliance to the participant. The participant is required to respond and, if applicable, remedy the practice within 60 days.

Subd. 6. **Definitions.** (a) For the purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "A la carte" means a food item ordered separately from the school meal.

(c) "School meal" means a meal provided to students during the school day.

EFFECTIVE DATE. This section is effective July 1, 2020.

ARTICLE 7 DEPARTMENT OF EDUCATION HOUSEKEEPING

Section 1. Minnesota Statutes 2018, section 120A.20, is amended by adding a subdivision to read:

Subd. 4. **Verification of age for admission to public school.** (a) Public schools may request documentation that verifies a pupil falls within the school's minimum and maximum age requirements for admission to publicly funded prekindergarten, preschool, kindergarten, or grades 1 to 12. Documentation may include a passport, a hospital birth record or physician's certificate, a baptismal or religious certificate, an adoption record, health records, immunization records, immigration records, previously verified school records, early childhood screening records, Minnesota Immunization Information Connection records, or an affidavit from a parent.

(b) The school district or charter school must not deny a child from public school enrollment solely because the child's parent or guardian is unable to provide a birth certificate record.

Sec. 2. Minnesota Statutes 2018, section 120A.22, subdivision 10, is amended to read:

Subd. 10. **Requirements for instructors.** A person who is providing instruction to a child must meet at least one of the following requirements:

- (1) hold a valid Minnesota teaching license in the field and for the grade level taught;
- (2) be directly supervised by a person holding a valid Minnesota teaching license;
- ~~(3) successfully complete a teacher competency examination;~~
- ~~(4)~~ (3) provide instruction in a school that is accredited by an accrediting agency, recognized according to section 123B.445, or recognized by the commissioner;
- ~~(5)~~ (4) hold a baccalaureate degree; or
- ~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision 11.

Any person providing instruction in a public school must meet the requirements of clause (1).

Sec. 3. Minnesota Statutes 2018, section 124D.74, subdivision 1, is amended to read:

Subdivision 1. **Program described.** American Indian education programs are programs in public elementary and secondary schools, nonsectarian nonpublic, community, tribal, charter, or alternative schools enrolling American Indian children designed to:

- (1) support postsecondary preparation for American Indian pupils;
- (2) support the academic achievement of American Indian ~~students~~ pupils;
- (3) make the curriculum relevant to the needs, interests, and cultural heritage of American Indian pupils;
- (4) provide positive reinforcement of the self-image of American Indian pupils;
- (5) develop intercultural awareness among pupils, parents, and staff; and
- (6) supplement, not supplant, state and federal educational and cocurricular programs.

Program services designed to increase completion and graduation rates of American Indian ~~students~~ pupils must emphasize academic achievement, retention, and attendance; development of support services for staff, including in-service training and technical assistance in methods of teaching American Indian pupils; research projects, including innovative teaching approaches and evaluation of methods of relating to American Indian pupils; provision of career counseling to American Indian pupils; modification of curriculum, instructional methods, and administrative procedures to meet the needs of American Indian pupils; and ~~supplemental~~ instruction in American Indian language, literature, history, and culture. Districts offering programs may make contracts for the provision of program services by establishing cooperative liaisons with tribal programs and American Indian social service agencies. These programs may also be provided as components of early childhood and family education programs.

Sec. 4. Minnesota Statutes 2018, section 124D.78, subdivision 1, is amended to read:

Subdivision 1. **Parent committee.** (a) School boards and American Indian schools must provide for the maximum involvement of parents of children enrolled in education programs, programs for elementary and secondary grades, special education programs, and support services. Accordingly, the board of a school district in which there are ten or more American Indian students enrolled and each American Indian school must establish an American Indian education parent advisory committee.

(b) For purposes of this section, American Indian students are defined as persons having origins in any of the original peoples of North America who maintain cultural identification through tribal affiliation or community recognition.

(c) If a committee whose membership consists of a majority of parents of American Indian children has been or is established according to federal, tribal, or other state law, that committee may serve as the committee required by this section and is subject to, at least, the requirements of this subdivision and subdivision 2.

(d) The American Indian education parent advisory committee must develop its recommendations in consultation with the curriculum advisory committee required by section 120B.11, subdivision 3. This committee must afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of American Indian education and the educational needs of the American Indian children enrolled in the school or program. The school board or American Indian school must ensure that programs are planned, operated, and evaluated with the involvement of and in consultation with parents of American Indian students served by the programs as evidenced by American Indian education parent advisory committee meeting minutes.

Sec. 5. Minnesota Statutes 2018, section 124D.78, subdivision 3, is amended to read:

Subd. 3. **Membership.** The American Indian education parent advisory committee must be composed of parents of children eligible to be enrolled in American Indian education programs; secondary students eligible to be served; American Indian language and culture education teachers and paraprofessionals; American Indian teachers; counselors; adult American Indian people enrolled in educational programs; and representatives from community groups. A majority of each committee must be parents of American Indian children enrolled or eligible to be enrolled in the programs. ~~The number of parents of American Indian and non-American Indian children shall reflect approximately the proportion of children of those groups enrolled in the programs.~~

Sec. 6. Minnesota Statutes 2018, section 124D.79, subdivision 2, is amended to read:

Subd. 2. **Technical assistance.** The commissioner ~~shall~~ must provide technical assistance, which must include an annual report of American Indian student data using the state count, to districts, schools and postsecondary institutions for preservice and in-service training for teachers, American Indian education teachers and paraprofessionals specifically designed to implement culturally responsive teaching methods, culturally based curriculum development, testing and testing mechanisms, and the development of materials for American Indian education programs.

Sec. 7. Minnesota Statutes 2018, section 124D.81, subdivision 1, is amended to read:

Subdivision 1. **Procedures.** A school district, charter school, or American Indian-controlled tribal contract or grant school enrolling at least 20 American Indian students identified by the state count on October 1 of the previous school year and operating an American Indian education program according to section 124D.74 is eligible for Indian education aid if it meets the requirements of this section. Programs may provide for contracts for the provision of program components by nonsectarian nonpublic, community, tribal, charter, or alternative schools. The commissioner shall prescribe the form and manner of application for aids, and no aid shall be made for a program not complying with the requirements of sections 124D.71 to 124D.82.

Sec. 8. Minnesota Statutes 2018, section 124D.862, subdivision 7, is amended to read:

Subd. 7. **Revenue reserved.** Integration revenue received under this section must be reserved and used only for the programs authorized in section 124D.861, subdivision 2.

Sec. 9. Minnesota Statutes 2018, section 124E.03, is amended by adding a subdivision to read:

Subd. 8. **English learners.** A charter school is subject to and must comply with the Education for English Learners Act under sections 124D.58 to 124D.64 as though it were a district.

Sec. 10. Minnesota Statutes 2018, section 124E.03, is amended by adding a subdivision to read:

Subd. 9. **Corporal punishment.** A charter school is subject to and must comply with section 121A.58 as though it were a district.

Sec. 11. Minnesota Statutes 2018, section 124E.05, subdivision 4, is amended to read:

Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must include in its application to the commissioner at least the following:

- (1) how the organization carries out its mission by chartering schools;
- (2) a description of the capacity of the organization to serve as an authorizer, including the positions allocated to authorizing duties, the qualifications for those positions, the full-time equivalencies of those positions, and the financial resources available to fund the positions;
- (3) the application and review process the authorizer uses to decide whether to grant charters;
- (4) the type of contract it arranges with the schools it charters to meet the provisions of section 124E.10;
- (5) the process for overseeing the school, consistent with clause (4), to ensure that the schools chartered comply with applicable law and rules and the contract;
- (6) the criteria and process the authorizer uses to approve applications adding grades or sites under section 124E.06, subdivision 5;
- (7) the process for renewing or terminating the school's charter based on evidence showing the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement; and
- (8) an assurance specifying that the organization is committed to serving as an authorizer for the full five-year term until the commissioner terminates the organization's ability to authorize charter schools under subdivision 6, or until the organization formally withdraws as an approved authorizer under subdivision 7.

(b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict of interest between an authorizer and its charter schools or ongoing evaluation or continuing education of an administrator or other professional support staff by submitting to the commissioner a written promise to comply with the requirements.

Sec. 12. Minnesota Statutes 2018, section 124E.05, subdivision 7, is amended to read:

Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under ~~section 124E.10, subdivision 4~~ subdivision 6, the authorizer must notify all its chartered schools and the commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30 in the next calendar year, ~~regardless of when the authorizer's five-year term of approval ends.~~ Upon notification of the schools and commissioner, the authorizer must provide a letter to the school for distribution to families of students enrolled in the school that explains the decision to withdraw as an authorizer. The commissioner may approve the transfer of a charter school to a new authorizer under section 124E.10, subdivision 5.

Sec. 13. Minnesota Statutes 2018, section 124E.11, is amended to read:

124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.

(a) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

(1) pupils within an age group or grade level;

(2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or

(3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its website, a lottery policy and process that it must use when accepting pupils by lot.

(c) A charter school shall give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children. A charter school may give enrollment preference to children currently enrolled in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten in the next school year.

(d) Admission to a charter school is free to any person who resides within the state of Minnesota. A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its website a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraph (d), a charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

(f) The charter school shall not distribute any services or goods of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

(g) Once a student is enrolled in the school, the student is considered enrolled in the school until the student formally withdraws or is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

(h) A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

Sec. 14. Minnesota Statutes 2018, section 124E.13, subdivision 3, is amended to read:

Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building corporation may purchase, expand, or renovate an existing facility to serve as a school or may construct a new school facility. ~~A One local education agency~~ charter school may organize an affiliated nonprofit building corporation if the charter school:

- (1) has operated for at least six consecutive years;
- (2) as of June 30, has a net positive unreserved general fund balance in the preceding three fiscal years;
- (3) has long-range strategic and financial plans that include enrollment projections for at least five years;
- (4) completes a feasibility study of facility options that outlines the benefits and costs of each option; and
- (5) has a plan that describes project parameters and budget.

(b) An affiliated nonprofit building corporation under this subdivision must:

- (1) be incorporated under section 317A;
- (2) comply with applicable Internal Revenue Service regulations, including regulations for "supporting organizations" as defined by the Internal Revenue Service;
- (3) post on the school website the name, mailing address, bylaws, minutes of board meetings, and names of the current board of directors of the affiliated nonprofit building corporation;
- (4) submit to the commissioner a copy of its annual audit by December 31 of each year; and
- (5) comply with government data practices law under chapter 13.

(c) An affiliated nonprofit building corporation must not serve as the leasing agent for property or facilities it does not own. A charter school that leases a facility from an affiliated nonprofit building corporation that does not own the leased facility is ineligible to receive charter school lease aid. The state is immune from liability resulting from a contract between a charter school and an affiliated nonprofit building corporation.

(d) The board of directors of the charter school must ensure the affiliated nonprofit building corporation complies with all applicable legal requirements. The charter school's authorizer must oversee the efforts of the board of directors of the charter school to ensure legal compliance of the affiliated building corporation. A school's board of directors that fails to ensure the affiliated nonprofit building corporation's compliance violates its responsibilities and an authorizer must consider that failure when evaluating the charter school.

Sec. 15. Minnesota Statutes 2018, section 134.31, subdivision 4a, is amended to read:

Subd. 4a. **Services to people with visual and physical disabilities.** The Minnesota Department of Education shall provide specialized services to people with visual and physical disabilities through the Minnesota Braille and Talking Book Library under a cooperative plan with the National Library ~~Services~~ Service for the Blind and ~~Physically Handicapped~~ Print Disabled of the Library of Congress.

Sec. 16. Minnesota Statutes 2018, section 609A.03, subdivision 7a, is amended to read:

Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance of an expungement order related to a charge supported by probable cause, the DNA samples and DNA records held by the Bureau of Criminal Apprehension and collected under authority other than section 299C.105 shall not be sealed, returned to the subject of the record, or destroyed.

(b) Notwithstanding the issuance of an expungement order:

(1) except as provided in clause (2), an expunged record may be opened, used, or exchanged between criminal justice agencies without a court order for the purposes of initiating, furthering, or completing a criminal investigation or prosecution or for sentencing purposes or providing probation or other correctional services;

(2) when a criminal justice agency seeks access to a record that was sealed under section 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing for lack of probable cause, for purposes of a criminal investigation, prosecution, or sentencing, the requesting agency must obtain an ex parte court order after stating a good-faith basis to believe that opening the record may lead to relevant information;

(3) an expunged record of a conviction may be opened for purposes of evaluating a prospective employee in a criminal justice agency without a court order;

(4) an expunged record of a conviction may be opened for purposes of a background study under section 245C.08 unless the commissioner had been properly served with notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner of human services;

(5) an expunged record of a conviction may be opened for purposes of a background check required under section 122A.18, subdivision 8, unless the court order for expungement is directed specifically to the Professional Educator Licensing and Standards Board ~~or the licensing division of the Department of Education~~; and

(6) the court may order an expunged record opened upon request by the victim of the underlying offense if the court determines that the record is substantially related to a matter for which the victim is before the court.

(c) An agency or jurisdiction subject to an expungement order shall maintain the record in a manner that provides access to the record by a criminal justice agency under paragraph (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau of Criminal Apprehension shall notify the commissioner of human services, or the Professional Educator Licensing and Standards Board, ~~or the licensing division of the Department of Education~~ of the existence of a sealed record and of the right to obtain access under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to the expungement order shall provide access to the record to the commissioner of human services, or the Professional Educator Licensing and Standards Board, ~~or the licensing division of the Department of Education~~ under paragraph (b), clause (4) or (5).

(d) An expunged record that is opened or exchanged under this subdivision remains subject to the expungement order in the hands of the person receiving the record.

(e) A criminal justice agency that receives an expunged record under paragraph (b), clause (1) or (2), must maintain and store the record in a manner that restricts the use of the record to the investigation, prosecution, or sentencing for which it was obtained.

(f) For purposes of this section, a "criminal justice agency" means a court or government agency that performs the administration of criminal justice under statutory authority.

(g) This subdivision applies to expungement orders subject to its limitations and effective on or after January 1, 2015.

Sec. 17. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

Column AColumn BGeneral Requirements Statewide

<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
<u>120B.30, subdivision 2, paragraph (b), clauses (1) and (2)</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>

General Requirements Test Design

<u>120B.30, subdivision 1a, paragraph (a), clauses (1) to (5)</u>	<u>120B.301, subdivision 1</u>
<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
<u>120B.30, subdivision 1a, paragraph (c), clauses (1) and (2)</u>	<u>120B.301, subdivision 3, paragraph (d)</u>

Assessment Graduation Requirements

<u>120B.30, subdivision 1, paragraph (c), clauses (1) and (2)</u>	<u>120B.304, subdivision 1</u>
<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>

Assessment Reporting Requirements

<u>120B.30, subdivision 1a, paragraph (f), clauses (1) to (3)</u>	<u>120B.305, subdivision 1</u>
<u>120B.30, subdivision 1a, paragraph (d), clauses (1) to (4)</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
<u>120B.30, subdivision 1, paragraph (o), clauses (1) to (4)</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>

District Assessment Requirements

120B.301, paragraphs (a) to (c)
120B.304, paragraphs (a) and (b)

120B.306, subdivision 1
120B.306, subdivision 2

College and Career Readiness

120B.30, subdivision 1, paragraph (p)
120B.30, subdivision 1, paragraph (d)
120B.30, subdivision 1, paragraph (f)
120B.30, subdivision 1, paragraph (g)
120B.30, subdivision 1, paragraph (h)
120B.30, subdivision 1, paragraph (j)
120B.30, subdivision 1, paragraph (k)
120B.30, subdivision 1, paragraph (l)

120B.307, subdivision 1
120B.307, subdivision 2
120B.307, subdivision 3
120B.307, subdivision 4, paragraph (a)
120B.307, subdivision 4, paragraph (b)
120B.307, subdivision 4, paragraph (c)
120B.307, subdivision 4, paragraph (d)
120B.307, subdivision 4, paragraph (e)"

Delete the title and insert:

"A bill for an act relating to education; making certain policy changes for prekindergarten through grade 12 education including general education, education excellence, teachers, special education, health and safety, nutrition, and making technical changes; requiring reports; amending Minnesota Statutes 2018, sections 120A.20, by adding a subdivision; 120A.22, subdivisions 7, 10; 120B.021, subdivision 2; 120B.11, subdivisions 2, 3; 121A.22, subdivision 1, by adding a subdivision; 121A.41, by adding a subdivision; 121A.45, subdivision 1; 121A.53, subdivision 1; 122A.07, subdivisions 1, 2; 122A.181, subdivision 3; 122A.182, subdivisions 1, 2, 3; 122A.185, subdivision 1; 122A.187, subdivision 6; 122A.40, subdivision 8; 122A.41, subdivision 5; 123B.09, subdivision 2; 123B.147, subdivision 3; 123B.52, subdivision 1; 124D.09, subdivisions 5, 12; 124D.111; 124D.165, subdivisions 3, 4; 124D.74, subdivision 1; 124D.78, subdivisions 1, 3; 124D.79, subdivision 2; 124D.81, subdivision 1; 124D.861, subdivision 2; 124D.862, subdivision 7; 124E.03, subdivision 2, by adding subdivisions; 124E.05, subdivisions 4, 7; 124E.11; 124E.13, subdivision 3; 125A.08; 125A.30; 125A.50, subdivision 1; 126C.17, subdivision 9; 127A.353, subdivisions 2, 4; 134.31, subdivision 4a; 609A.03, subdivision 7a; Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 124D."

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 163 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 2129, A bill for an act relating to capital investment; appropriating money for the Rural Finance Authority; authorizing the sale and issuance of state bonds.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 3194, A bill for an act relating to transportation; designating a segment of marked Trunk Highway 310 in Roseau County as Deputy Richard K. Magnuson Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 3195, A bill for an act relating to transportation; designating a segment of marked Trunk Highway 11 in Roseau County as Patrol Inspector Robert H. Lobdell Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

The report was adopted.

Wagenius from the Energy and Climate Finance and Policy Division to which was referred:

H. F. No. 3230, A bill for an act relating to energy; amending the current electric utility program that encourages efficient lighting to include promotion of LEDs; amending Minnesota Statutes 2018, section 216B.241, subdivision 5.

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3230 was re-referred to the Committee on Rules and Legislative Administration.

Murphy from the Capital Investment Division to which was referred:

H. F. No. 3326, A bill for an act relating to capital investment; authorizing the sale and issuance of housing infrastructure bonds; appropriating money for public housing rehabilitation; increasing the supply of shelters; adding an eligible use of housing infrastructure bonds; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2018, section 462A.37, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 462A.37, subdivisions 2, 5.

Reported the same back with the following amendments:

Page 3, delete lines 24 to 26

Page 5, line 9, delete "2023" and insert "2022" and delete "2044" and insert "2043"

Page 5, delete section 4 and insert:

"Sec. 4. **APPROPRIATIONS GIVEN EFFECT ONCE.**

If an appropriation in this act is enacted more than once in the 2020 legislative session for the same purpose, the appropriation must be given effect only once. If the appropriations for the same purpose are for different amounts, the lowest of the amounts is the one to be given effect.

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

Amend the title accordingly

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 3341, A bill for an act relating to real estate; modifying appraisal management company licensure; amending Minnesota Statutes 2018, sections 82C.03, subdivision 5; 82C.06; 82C.08, subdivisions 1, 2.

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 3398, A bill for an act relating to health care coverage; modifying requirements governing utilization review and prior authorization of health care services; making conforming changes; amending Minnesota Statutes 2018, sections 62M.01, subdivision 2; 62M.02, subdivisions 2, 5, 8, 20, 21, by adding subdivisions; 62M.04, subdivisions 1, 2, 3, 4; 62M.05, subdivisions 3, 3a, 3b, 4, 5; 62M.06, subdivisions 1, 2, 3, 4; 62M.07; 62M.09, subdivisions 3, 3a, 4, 4a, 5; 62M.10, subdivision 7, by adding a subdivision; 62M.11; 62M.12; 62Q.71; 62Q.73, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62A; 62M; repealing Minnesota Statutes 2018, sections 62D.12, subdivision 19; 62M.02, subdivision 19; Minnesota Rules, part 4685.0100, subpart 9b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
UTILIZATION REVIEW AND PRIOR AUTHORIZATION OF HEALTH CARE SERVICES

Section 1. Minnesota Statutes 2018, section 62M.01, subdivision 2, is amended to read:

Subd. 2. **Jurisdiction.** ~~Sections 62M.01 to 62M.16 apply~~ This chapter applies to any insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; the Minnesota Comprehensive Health Association created under chapter 62E; a community integrated service

network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended; a third-party administrator licensed under section 60A.23, subdivision 8, that provides utilization review services for the administration of benefits under a health benefit plan as defined in section 62M.02; any other entity that provides, offers, or administers hospital, outpatient, medical, prescription drug, or other health benefits to individuals treated by a health professional under a policy, plan, or contract; or any entity performing utilization review on behalf of a business entity in this state pursuant to a health benefit plan covering a Minnesota resident.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 2. Minnesota Statutes 2018, section 62M.02, is amended by adding a subdivision to read:

Subd. 1a. **Adverse determination.** "Adverse determination" means a decision by a utilization review organization relating to an admission, extension of stay, or health care service that is partially or wholly adverse to the enrollee, including a decision to deny an admission, extension of stay, or health care service on the basis that it is not medically necessary.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 3. Minnesota Statutes 2018, section 62M.02, subdivision 5, is amended to read:

Subd. 5. **Certification Authorization.** ~~"Certification"~~ "Authorization" means a determination by a utilization review organization that an admission, extension of stay, or other health care service has been reviewed and that ~~it~~, based on the information provided, ~~meets it satisfies~~ the utilization review requirements of the applicable health plan and the health plan company will then pay for the covered benefit, provided the preexisting limitation provisions, the general exclusion provisions, and any deductible, co-payment, coinsurance, or other policy requirements have been met.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 4. Minnesota Statutes 2018, section 62M.02, subdivision 8, is amended to read:

Subd. 8. **Clinical criteria.** "Clinical criteria" means the written policies, ~~decision~~ rules, clinical protocols, medical protocols, or ~~guidelines~~ any other criteria or rationale used by the utilization review organization to determine ~~certification~~ whether a health care service is authorized.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 5. Minnesota Statutes 2018, section 62M.02, is amended by adding a subdivision to read:

Subd. 10a. **Emergency services.** "Emergency services" has the meaning given in section 62Q.55, subdivision 3.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 6. Minnesota Statutes 2018, section 62M.02, is amended by adding a subdivision to read:

Subd. 13a. **Medically necessary.** "Medically necessary" has the meaning given in section 62Q.53.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 7. Minnesota Statutes 2018, section 62M.02, subdivision 20, is amended to read:

Subd. 20. **Utilization review.** "Utilization review" means the evaluation of the necessity, appropriateness, and efficacy of the use of health care services, procedures, and facilities, by a person or entity other than the attending health care professional, for the purpose of determining the medical necessity of the service or admission. Utilization review also includes prior authorization and review conducted after the admission of the enrollee. It includes situations where the enrollee is unconscious or otherwise unable to provide advance notification. Utilization review does not include a referral or participation in a referral process by a participating provider unless the provider is acting as a utilization review organization.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 8. Minnesota Statutes 2018, section 62M.02, subdivision 21, is amended to read:

Subd. 21. **Utilization review organization.** "Utilization review organization" means an entity including but not limited to an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a prepaid limited health service organization issued a certificate of authority and operating under sections 62A.451 to 62A.4528; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended; a third-party administrator licensed under section 60A.23, subdivision 8, which conducts utilization review and ~~determines certification of~~ authorizes or makes adverse determinations regarding an admission, extension of stay, or other health care services for a Minnesota resident; any other entity that provides, offers, or administers hospital, outpatient, medical, prescription drug, or other health benefits to individuals treated by a health professional under a policy, plan, or contract; or any entity performing utilization review that is affiliated with, under contract with, or conducting utilization review on behalf of, a business entity in this state. Utilization review organization does not include a clinic or health care system acting pursuant to a written delegation agreement with an otherwise regulated utilization review organization that contracts with the clinic or health care system. The regulated utilization review organization is accountable for the delegated utilization review activities of the clinic or health care system.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 9. Minnesota Statutes 2018, section 62M.05, subdivision 3a, is amended to read:

Subd. 3a. **Standard review determination.** (a) Notwithstanding subdivision 3b, ~~an initial~~ a standard review determination on all requests for utilization review must be communicated to the provider and enrollee in accordance with this subdivision within ~~ten~~ five business days ~~of~~ after receiving the request, provided that all information reasonably necessary to make a determination on the request has been made available to the utilization review organization.

(b) When an ~~initial~~ a determination is made to ~~certify~~ authorize, notification must be provided promptly by telephone to the provider. The utilization review organization shall send written notification to the provider or shall maintain an audit trail of the determination and telephone notification. For purposes of this subdivision, "audit trail" includes documentation of the telephone notification, including the date; the name of the person spoken to; the enrollee; the service, procedure, or admission ~~certified~~ authorized; and the date of the service, procedure, or admission. If the utilization review organization indicates ~~certification~~ authorization by use of a number, the number must be called the "~~certification~~ authorization number." For purposes of this subdivision, notification may also be made by facsimile to a verified number or by electronic mail to a secure electronic mailbox. These electronic forms of notification satisfy the "audit trail" requirement of this paragraph.

(c) When an ~~initial~~ adverse determination is made ~~not to certify~~, notification must be provided within five business days after receiving the request by telephone, by facsimile to a verified number, or by electronic mail to a secure electronic mailbox ~~within one working day after making the determination~~ to the attending health care professional and hospital or physician office as applicable. Written notification must also be sent to the hospital or physician office as applicable and attending health care professional if notification occurred by telephone. For purposes of this subdivision, notification may be made by facsimile to a verified number or by electronic mail to a secure electronic mailbox. Written notification must be sent to the enrollee and may be sent by United States mail, facsimile to a verified number, or by electronic mail to a secure mailbox. The written notification must include ~~the principal reason or~~ all reasons relied on by the utilization review organization for the adverse determination and the process for initiating an appeal of the adverse determination. Upon request, the utilization review organization shall provide the provider or enrollee with the criteria used to determine the necessity, appropriateness, and efficacy of the health care service and identify the database, professional treatment parameter, or other basis for the criteria. Reasons for a an adverse determination ~~not to certify~~ may include, among other things, the lack of adequate information to ~~certify~~ authorize after a reasonable attempt has been made to contact the provider or enrollee.

(d) When an ~~initial~~ adverse determination is made ~~not to certify~~, the written notification must inform the enrollee and the attending health care professional of the right to submit an appeal to the internal appeal process described in section 62M.06 and the procedure for initiating the internal appeal. The written notice shall be provided in a culturally and linguistically appropriate manner consistent with the provisions of the Affordable Care Act as defined under section 62A.011, subdivision 1a.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 10. Minnesota Statutes 2018, section 62M.05, subdivision 3b, is amended to read:

Subd. 3b. **Expedited review determination.** (a) An expedited ~~initial~~ determination must be utilized if the attending health care professional believes that an expedited determination is warranted.

(b) Notification of an expedited ~~initial~~ determination to ~~either certify or not to certify~~ authorize or an expedited adverse determination must be provided to the hospital, the attending health care professional, and the enrollee as expeditiously as the enrollee's medical condition requires, but no later than ~~72~~ 48 hours ~~from~~ and must include at least one business day after the initial request. When an expedited ~~initial~~ adverse determination is made ~~not to certify~~, the utilization review organization must also notify the enrollee and the attending health care professional of the right to submit an appeal to the expedited internal appeal as described in section 62M.06 and the procedure for initiating an expedited internal ~~expedited~~ appeal.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 11. Minnesota Statutes 2018, section 62M.05, subdivision 4, is amended to read:

Subd. 4. **Failure to provide necessary information.** A utilization review organization must have written procedures to address the failure of a provider or enrollee to provide the ~~necessary information for review~~ necessary to make a determination on the request. If the enrollee or provider will not release the necessary information to the utilization review organization, the utilization review organization may ~~deny certification~~ make an adverse determination in accordance with its own policy or the policy described in the health benefit plan.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 12. Minnesota Statutes 2018, section 62M.06, subdivision 3, is amended to read:

Subd. 3. **Standard appeal.** (a) The utilization review organization must establish procedures for appeals to be made either in writing or by telephone.

(b) A utilization review organization shall notify in writing the enrollee, attending health care professional, and claims administrator of its determination on the appeal within ~~30 days upon~~ 15 days after receipt of the notice of appeal. If the utilization review organization cannot make a determination within ~~30~~ 15 days due to circumstances outside the control of the utilization review organization, the utilization review organization may take up to ~~14~~ four additional days to notify the enrollee, attending health care professional, and claims administrator of its determination. If the utilization review organization takes any additional days beyond the initial ~~30-day~~ 15-day period to make its determination, it must inform the enrollee, attending health care professional, and claims administrator, in advance, of the extension and the reasons for the extension.

(c) The documentation required by the utilization review organization may include copies of part or all of the medical record and a written statement from the attending health care professional.

(d) Prior to upholding the ~~initial~~ adverse determination ~~not to certify~~ for clinical reasons, the utilization review organization shall conduct a review of the documentation by a physician who did not make the ~~initial~~ adverse determination ~~not to certify~~.

(e) The process established by a utilization review organization may include defining a period within which an appeal must be filed to be considered. The time period must be communicated to the enrollee and attending health care professional when the ~~initial~~ determination is made.

(f) An attending health care professional or enrollee who has been unsuccessful in an attempt to reverse a an adverse determination ~~not to certify~~ shall, consistent with section 72A.285, be provided the following:

(1) a complete summary of the review findings;

(2) qualifications of the reviewers, including any license, certification, or specialty designation; and

(3) the relationship between the enrollee's diagnosis and the review criteria used as the basis for the decision, including the specific rationale for the reviewer's decision.

(g) In cases of appeal to reverse a an adverse determination ~~not to certify~~ for clinical reasons, the utilization review organization must ensure that a physician of the utilization review organization's choice in the same or a similar specialty as typically manages the medical condition, procedure, or treatment under discussion is reasonably available to review the case.

(h) If the ~~initial~~ adverse determination is not reversed on appeal, the utilization review organization must include in its notification the right to submit the appeal to the external review process described in section 62Q.73 and the procedure for initiating an appeal under the external process.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 13. Minnesota Statutes 2018, section 62M.07, is amended to read:

62M.07 PRIOR AUTHORIZATION OF SERVICES.

Subdivision 1. Written standards. ~~(a)~~ Utilization review organizations conducting prior authorization of services must have written standards that meet at a minimum the following requirements:

(1) written procedures and criteria used to determine whether care is appropriate, reasonable, or medically necessary;

(2) a system for providing prompt notification of its determinations to enrollees and providers and for notifying the provider, enrollee, or enrollee's designee of appeal procedures under clause (4);

(3) compliance with section 62M.05, subdivisions 3a and 3b, regarding time frames for ~~approving and disapproving~~ authorizing and making adverse determinations regarding prior authorization requests;

(4) written procedures ~~for appeals of denials~~ to appeal adverse determinations of prior authorization requests which specify the responsibilities of the enrollee and provider, and which meet the requirements of sections 62M.06 and 72A.285, regarding release of summary review findings; and

(5) procedures to ensure confidentiality of patient-specific information, consistent with applicable law.

Subd. 2. Prior authorization of emergency services prohibited. ~~(b)~~ No utilization review organization, health plan company, or claims administrator may conduct or require prior authorization of emergency confinement or an emergency ~~treatment~~ service. The enrollee or the enrollee's authorized representative may be required to notify the health plan company, claims administrator, or utilization review organization as soon as reasonably possible after the beginning of the emergency confinement or emergency ~~treatment as reasonably possible~~ service.

Subd. 3. Retrospective revocation or limitation of prior authorization. No utilization review organization, health plan company, or claims administrator may revoke, limit, condition, or restrict a prior authorization that has been authorized unless there is evidence that the prior authorization was authorized based on fraud or misinformation or a previously approved prior authorization conflicts with state or federal law. Application of a deductible, coinsurance, or other cost-sharing requirement does not constitute a limit, condition, or restriction under this subdivision.

Subd. 4. Submission of prior authorization requests. ~~(c)~~ If prior authorization for a health care service is required, the utilization review organization, health plan company, or claim administrator must allow providers to submit requests for prior authorization of the health care services without unreasonable delay by telephone, facsimile, or voice mail or through an electronic mechanism 24 hours a day, seven days a week. This ~~paragraph~~ subdivision does not apply to dental service covered under MinnesotaCare or medical assistance.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 14. Minnesota Statutes 2018, section 62M.09, subdivision 3, is amended to read:

Subd. 3. **Physician reviewer involvement; adverse determinations.** (a) A physician must review and make the adverse determination under section 62M.05 in all cases in which the utilization review organization has concluded that a an adverse determination not to certify for clinical reasons is appropriate.

(b) The physician conducting the review and making the adverse determination must ~~be licensed~~:

(1) hold a current, unrestricted license to practice medicine in this state; and

(2) have the same or similar medical specialty as a provider that typically treats or manages the condition for which the health care service has been requested.

This paragraph does not apply to reviews conducted in connection with policies issued by a health plan company that is assessed less than three percent of the total amount assessed by the Minnesota Comprehensive Health Association.

(c) The physician should be reasonably available by telephone to discuss the adverse determination with the attending health care professional.

(d) Notwithstanding paragraph (a), a review of an adverse determination involving a prescription drug must be conducted by a licensed pharmacist or physician who is competent to evaluate the specific clinical issues presented in the review.

(e) This subdivision does not apply to outpatient mental health or substance abuse services governed by subdivision 3a.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 15. Minnesota Statutes 2018, section 62M.10, subdivision 7, is amended to read:

Subd. 7. **Availability of criteria.** ~~Upon request,~~ (a) For utilization review determinations other than prior authorization, a utilization review organization shall, upon request, provide to an enrollee, a provider, and the commissioner of commerce the criteria used to determine the medical necessity, appropriateness, and efficacy of a procedure or service and identify the database, professional treatment guideline, or other basis for the criteria.

(b) For prior authorization determinations, a utilization review organization must submit the organization's current prior authorization requirements and restrictions, including written, evidence-based, clinical criteria used to make an authorization or adverse determination, to all health plan companies for which the organization performs utilization review. A health plan company must post on its public website the prior authorization requirements and restrictions of any utilization review organization that performs utilization review for the health plan company. These prior authorization requirements and restrictions must be detailed and written in language that is easily understandable to providers.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 16. Minnesota Statutes 2018, section 62M.10, is amended by adding a subdivision to read:

Subd. 8. Notice; new prior authorization requirements or restrictions; change to existing requirement or restriction. (a) Before a utilization review organization may implement a new prior authorization requirement or restriction or amend an existing prior authorization requirement or restriction, the utilization review organization must submit the new or amended requirement or restriction to all health plan companies for which the organization performs utilization review. A health plan company must post on its website the new or amended requirement or restriction.

(b) At least 45 days before a new prior authorization requirement or restriction or an amended existing prior authorization requirement or restriction is implemented, the utilization review organization, health plan company, or claims administrator must provide written or electronic notice of the new or amended requirement or restriction to all Minnesota-based, in-network attending health care professionals who are subject to the prior authorization requirements and restrictions.

(c) This subdivision does not apply to managed care plans or county-based purchasing plans when the plan is providing coverage for public health care program enrollees under chapter 256B or 256L.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 17. **[62M.17] CONTINUITY OF CARE; PRIOR AUTHORIZATIONS.**

Subdivision 1. Compliance with prior authorization approved by previous utilization review organization; change in health plan company. If an enrollee obtains coverage from a new health plan company and the health plan company for the enrollee's new health benefit plan uses a different utilization review organization from the enrollee's previous health benefit plan to conduct utilization review, the health plan company for the enrollee's new health benefit plan shall comply with a prior authorization for health care services approved by the utilization review organization used by the enrollee's previous health benefit plan for at least the first 60 days that the enrollee is covered under the new health benefit plan. In order to obtain coverage for this 60-day time period, the enrollee or the enrollee's attending health care professional must submit documentation of the previous prior authorization to the enrollee's new health plan company according to procedures in the enrollee's new health benefit plan. During this 60-day time period, the utilization review organization used by the enrollee's new health plan company may conduct its own utilization review of these health care services.

Subd. 2. Effect of change in prior authorization clinical criteria. (a) If, during a plan year, a utilization review organization, health plan company, or claims administrator changes coverage terms for a health care service or the clinical criteria used to conduct prior authorizations for a health care service, the change in coverage terms or change in clinical criteria shall not apply until the next plan year for any enrollee who received prior authorization for a health care service using the coverage terms or clinical criteria in effect before the effective date of the change.

(b) Paragraph (a) does not apply if a utilization review organization, health plan company, or claims administrator changes coverage terms for a drug or device that has been deemed unsafe by the United States Food and Drug Administration (FDA); that has been withdrawn by either the FDA or the product manufacturer; or when an independent source of research, clinical guidelines, or evidence-based standards has issued drug- or device-specific warnings or recommended changes in drug or device usage.

(c) Paragraph (a) does not apply if a utilization review organization, health plan company, or claims administrator changes coverage terms for a service or the clinical criteria used to conduct prior authorizations for a service when an independent source of research, clinical guidelines, or evidence-based standards has recommended changes in usage of the service for reasons related to patient harm.

(d) Paragraph (a) does not apply if a utilization review organization, health plan company, or claims administrator removes a brand name drug from its formulary or places a brand name drug in a benefit category that increases the enrollee's cost, provided the utilization review organization, health plan company, or claims administrator (1) adds to its formulary a generic or multisource brand name drug rated as therapeutically equivalent according to the FDA Orange Book, or a biologic drug rated as interchangeable according to the FDA Purple Book, at a lower cost to the enrollee, and (2) provides at least a 60-day notice to prescribers, pharmacists, and affected enrollees.

Subd. 3. **Limitations.** This section does not apply to public health care programs administered under chapter 256B or 256L.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 18. **[62M.18] ANNUAL POSTING ON WEBSITE; PRIOR AUTHORIZATIONS.**

(a) By April 1, 2022, and each April 1 thereafter, a health plan company must post on the health plan company's public website the following data for the immediately preceding calendar year for each commercial product:

(1) the number of prior authorization requests for which an authorization was issued;

(2) the number of prior authorization requests for which an adverse determination was issued and sorted by: (i) health care service; (ii) whether the adverse determination was appealed; and (iii) whether the adverse determination was upheld or reversed on appeal;

(3) the number of prior authorization requests that were submitted electronically and not by facsimile or e-mail or other method pursuant to section 62J.497; and

(4) the reasons for prior authorization denial including but not limited to:

(i) the patient did not meet prior authorization criteria;

(ii) incomplete information submitted by the provider to the utilization review organization;

(iii) change in treatment program; and

(iv) the patient is no longer covered by the plan.

(b) All information posted under this section must be written in easily understandable language.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 19. **COMPLIANCE REPORT ON DRUG PRIOR AUTHORIZATION.**

By February 1, 2021, the commissioner of health shall submit to the chairs and ranking minority members of the legislative committees with jurisdiction over health care policy and finance a report on compliance with the requirements for providers in Minnesota Statutes, section 62J.497, subdivision 5. The report must include the following information from health plans offered in the commercial fully insured and self-insured health insurance markets:

(1) the total number of drug prior authorization requests;

(2) the frequency with which drug prior authorization requests are submitted electronically. Electronic submission does not include facsimile or e-mail requests;

(3) the turnaround times for health plans when drug prior authorizations are submitted electronically;

(4) the turnaround times for health plans when drug prior authorizations are not submitted electronically;

(5) the reasons electronic drug prior authorizations are denied;

(6) the reasons nonelectronic drug prior authorizations are denied;

(7) the anticipated effect on denials and turnaround times if all providers in Minnesota were to submit drug prior authorizations electronically;

(8) the differences between the commercial fully insured and self-insured markets for clauses (1) to (7); and

(9) the reasons providers are not able to comply with Minnesota Statutes, section 62J.497, subdivision 5.

Sec. 20. **REPEALER.**

(a) Minnesota Statutes 2018, section 62M.02, subdivision 19, is repealed effective January 1, 2021.

(b) Minnesota Rules, part 4685.0100, subpart 9b, is repealed effective January 1, 2021.

ARTICLE 2 CONFORMING CHANGES

Section 1. Minnesota Statutes 2018, section 62M.02, subdivision 2, is amended to read:

Subd. 2. **Appeal.** "Appeal" means a formal request, either orally or in writing, to reconsider a an adverse determination not to certify regarding an admission, extension of stay, or other health care service.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 2. Minnesota Statutes 2018, section 62M.04, subdivision 1, is amended to read:

Subdivision 1. **Responsibility for obtaining certification authorization.** A health benefit plan that includes utilization review requirements must specify the process for notifying the utilization review organization in a timely manner and obtaining certification authorization for health care services. Each health plan company must provide a clear and concise description of this process to an enrollee as part of the policy, subscriber contract, or certificate of coverage. In addition to the enrollee, the utilization review organization must allow any provider or provider's designee, or responsible patient representative, including a family member, to fulfill the obligations under the health plan.

A claims administrator that contracts directly with providers for the provision of health care services to enrollees may, through contract, require the provider to notify the review organization in a timely manner and obtain certification authorization for health care services.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 3. Minnesota Statutes 2018, section 62M.04, subdivision 2, is amended to read:

Subd. 2. **Information upon which utilization review is conducted.** (a) If the utilization review organization is conducting routine prospective and concurrent utilization review, utilization review organizations must collect only the information necessary to ~~certify~~ authorize the admission, procedure of treatment, and length of stay.

(b) Utilization review organizations may request, but may not require providers to supply, numerically encoded diagnoses or procedures as part of the ~~certification~~ authorization process.

(c) Utilization review organizations must not routinely request copies of medical records for all patients reviewed. In performing prospective and concurrent review, copies of the pertinent portion of the medical record should be required only when a difficulty develops in ~~certifying~~ authorizing the medical necessity or appropriateness of the admission or extension of stay.

(d) Utilization review organizations may request copies of medical records retrospectively for a number of purposes, including auditing the services provided, quality assurance review, ensuring compliance with the terms of either the health benefit plan or the provider contract, and compliance with utilization review activities. Except for reviewing medical records associated with an appeal or with an investigation or audit of data discrepancies, providers must be reimbursed for the reasonable costs of duplicating records requested by the utilization review organization for retrospective review unless otherwise provided under the terms of the provider contract.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 4. Minnesota Statutes 2018, section 62M.04, subdivision 3, is amended to read:

Subd. 3. **Data elements.** (a) Except as otherwise provided in ~~sections 62M.01 to 62M.16~~ this chapter, for purposes of ~~certification~~ authorization a utilization review organization must limit its data requirements to the following elements:

(b) Patient information that includes the following:

- (1) name;
- (2) address;
- (3) date of birth;
- (4) sex;
- (5) Social Security number or patient identification number;
- (6) name of health plan company or health plan; and
- (7) plan identification number.

(c) Enrollee information that includes the following:

- (1) name;
- (2) address;

- (3) Social Security number or employee identification number;
 - (4) relation to patient;
 - (5) employer;
 - (6) health benefit plan;
 - (7) group number or plan identification number; and
 - (8) availability of other coverage.
- (d) Attending health care professional information that includes the following:
- (1) name;
 - (2) address;
 - (3) telephone numbers;
 - (4) degree and license;
 - (5) specialty or board certification status; and
 - (6) tax identification number or other identification number.
- (e) Diagnosis and treatment information that includes the following:
- (1) primary diagnosis with associated ICD or DSM coding, if available;
 - (2) secondary diagnosis with associated ICD or DSM coding, if available;
 - (3) tertiary diagnoses with associated ICD or DSM coding, if available;
 - (4) proposed procedures or treatments with ICD or associated CPT codes, if available;
 - (5) surgical assistant requirement;
 - (6) anesthesia requirement;
 - (7) proposed admission or service dates;
 - (8) proposed procedure date; and
 - (9) proposed length of stay.
- (f) Clinical information that includes the following:
- (1) support and documentation of appropriateness and level of service proposed; and
 - (2) identification of contact person for detailed clinical information.

(g) Facility information that includes the following:

- (1) type;
- (2) licensure and certification status and DRG exempt status;
- (3) name;
- (4) address;
- (5) telephone number; and
- (6) tax identification number or other identification number.

(h) Concurrent or continued stay review information that includes the following:

- (1) additional days, services, or procedures proposed;
- (2) reasons for extension, including clinical information sufficient for support of appropriateness and level of service proposed; and
- (3) diagnosis status.

(i) For admissions to facilities other than acute medical or surgical hospitals, additional information that includes the following:

- (1) history of present illness;
- (2) patient treatment plan and goals;
- (3) prognosis;
- (4) staff qualifications; and
- (5) 24-hour availability of staff.

Additional information may be required for other specific review functions such as discharge planning or catastrophic case management. Second opinion information may also be required, when applicable, to support benefit plan requirements.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 5. Minnesota Statutes 2018, section 62M.04, subdivision 4, is amended to read:

Subd. 4. **Additional information.** A utilization review organization may request information in addition to that described in subdivision 3 when there is significant lack of agreement between the utilization review organization and the provider regarding the appropriateness of ~~certification~~ authorization during the review or appeal process. For purposes of this subdivision, "significant lack of agreement" means that the utilization review organization has:

- (1) tentatively determined through its professional staff that a service cannot be ~~certified~~ authorized;

(2) referred the case to a physician for review; and

(3) talked to or attempted to talk to the attending health care professional for further information.

Nothing in ~~sections 62M.01 to 62M.16~~ this chapter prohibits a utilization review organization from requiring submission of data necessary to comply with the quality assurance and utilization review requirements of chapter 62D or other appropriate data or outcome analyses.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 6. Minnesota Statutes 2018, section 62M.05, subdivision 3, is amended to read:

Subd. 3. **Notification of adverse determinations and authorizations.** A utilization review organization must have written procedures for providing notification of ~~its determinations on~~ all ~~certifications~~ its adverse determinations and authorizations in accordance with this section.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 7. Minnesota Statutes 2018, section 62M.05, subdivision 5, is amended to read:

Subd. 5. **Notification to claims administrator.** If the utilization review organization and the claims administrator are separate entities, the utilization review organization must forward, electronically or in writing, a notification of ~~certification or determination not to certify~~ an authorization or adverse determination to the appropriate claims administrator for the health benefit plan. If it is determined by the claims administrator that the ~~certified~~ authorized health care service is not covered by the health benefit plan, the claims administrator must promptly notify the claimant and provider of this information.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 8. Minnesota Statutes 2018, section 62M.06, subdivision 1, is amended to read:

Subdivision 1. **Procedures for appeal.** (a) A utilization review organization must have written procedures for appeals of adverse determinations ~~not to certify~~. The right to appeal must be available to the enrollee and to the attending health care professional.

(b) The enrollee shall be allowed to review the information relied upon in the course of the appeal, present evidence and testimony as part of the appeals process, and receive continued coverage pending the outcome of the appeals process. This paragraph does not apply to managed care plans or county-based purchasing plans serving state public health care program enrollees under section 256B.69, 256B.692, or chapter 256L, or to grandfathered plans as defined under section 62A.011, subdivision 1c. Nothing in this paragraph shall be construed to limit or restrict the appeal rights of state public health care program enrollees provided under section 256.045 and Code of Federal Regulations, title 42, section 438.420(d).

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 9. Minnesota Statutes 2018, section 62M.06, subdivision 2, is amended to read:

Subd. 2. **Expedited appeal.** (a) When an ~~initial~~ adverse determination ~~not to certify~~ for a health care service is made prior to or during an ongoing service requiring review and the attending health care professional believes that the adverse determination warrants an expedited appeal, the utilization review organization must ensure that the enrollee and the attending health care professional have an opportunity to appeal the adverse determination over the telephone on an expedited basis. In such an appeal, the utilization review organization must ensure reasonable access to its consulting physician or health care provider.

(b) The utilization review organization shall notify the enrollee and attending health care professional by telephone of its determination on the expedited appeal as expeditiously as the enrollee's medical condition requires, but no later than 72 hours after receiving the expedited appeal.

(c) If the adverse determination ~~not to certify~~ is not reversed through the expedited appeal, the utilization review organization must include in its notification the right to submit the appeal to the external appeal process described in section 62Q.73 and the procedure for initiating the process. This information must be provided in writing to the enrollee and the attending health care professional as soon as practical.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 10. Minnesota Statutes 2018, section 62M.06, subdivision 4, is amended to read:

Subd. 4. **Notification to claims administrator.** If the utilization review organization and the claims administrator are separate entities, the utilization review organization must notify, either electronically or in writing, the appropriate claims administrator for the health benefit plan of any adverse determination ~~not to certify~~ that is reversed on appeal.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 11. Minnesota Statutes 2018, section 62M.09, subdivision 3a, is amended to read:

Subd. 3a. **Mental health and substance abuse reviews.** (a) A peer of the treating mental health or substance abuse provider, a doctoral-level psychologist, or a physician must review requests for outpatient services in which the utilization review organization has concluded that a an adverse determination ~~not to certify~~ for a mental health or substance abuse service for clinical reasons is appropriate, provided that any final adverse determination ~~not to certify~~ issued under section 62M.05 for a treatment is made by a psychiatrist certified by the American Board of Psychiatry and Neurology and appropriately licensed in this state or by a doctoral-level psychologist licensed in this state.

(b) Notwithstanding paragraph (a), a doctoral-level psychologist shall not review any request or final adverse determination ~~not to certify~~ for a mental health or substance abuse service or treatment if the treating provider is a psychiatrist.

(c) Notwithstanding the notification requirements of section 62M.05, a utilization review organization that has made ~~an initial decision~~ a determination to ~~certify~~ authorize in accordance with the requirements of section 62M.05 may elect to provide notification of a determination to continue coverage through facsimile or mail.

(d) This subdivision does not apply to determinations made in connection with policies issued by a health plan company that is assessed less than three percent of the total amount assessed by the Minnesota Comprehensive Health Association.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 12. Minnesota Statutes 2018, section 62M.09, subdivision 4, is amended to read:

Subd. 4. **Dentist plan reviews.** A dentist must review all cases in which the utilization review organization has concluded that a an adverse determination not to certify for a dental service or procedure for clinical reasons is appropriate and an appeal has been made by the attending dentist, enrollee, or designee.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 13. Minnesota Statutes 2018, section 62M.09, subdivision 4a, is amended to read:

Subd. 4a. **Chiropractic review.** A chiropractor must review all cases in which the utilization review organization has concluded that a an adverse determination not to certify for a chiropractic service or procedure for clinical reasons is appropriate and an appeal has been made by the attending chiropractor, enrollee, or designee.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 14. Minnesota Statutes 2018, section 62M.09, subdivision 5, is amended to read:

Subd. 5. **Written clinical criteria.** A utilization review organization's decisions must be supported by written clinical criteria and review procedures. Clinical criteria and review procedures must be established with appropriate involvement from actively practicing physicians. A utilization review organization must use written clinical criteria, as required, for determining the appropriateness of the ~~certification~~ authorization request. The utilization review organization must have a procedure for ensuring, at a minimum, the annual evaluation and updating of the written criteria based on sound clinical principles.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 15. Minnesota Statutes 2018, section 62M.11, is amended to read:

62M.11 COMPLAINTS TO COMMERCE OR HEALTH.

Notwithstanding the provisions of ~~sections 62M.01 to 62M.16~~ this chapter, an enrollee may file a complaint regarding a an adverse determination not to certify directly to the commissioner responsible for regulating the utilization review organization.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 16. Minnesota Statutes 2018, section 62M.12, is amended to read:

62M.12 PROHIBITION OF INAPPROPRIATE INCENTIVES.

No individual who is performing utilization review may receive any financial incentive based on the number of ~~denials of certifications~~ adverse determinations made by such individual, provided that utilization review organizations may establish medically appropriate performance standards. This prohibition does not apply to financial incentives established between health plan companies and providers.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 17. Minnesota Statutes 2018, section 62Q.71, is amended to read:

62Q.71 NOTICE TO ENROLLEES.

Each health plan company shall provide to enrollees a clear and concise description of its complaint resolution procedure, if applicable under section 62Q.68, subdivision 1, and the procedure used for utilization review as defined under chapter 62M as part of the member handbook, subscriber contract, or certificate of coverage. If the health plan company does not issue a member handbook, the health plan company may provide the description in another written document. The description must specifically inform enrollees:

- (1) how to submit a complaint to the health plan company;
- (2) if the health plan includes utilization review requirements, how to notify the utilization review organization in a timely manner and how to obtain ~~certification~~ authorization for health care services;
- (3) how to request an appeal either through the procedures described in section 62Q.70, if applicable, or through the procedures described in chapter 62M;
- (4) of the right to file a complaint with either the commissioner of health or commerce at any time during the complaint and appeal process;
- (5) of the toll-free telephone number of the appropriate commissioner; and
- (6) of the right, for individual and group coverage, to obtain an external review under section 62Q.73 and a description of when and how that right may be exercised, including that under most circumstances an enrollee must exhaust the internal complaint or appeal process prior to external review. However, an enrollee may proceed to external review without exhausting the internal complaint or appeal process under the following circumstances:
 - (i) the health plan company waives the exhaustion requirement;
 - (ii) the health plan company is considered to have waived the exhaustion requirement by failing to substantially comply with any requirements including, but not limited to, time limits for internal complaints or appeals; or
 - (iii) the enrollee has applied for an expedited external review at the same time the enrollee ~~qualifies for and~~ has applied for ~~an expedited~~ internal review under chapter 62M.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 18. Minnesota Statutes 2018, section 62Q.73, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For purposes of this section, "adverse determination" means:

(1) for individual health plans, a complaint decision relating to a health care service or claim that is partially or wholly adverse to the complainant;

(2) an individual health plan that is grandfathered plan coverage may instead apply the definition of adverse determination for group coverage in clause (3);

(3) for group health plans, a complaint decision relating to a health care service or claim that has been appealed in accordance with section 62Q.70 and the appeal decision is partially or wholly adverse to the complainant;

(4) any ~~initial~~ adverse determination ~~not to certify~~, as defined in section 62M.02, subdivision 1a, that has been appealed in accordance with section 62M.06 and the appeal did not reverse the ~~initial~~ adverse determination ~~not to certify~~;

(5) a decision relating to a health care service made by a health plan company licensed under chapter 60A that denies the service on the basis that the service was not medically necessary; or

(6) the enrollee has met the requirements of subdivision 6, paragraph (e).

An adverse determination does not include complaints relating to fraudulent marketing practices or agent misrepresentation.

EFFECTIVE DATE. This section is effective January 1, 2021, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 19. **REVISOR INSTRUCTIONS.**

(a) In Minnesota Statutes, chapter 62M, the revisor of statutes shall replace references to "sections 62M.01 to 62M.16" with "this chapter." In Minnesota Statutes, section 256B.692, subdivision 2, the revisor of statutes shall replace a reference to "sections 62M.01 to 62M.16" with "chapter 62M." The revisor shall make any necessary technical and conforming changes to sentence structure to preserve the meaning of the text.

(b) The revisor of statutes shall replace the term "DETERMINATIONS NOT TO CERTIFY" with "ADVERSE DETERMINATIONS" in the section headnote for Minnesota Statutes, section 62M.06.

EFFECTIVE DATE. Paragraph (a) is effective August 1, 2020. Paragraph (b) is effective January 1, 2021."

Correct the title numbers accordingly

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3398 was re-referred to the Committee on Rules and Legislative Administration.

Liebling from the Health and Human Services Finance Division to which was referred:

H. F. No. 3563, A bill for an act relating to family law; modifying child support provisions; amending Minnesota Statutes 2018, sections 518A.29; 518A.33; 518A.35, subdivisions 1, 2; 518A.40, subdivision 4, by adding a subdivision; 518A.42; 518A.43, by adding a subdivision.

Reported the same back with the following amendments:

Page 4, line 13, delete "(a)"

Page 12, delete lines 9 to 12

Page 15, line 14, before the colon, insert "the only change in circumstances is an increase to the custodial parent's income and"

Page 15, line 16, after the semicolon, insert "or"

Page 15, line 17, delete "; and" and insert a period

Page 15, delete line 18

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 3625, A bill for an act relating to housing; modifying the definition of modular home; modifying assessment provision for manufactured home relocation trust fund; amending Minnesota Statutes 2019 Supplement, sections 327.31, subdivision 23; 327C.095, subdivision 12.

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3625 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 3737, A bill for an act relating to human services; amending child care provider licensing and training provisions; amending Minnesota Statutes 2018, sections 245A.02, subdivision 2c; 245A.50, as amended; Minnesota Statutes 2019 Supplement, sections 245A.149; 245A.40, subdivision 7.

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 3904, A bill for an act relating to commerce; regulating certain conduct relating to the timing of money transmission; amending Minnesota Statutes 2018, section 53B.18.

Reported the same back with the following amendments:

Page 1, line 19, delete "reason to believe" and insert "a reasonable belief or a reasonable basis to believe that" and after "crime" insert "or violation of law, rule, or regulation"

Page 2, line 13, delete the colon and insert "violates state or federal law."

Page 2, delete lines 14 to 18 and insert:

"(f) A licensee or its authorized delegate must refund to the customer all money received for transmittal within ten days of receipt of a request for a refund unless any of the following has occurred:

(1) the money has been transmitted and delivered to the person designated by the customer prior to receipt of the written request for a refund;

(2) instructions have been given committing an equivalent amount of money to the person designated by the customer prior to the receipt of a request for a refund; or

(3) the licensee is otherwise barred by law from making a refund."

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3904 was re-referred to the Committee on Rules and Legislative Administration.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 4067, A bill for an act relating to financial institutions; modifying authorized investments for banks and trust companies; amending Minnesota Statutes 2018, section 48.61, subdivision 3.

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4067 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4285, A bill for an act relating to agriculture; making policy or technical changes to various agriculture-related provisions, including provisions related to perishable farm products, seed law, noxious weed law, hemp, farming, loans, plant shipment, pet food, food, eggs, grain, and others; providing farm safety grants and

outreach programs; classifying certain data; modifying rulemaking authority; providing veterinarian immunity in certain situations; requiring reports; requiring recommendations; amending Minnesota Statutes 2018, sections 13.6435, subdivision 4a; 17.117, subdivisions 4, 5, 16; 18.77, subdivisions 8a, 13, by adding subdivisions; 18.771; 18.78, subdivisions 1, 3; 18.79, subdivisions 6, 10, 15, 18, 21; 18.82; 18.90; 18.91, subdivision 2; 18G.09; 18K.02, by adding subdivisions; 18K.04, subdivisions 1, 3, by adding subdivisions; 18K.06; 21.72, subdivisions 11, 14, 15, by adding a subdivision; 21.73, subdivision 1; 21.74; 21.75, subdivision 1; 21.81, by adding subdivisions; 21.82, by adding a subdivision; 21.84; 21.85, subdivisions 2, 15; 21.86, subdivision 2; 21.89, subdivisions 2, 4; 21.891, subdivision 2; 25.40, subdivisions 1, 2; 27.001; 27.01; 27.03, subdivisions 3, 4; 27.0405, subdivision 1; 27.06; 27.07; 27.08; 27.09; 27.10; 27.11; 27.13; 27.131; 27.133; 27.137, subdivisions 5, 7, 9, 10; 27.138; 27.19, subdivision 1; 28A.03, subdivision 8; 29.23, subdivision 3; 31A.02, subdivision 10; 31A.10; 31A.15, subdivision 1; 41B.056, subdivision 4; 41D.01; 41D.02; 41D.03; 41D.04; Minnesota Statutes 2019 Supplement, sections 223.16, subdivision 4; 223.177, subdivisions 2, 3; Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 17; 21; 343; repealing Minnesota Statutes 2018, sections 13.6435, subdivision 5; 21.81, subdivision 12; 27.03, subdivision 1; 27.04; 27.041.

Reported the same back with the following amendments:

Page 35, delete section 6

Page 50, line 3, delete the colon and insert "the report of a suspected incident of animal cruelty."

Page 50, delete lines 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete "programs;"

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

The report was adopted.

Liebling from the Health and Human Services Finance Division to which was referred:

H. F. No. 4374, A bill for an act relating to human services; amending the definition of provider; modifying the child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1; Minnesota Statutes 2019 Supplement, section 119B.011, subdivision 19.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4490, A bill for an act relating to agriculture; providing supplemental agriculture-related appropriations for farm and rural mental health services, farmers assistance, farm advocate services, farm safety, veterinary diagnostic equipment, farm loan origination fee assistance, and retail food handler safety; providing farm safety grant and outreach programs; making technical changes; amending Minnesota Statutes 2018, section 31.175; Laws 2019, First Special Session chapter 1, article 1, section 2, subdivisions 3, 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Page 3, line 9, after the period, insert "The additional \$40,000 appropriated in the second year is for outreach and services that are eligible for federal reimbursement under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, title V."

Page 3, line 24, delete "23,254,000" and insert "23,554,000"

Page 3, line 26, delete "\$8,900,000" and insert "\$9,200,000"

Page 4, line 19, delete "\$600,000" and insert "\$900,000"

Page 4, line 20, before the period, insert ", salmonella, and other turkey-related diseases" and after the period, insert "\$675,000 of the \$900,000 allocation in the second year is for Veterinary Diagnostic Laboratory testing equipment and supplies necessary to respond to avian influenza, African swine fever, or other poultry and livestock diseases."

Page 4, line 30, after the period, insert "The base allocation for avian influenza research is up to \$1,000,000 in fiscal year 2022 and up to \$1,000,000 in fiscal year 2023."

Page 7, line 21, after the period, insert "This assistance must be provided in a manner that is eligible for federal reimbursement under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, title V."

Page 9, line 8, before "The" insert "The additional \$60,000 appropriated in the second year is for farm advocate services that are eligible for federal reimbursement under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, title V."

Page 12, line 9, delete "\$125,000" and insert "\$100,000"

Page 12, line 11, delete "\$75,000" and insert "\$50,000"

Page 12, delete section 5

Page 13, line 7, after "to" insert "50 percent of"

Page 14, delete lines 12 to 19

Page 14, after line 20, insert:

"Sec. 7. **ALTERNATE APPROPRIATION.**

The commissioner of management and budget, in consultation with the commissioner of agriculture, must determine whether any of the expenditures an appropriation is made for under this act is an eligible use of federal funding received under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, title V. If the commissioner of management and budget determines an expenditure is eligible for funding under title V of the CARES Act, the amount for the eligible expenditure is appropriated from the fund or account where CARES Act money has been deposited and the corresponding amount appropriated under this act cancels to the general fund.

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

Page 15, line 7, delete "\$500" and insert "\$400"

Page 15, line 8, after the period, insert "A farm entity may not receive more than one grant each fiscal year."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before "for" insert "for various agriculture-related purposes including appropriations"

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

The report was adopted.

Nelson, M., from the State Government Finance Division to which was referred:

H. F. No. 4500, A bill for an act relating to state government; changing a provision for the Legislative Reference Library; amending Minnesota Statutes 2018, section 3.302, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **GRANT EXTENSIONS RELATED TO COVID-19.**

Notwithstanding Minnesota Statutes, sections 16A.28, subdivision 6, and 16B.98, subdivision 7, and in order to provide relief from the effects of the peacetime emergency related to the infectious disease known as COVID-19, upon approval by the commissioner of management and budget, encumbrances for grants issued by June 30, 2020, may be certified for a period of two fiscal years beyond the fiscal year in which the appropriations were scheduled to cancel.

EFFECTIVE DATE; APPLICABILITY. This section is effective the day following final enactment and applies to grants encumbered or certified before, on, or after that date."

Delete the title and insert:

"A bill for an act relating to state government; providing COVID-19 grant extensions."

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

The report was adopted.

Nelson, M., from the State Government Finance Division to which was referred:

H. F. No. 4597, A bill for an act relating to horse racing; modifying certain revenue and reimbursement provisions; granting certain discretion to the commission for operation of a card club; amending Minnesota Statutes 2018, section 240.30, subdivisions 5, 9; Minnesota Statutes 2019 Supplement, sections 240.13, subdivision 5; 240.131, subdivision 7.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4601, A bill for an act relating to human services; requiring the commissioner of human services to award grants from the opiate epidemic response account.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4645, A bill for an act relating to state government; extending the COVID-19 Minnesota fund; amending Laws 2020, chapter 71, article 1, section 7, subdivision 1.

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

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

S. F. No. 4073, A bill for an act relating to environment; banning certain uses of trichloroethylene; proposing coding for new law in Minnesota Statutes, chapter 116.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2129, 3194, 3195, 3341, 3737, 4285, 4490, 4601 and 4645 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2466, 3357 and 4073 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olson and Lippert introduced:

H. F. No. 4646, A bill for an act relating to unemployment insurance; repealing Social Security old age insurance benefit deduction from unemployment insurance benefits requirement provision; repealing Minnesota Statutes 2018, section 268.085, subdivision 4.

The bill was read for the first time and referred to the Jobs and Economic Development Finance Division.

Olson and Lippert introduced:

H. F. No. 4647, A bill for an act relating to unemployment insurance; modifying the effect of Social Security benefits on unemployment benefits during COVID-19 pandemic.

The bill was read for the first time and referred to the Jobs and Economic Development Finance Division.

Green introduced:

H. F. No. 4648, A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution article V, section 3; declaring an emergency; repealing Minnesota Statutes 2018, section 12.31, subdivisions 1, 2, 3.

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

Runbeck, Torkelson and Layman introduced:

H. F. No. 4649, A bill for an act relating to transportation; providing for issuance of certain drivers' licenses during the peacetime public health emergency.

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

Davids introduced:

H. F. No. 4650, A bill for an act relating to taxation; income; modifying criteria for determination of residency for resident trusts; amending Minnesota Statutes 2018, section 290.01, subdivisions 7a, 7b.

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

Mekeland introduced:

H. F. No. 4651, A bill for an act relating to eminent domain; authorizing inverse condemnation by a business closed by executive order due to a peacetime emergency; proposing coding for new law in Minnesota Statutes, chapter 12.

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

Nash and Boe introduced:

H. F. No. 4652, A bill for an act relating to capital investment; appropriating money for levee restoration in Carver; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Davids introduced:

H. F. No. 4653, A bill for an act relating to agriculture; appropriating money to reimburse pork producers for costs incurred to euthanize and compost hogs.

The bill was read for the first time and referred to the Agriculture and Food Finance and Policy Division.

Munson, Miller, Drazkowski and Bahr introduced:

H. F. No. 4654, A bill for an act relating to agriculture; establishing the Minnesota Food Freedom Act; exempting homemade food sellers from certain statutes; preempting application of certain local ordinances to homemade food sellers; amending Minnesota Statutes 2018, section 28A.152; proposing coding for new law in Minnesota Statutes, chapter 28A.

The bill was read for the first time and referred to the Agriculture and Food Finance and Policy Division.

Miller, Bahr, Munson, Drazkowski and Lucero introduced:

H. F. No. 4655, A bill for an act relating to state government; providing for religious expression; proposing coding for new law in Minnesota Statutes, chapter 363A.

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

Robbins introduced:

H. F. No. 4656, A bill for an act relating to economic development; COVID-19; allowing the restarting of activities in Minnesota affected by COVID-19.

The bill was read for the first time and referred to the Jobs and Economic Development Finance Division.

Haley introduced:

H. F. No. 4657, A bill for an act relating to state government; permitting the legislature to terminate any order or rule promulgated by the governor directing a response to a peacetime emergency if the emergency is continued for more than 30 days; amending Minnesota Statutes 2018, sections 12.31, subdivision 2; 12.32.

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

Tabke introduced:

H. F. No. 4658, A bill for an act relating to local government; authorizing the city of Shakopee to abolish the city public utilities commission or transfer to the city council one or more of the commission's powers, duties, assets, and liabilities, subject to a reverse referendum.

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

Sundin introduced:

H. F. No. 4659, A bill for an act relating to economic development; providing payments to essential workers during the COVID-19 pandemic; exempting payments from income tax.

The bill was read for the first time and referred to the Jobs and Economic Development Finance Division.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam 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. 745, A bill for an act relating to marriage; eliminating provisions allowing marriages by minors; requiring proof of age; amending Minnesota Statutes 2018, sections 517.02; 517.03, subdivision 1; 517.08, subdivisions 1a, 1b, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Her moved that the House concur in the Senate amendments to H. F. No. 745 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 745, A bill for an act relating to marriage; eliminating provisions allowing marriages by minors; requiring proof of age; amending Minnesota Statutes 2018, sections 517.02; 517.03, subdivision 1; 517.08, subdivisions 1a, 1b, by adding a subdivision.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hansen	Lesch	Nelson, N.	Sauke
Albright	Dehn	Hassan	Liebling	Neu	Schomacker
Anderson	Demuth	Hausman	Lien	Noor	Schultz
Backer	Dettmer	Heinrich	Lillie	Nornes	Scott
Bahner	Drazkowski	Heintzeman	Lippert	Novotny	Stephenson
Bahr	Ecklund	Her	Lislegard	O'Driscoll	Sundin
Baker	Edelson	Hertaus	Long	Olson	Swedzinski
Becker-Finn	Elkins	Hornstein	Lucero	O'Neill	Tabke
Bennett	Erickson	Howard	Lueck	Pelowski	Theis
Bernardy	Fabian	Huot	Mahoney	Persell	Torkelson
Bierman	Fischer	Johnson	Mariani	Petersburg	Urdahl
Boe	Franson	Jordan	Marquart	Pierson	Vang
Brand	Freiberg	Jurgens	Masin	Pinto	Vogel
Cantrell	Garofalo	Kiel	McDonald	Poppe	Wagenius
Carlson, A.	Gomez	Klevorn	Mekeland	Poston	Wazlawik
Carlson, L.	Green	Koegel	Miller	Pryor	West
Christensen	Grossell	Kotyza-Witthuhn	Moller	Quam	Winkler
Clafin	Gruenhagen	Koznick	Moran	Richardson	Wolgamott
Considine	Gunther	Kresha	Morrison	Robbins	Xiong, J.
Daniels	Haley	Kunesh-Podein	Munson	Runbeck	Xiong, T.
Daudt	Halverson	Layman	Murphy	Sandell	Youakim
Davids	Hamilton	Lee	Nelson, M.	Sandstede	Spk. Hortman

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam 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. 3429, A bill for an act relating to elections; providing special procedures for the safe and secure conduct of the 2020 state primary and state general elections; appropriating money for various election-related purposes, including administration, security, accessibility, training, public health and safety, and public outreach; authorizing local grants; requiring a report; transferring and appropriating money for purposes of the Help America Vote Act, the federal CARES Act, and the federal Consolidated Appropriations Act.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson, M., moved that the House concur in the Senate amendments to H. F. No. 3429 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3429, A bill for an act relating to elections; providing special procedures for the safe and secure conduct of the 2020 state primary and state general elections; appropriating money for various election-related purposes, including administration, security, accessibility, training, public health and safety, and public outreach; authorizing local grants; requiring a report; transferring and appropriating money for purposes of the Help America Vote Act, the federal CARES Act, and the federal Consolidated Appropriations Act.

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 122 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hassan	Liebling	Novotny	Sundin
Albright	Dehn	Hausman	Lien	O'Driscoll	Swedzinski
Anderson	Demuth	Heinrich	Lillie	Olson	Tabke
Backer	Dettmer	Heintzeman	Lippert	O'Neill	Theis
Bahner	Ecklund	Her	Lislegard	Pelowski	Torkelson
Baker	Edelson	Hornstein	Long	Persell	Urdahl
Becker-Finn	Elkins	Howard	Lueck	Petersburg	Vang
Bennett	Erickson	Huot	Mahoney	Pierson	Vogel
Bernardy	Fabian	Johnson	Mariani	Pinto	Wagenius
Bierman	Fischer	Jordan	Marquart	Poppe	Wazlawik
Boe	Freiberg	Jurgens	Masin	Poston	West
Brand	Garofalo	Kiel	Miller	Pryor	Winkler
Cantrell	Gomez	Klevorn	Moller	Richardson	Wolgamott
Carlson, A.	Green	Koegel	Moran	Robbins	Xiong, J.
Carlson, L.	Grossell	Kotzya-Witthuhn	Morrison	Sandell	Xiong, T.
Christensen	Gruenhagen	Koznick	Murphy	Sandstede	Youakim
Clafin	Gunther	Kresha	Nelson, M.	Sauke	Spk. Hortman
Considine	Haley	Kunesh-Podein	Nelson, N.	Schomacker	
Daniels	Halverson	Layman	Neu	Schultz	
Daudt	Hamilton	Lee	Noor	Scott	
Davids	Hansen	Lesch	Nornes	Stephenson	

Those who voted in the negative were:

Bahr	Franson	Lucero	Mekeland	Quam
Drazkowski	Hertaus	McDonald	Munson	Runbeck

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

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

S. F. Nos. 3255, 3298 and 3560.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3255, A bill for an act relating to public safety; modifying and authorizing various provisions relating to transportation, motor vehicles, and drivers; establishing requirements for meteorological towers; requiring reports; amending Minnesota Statutes 2018, sections 160.05, subdivision 1; 161.115, subdivision 43; 168.09, subdivision 7; 168.091; 168.092; 169.09, subdivision 3; 169.451, subdivisions 2, 4, by adding a subdivision; 171.02, subdivisions 2a, 2b; 171.07, by adding a subdivision; 174.30, subdivisions 2a, 4a, 8; 299D.03, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 161.14, subdivision 94; 171.07, subdivision 6a; Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision 2; article 3, section 120; Laws 2020, chapter 71, article 2, section 15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 169; 216F; 360; repealing Minnesota Statutes 2018, sections 169.86, subdivision 3b; 174.30, subdivision 4b.

The bill was read for the first time.

Hornstein moved that S. F. No. 3255 and H. F. No. 3494, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3298, A bill for an act relating to local government; modifying provisions relating to charter commissions; permitting reappointments; amending Minnesota Statutes 2018, sections 410.05, subdivision 2; 410.06.

The bill was read for the first time.

Sauke moved that S. F. No. 3298 and H. F. No. 3483, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3560, A bill for an act relating to human services; modifying policy provisions governing health care; specifying when a provider must furnish requested medical records; modifying x-ray equipment provisions; requiring an annual unannounced inspection of medical cannabis manufacturers; modifying eligibility for the reduced patient enrollment fee for the medical cannabis program; permitting licensed physician assistants to practice without a delegation agreement; modifying licensed traditional midwifery scope of practice; modifying the request for proposal for a central drug repository; authorizing pharmacists to prescribe self-administered hormonal contraceptives, nicotine replacement medications, and opiate antagonists; allowing telemedicine examinations to be used to prescribe medications for erectile dysfunction and for the treatment of substance abuse disorders; changing the terminology and other technical changes to the opiate epidemic response account and council; adding advanced practice registered nurses to certain statutes; amending Minnesota Statutes 2018, sections 62A.307, subdivision 2; 62D.09, subdivision 1; 62E.06, subdivision 1; 62J.17, subdivision 4a; 62J.495, subdivision 1a; 62J.52, subdivision 2; 62J.823, subdivision 3; 62Q.43, subdivisions 1, 2; 62Q.54; 62Q.57, subdivision 1; 62Q.73, subdivision 7; 62Q.733, subdivision 3; 62Q.74, subdivision 1; 62S.08, subdivision 3; 62S.20, subdivision 5b; 62S.21, subdivision 2; 62S.268, subdivision 1; 62U.03; 62U.04, subdivision 11; 144.121, subdivisions 1, 2, 5, by adding subdivisions; 144.292, subdivisions 2, 5; 144.3345, subdivision 1; 144.3352; 144.34; 144.441, subdivisions 4, 5; 144.442, subdivision 1; 144.4803, subdivisions 1, 4, 10, by adding a subdivision; 144.4806; 144.4807, subdivisions 1, 2, 4; 144.50, subdivision 2; 144.55, subdivision 6; 144.6501, subdivision 7; 144.651, subdivisions 7, 8, 9, 10, 12, 14, 31, 33; 144.652, subdivision 2; 144.69; 144.7402, subdivision 2; 144.7406, subdivision 2; 144.7407, subdivision 2; 144.7414, subdivision 2; 144.7415, subdivision 2; 144.9502, subdivision 4; 144.966, subdivisions 3, 6; 144A.135; 144A.161, subdivisions 5, 5a, 5e, 5g; 144A.75, subdivisions 3, 6; 144A.752, subdivision 1; 145.853, subdivision 5; 145.892, subdivision 3; 145.94, subdivision 2; 145B.13; 145C.02; 145C.06; 145C.07, subdivision 1; 145C.16; 147A.01, subdivisions 3, 21, 26, 27, by adding a subdivision; 147A.02; 147A.03, by adding a subdivision; 147A.05;

147A.09; 147A.13, subdivision 1; 147A.14, subdivision 4; 147A.16; 147A.23; 147D.03, subdivision 2; 148.6438, subdivision 1; 151.01, by adding a subdivision; 151.071, subdivision 8; 151.19, subdivision 4; 151.21, subdivision 4a; 151.37, subdivision 2, by adding subdivisions; 152.12, subdivision 1; 152.32, subdivision 3; 152.35; 245A.143, subdivision 8; 245A.1435; 245C.02, subdivision 18; 245C.04, subdivision 1; 245D.02, subdivision 11; 245D.11, subdivision 2; 245D.22, subdivision 7; 245D.25, subdivision 2; 245G.08, subdivisions 2, 5; 245G.21, subdivisions 2, 3; 246.711, subdivision 2; 246.715, subdivision 2; 246.716, subdivision 2; 246.721; 246.722; 251.043, subdivision 1; 252A.02, subdivision 12; 252A.04, subdivision 2; 252A.20, subdivision 1; 253B.03, subdivisions 4, 6d; 253B.06, subdivision 2; 253B.23, subdivision 4; 254A.08, subdivision 2; 256.01, subdivision 29; 256.9685, subdivisions 1a, 1b, 1c; 256.975, subdivisions 7a, 11; 256B.04, subdivision 14a; 256B.043, subdivision 2; 256B.055, subdivision 12; 256B.056, subdivisions 1a, 4, 7, 10; 256B.0561, subdivision 2; 256B.057, subdivisions 1, 10; 256B.0575, subdivisions 1, 2; 256B.0622, subdivision 2b; 256B.0623, subdivision 2; 256B.0625, subdivisions 1, 12, 13h, 26, 27, 28, 64; 256B.0654, subdivisions 1, 2a, 3, 4; 256B.0659, subdivisions 2, 4, 8; 256B.0751; 256B.0753, subdivision 1; 256B.69, by adding a subdivision; 256B.73, subdivision 5; 256B.75; 256J.08, subdivision 73a; 256L.03, subdivision 1; 256L.15, subdivision 1; 256R.54, subdivisions 1, 2; 257.63, subdivision 3; 257B.01, subdivisions 3, 9, 10; 257B.06, subdivision 7; 446A.081, subdivision 9; Minnesota Statutes 2019 Supplement, sections 16A.151, subdivision 2; 62J.23, subdivision 2; 62Q.184, subdivision 1; 144.121, subdivisions 1a, 5a; 144.55, subdivision 2; 145C.05, subdivision 2; 147A.06; 151.01, subdivisions 23, 27; 151.065, subdivisions 1, as amended, 3, as amended, 6, 7, as amended; 151.071, subdivision 2; 151.19, subdivision 3; 151.252, subdivision 1; 151.555, subdivision 3; 152.29, subdivision 1; 245G.08, subdivision 3; 245H.11; 256.042, subdivisions 2, 4; 256.043; 256B.056, subdivision 7a; 256B.0625, subdivisions 13, 17, 60a; 256B.0659, subdivision 11; 256B.0913, subdivision 8; 256R.44; Laws 2019, chapter 63, article 3, sections 1; 2; Laws 2019, First Special Session chapter 9, article 11, section 35; Laws 2020, chapter 73, section 4, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapters 62Q; 147A; repealing Minnesota Statutes 2018, sections 62U.15, subdivision 2; 144.121, subdivisions 3, 5b; 147A.01, subdivisions 4, 11, 16a, 17a, 24, 25; 147A.04; 147A.10; 147A.11; 147A.18, subdivisions 1, 2, 3; 147A.20; 256B.057, subdivision 8; 256B.0752; 256L.04, subdivision 13; Minnesota Rules, parts 7380.0280; 9505.0365, subpart 3.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

CALENDAR FOR THE DAY

S. F. No. 1098, A bill for an act relating to health; establishing the Prescription Drug Price Transparency Act; requiring drug manufacturers to submit drug price information to the commissioner of health; providing civil penalties; requiring a report; modifying appropriations; proposing coding for new law in Minnesota Statutes, chapter 62J.

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 99 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Acomb	Bennett	Carlson, L.	Demuth	Garofalo	Hassan
Albright	Bernardy	Christensen	Dettmer	Gomez	Hausman
Anderson	Bierman	Claffin	Ecklund	Gunther	Her
Backer	Boe	Considine	Edelson	Haley	Hornstein
Bahner	Brand	Daniels	Elkins	Halverson	Howard
Baker	Cantrell	Davnie	Fischer	Hamilton	Huot
Becker-Finn	Carlson, A.	Dehn	Freiberg	Hansen	Jordan

Jurgens	Lillie	Moran	Pierson	Sauke	West
Klevorn	Lippert	Morrison	Pinto	Schultz	Winkler
Koegel	Lislegard	Murphy	Poppe	Scott	Wolgamott
Kotyza-Witthuhn	Long	Nelson, M.	Poston	Stephenson	Xiong, J.
Kunesh-Podein	Lueck	Nelson, N.	Pryor	Sundin	Xiong, T.
Layman	Mahoney	Noor	Richardson	Tabke	Youakim
Lee	Mariani	Olson	Robbins	Urdahl	Spk. Hortman
Lesch	Marquart	Pelowski	Runbeck	Vang	
Liebling	Masin	Persell	Sandell	Wagenius	
Lien	Moller	Petersburg	Sandstede	Wazlawik	

Those who voted in the negative were:

Bahr	Franson	Hertaus	McDonald	Novotny	Theis
Daudt	Green	Johnson	Mekeland	O'Driscoll	Torkelson
Davids	Grossell	Kiel	Miller	O'Neill	Vogel
Drazkowski	Gruenhagen	Koznick	Munson	Quam	
Erickson	Heinrich	Kresha	Neu	Schomacker	
Fabian	Heintzeman	Lucero	Nornes	Swedzinski	

The bill was passed and its title agreed to.

H. F. No. 331, A bill for an act relating to health; adding charter schools to the prohibition of tobacco in schools; increasing the tobacco sale age; increasing administrative penalties; adding a provision to municipal license of tobacco; allowing alternative penalties; amending Minnesota Statutes 2018, sections 171.171; 461.12, subdivisions 2, 3, 4, 5, 6; 461.18; 609.685; 609.6855; Minnesota Statutes 2019 Supplement, sections 144.4165; 144.4167, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 461.

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 89 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hausman	Lien	Noor	Schultz
Backer	Dettmer	Her	Lillie	Olson	Stephenson
Bahner	Ecklund	Hornstein	Lippert	Pelowski	Sundin
Baker	Edelson	Howard	Lislegard	Persell	Tabke
Bernardy	Elkins	Huot	Long	Petersburg	Urdahl
Bierman	Fischer	Jordan	Lueck	Pierson	Vang
Brand	Franson	Jurgens	Mariani	Pinto	Wagenius
Cantrell	Freiberg	Klevorn	Marquart	Poppe	Wazlawik
Carlson, A.	Gomez	Koegel	Masin	Poston	Winkler
Carlson, L.	Gruenhagen	Kotyza-Witthuhn	Miller	Pryor	Wolgamott
Christensen	Haley	Kunesh-Podein	Moller	Richardson	Xiong, J.
Clafin	Halverson	Layman	Moran	Robbins	Xiong, T.
Considine	Hamilton	Lee	Morrison	Sandell	Youakim
Davnie	Hansen	Lesch	Murphy	Sandstede	Spk. Hortman
Dehn	Hassan	Liebling	Nelson, M.	Sauke	

Those who voted in the negative were:

Albright	Davids	Gunther	Kresha	Neu	Scott
Anderson	Drazkowski	Heinrich	Lucero	Nornes	Swedzinski
Bahr	Erickson	Heintzeman	Mahoney	Novotny	Theis
Bennett	Fabian	Hertaus	McDonald	O'Driscoll	Torkelson
Boe	Garofalo	Johnson	Mekeland	O'Neill	Vogel
Daniels	Green	Kiel	Munson	Runbeck	West
Daudt	Grossell	Koznick	Nelson, N.	Schomacker	

The bill was passed and its title agreed to.

H. F. No. 4582, A bill for an act relating to human services; appropriating money for a onetime MFIP supplemental payment.

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 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Long	Persell	Wagenius
Bahner	Ecklund	Huot	Mahoney	Pinto	Wazlawik
Becker-Finn	Edelson	Jordan	Mariani	Poppe	Winkler
Bernardy	Elkins	Klevorn	Marquart	Pryor	Wolgamott
Bierman	Fischer	Koegel	Masin	Richardson	Xiong, J.
Brand	Freiberg	Kotyza-Witthuhn	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Kunesh-Podein	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Lee	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lesch	Murphy	Schultz	
Christensen	Hassan	Liebling	Nelson, M.	Stephenson	
Clafin	Hausman	Lien	Noor	Sundin	
Considine	Her	Lillie	Olson	Tabke	
Davnie	Hornstein	Lippert	Pelowski	Vang	

Those who voted in the negative were:

Albright	Demuth	Gunther	Kresha	Neu	Runbeck
Anderson	Dettmer	Haley	Layman	Nornes	Schomacker
Backer	Drazkowski	Hamilton	Lislegard	Novotny	Scott
Bahr	Erickson	Heinrich	Lucero	O'Driscoll	Swedzinski
Baker	Fabian	Heintzeman	Lueck	O'Neill	Theis
Bennett	Franson	Hertaus	McDonald	Petersburg	Torkelson
Boe	Garofalo	Johnson	Mekeland	Pierson	Urdahl
Daniels	Green	Jurgens	Miller	Poston	Vogel
Daudt	Grossell	Kiel	Munson	Quam	West
Davids	Gruenhagen	Koznick	Nelson, N.	Robbins	

The bill was passed and its title agreed to.

S. F. No. 2939, A bill for an act relating to health occupations; removing an unnecessary criminal background fee for certain health boards; modifying occupational therapy provisions; modifying provisions for social work practice; modifying licensing requirements for dentists; permitting payment of certain retirement annuities during employment for peacetime emergency; amending Minnesota Statutes 2018, sections 147.038, subdivision 1; 147.039; 147.091, subdivision 8; 148.6402, subdivisions 5, 21; 148.6403, subdivisions 1, 5, 6; 148.6404; 148.6405; 148.6412, subdivision 2; 148.6415; 148.6418, subdivisions 4, 5; 148.6420, subdivisions 4, 5; 148.6423; 148.6425, subdivision 2; 148.6428; 148.6430; 148.6432, subdivision 3; 148.6435; 148.6443, as amended; 148.6445, subdivision 11; 148.6448, subdivision 2; 148.6449, subdivision 2; 148E.010, subdivisions 9, 11, 16, 17, 18, 19, by adding subdivisions; 148E.015; 148E.025, subdivision 2; 148E.055, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, 11, by adding subdivisions; 148E.060, subdivisions 1, 2, 2a; 148E.070, subdivisions 2, 3, 5; 148E.080; 148E.085; 148E.095, subdivision 1; 148E.130, subdivision 1, by adding subdivisions; 148E.145; 150A.06, subdivision 6; Minnesota Statutes 2019 Supplement, sections 147.01, subdivision 7; 147A.28; 147B.08, subdivision 4; 147C.40, subdivision 5; 147D.27, subdivision 5; 147F.17, subdivision 1; 148.6420, subdivision 1; 148.6448, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148E; repealing Minnesota Statutes 2018, sections 148.6402, subdivisions 10, 15; 148.6412, subdivision 1; 148E.045; 148E.055, subdivisions 7, 8; 148E.060, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13; 148E.075, subdivisions 1, 1a, 1b, 2, 3, 8; 148E.095, subdivision 2; 148E.130, subdivisions 2, 3, 4, 5, 6, 7; 148E.135; 148E.140; 148E.150; 148E.155; 148E.160; 148E.165; 148E.170; Minnesota Rules, part 4664.0003, subpart 28.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hansen	Lesch	Neu	Schultz
Albright	Dehn	Hassan	Liebling	Noor	Scott
Anderson	Demuth	Hausman	Lien	Nornes	Stephenson
Backer	Dettmer	Heinrich	Lillie	Novotny	Sundin
Bahner	Drazkowski	Heintzeman	Lippert	O'Driscoll	Swedzinski
Bahr	Ecklund	Her	Lislegard	Olson	Tabke
Baker	Edelson	Hertaus	Long	O'Neill	Theis
Becker-Finn	Elkins	Hornstein	Lucero	Pelowski	Torkelson
Bennett	Erickson	Howard	Lueck	Persell	Urdahl
Bernardy	Fabian	Huot	Mariani	Petersburg	Vang
Bierman	Fischer	Johnson	Marquart	Pierson	Vogel
Boe	Franson	Jordan	Masin	Pinto	Wagenius
Brand	Freiberg	Jurgens	McDonald	Poppe	Wazlawik
Cantrell	Garofalo	Kiel	Mekeland	Poston	West
Carlson, A.	Gomez	Klevorn	Miller	Pryor	Winkler
Carlson, L.	Green	Koegel	Moller	Quam	Wolgamott
Christensen	Grossell	Kotzya-Witthuhn	Moran	Richardson	Xiong, J.
Clafflin	Gruenhagen	Koznick	Morrison	Runbeck	Xiong, T.
Considine	Gunther	Kresha	Munson	Sandell	Youakim
Daniels	Haley	Kunesh-Podein	Murphy	Sandstede	Spk. Hortman
Daudt	Halverson	Layman	Nelson, M.	Sauke	
Dauids	Hamilton	Lee	Nelson, N.	Schomacker	

The bill was passed and its title agreed to.

H. F. No. 3356, A bill for an act relating to state government; changing a provision for publication in the State Register; changing the date for the annual report on events held in the Capitol building; amending Minnesota Statutes 2018, sections 14.46, subdivisions 3, 4; 16B.2405, subdivision 2.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hansen	Lesch	Nelson, N.	Sauke
Albright	Dehn	Hassan	Liebling	Neu	Schomacker
Anderson	Demuth	Hausman	Lien	Noor	Schultz
Backer	Dettmer	Heinrich	Lillie	Nornes	Scott
Bahner	Drazkowski	Heintzeman	Lippert	Novotny	Stephenson
Bahr	Ecklund	Her	Lislegard	O'Driscoll	Sundin
Baker	Edelson	Hertaus	Long	Olson	Swedzinski
Becker-Finn	Elkins	Hornstein	Lucero	O'Neill	Tabke
Bennett	Erickson	Howard	Lueck	Pelowski	Theis
Bernardy	Fabian	Huot	Mahoney	Persell	Torkelson
Bierman	Fischer	Johnson	Mariani	Petersburg	Urdahl
Boe	Franson	Jordan	Marquart	Pierson	Vang
Brand	Freiberg	Jurgens	Masin	Pinto	Vogel
Cantrell	Garofalo	Kiel	McDonald	Poppe	Wagenius
Carlson, A.	Gomez	Klevorn	Mekeland	Poston	Wazlawik
Carlson, L.	Green	Koegel	Miller	Pryor	West
Christensen	Grossell	Kotyza-Witthuhn	Moller	Quam	Winkler
Clafin	Gruenhagen	Koznick	Moran	Richardson	Wolgamott
Considine	Gunther	Kresha	Morrison	Robbins	Xiong, J.
Daniels	Haley	Kunesh-Podein	Munson	Runbeck	Xiong, T.
Daudt	Halverson	Layman	Murphy	Sandell	Youakim
Davids	Hamilton	Lee	Nelson, M.	Sandstede	Spk. Hortman

The bill was passed and its title agreed to.

H. F. No. 4044, 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 2018, sections 3.842, subdivision 2; 12.09, subdivision 10; 13.7905, subdivisions 2, 3, 4a, 5, 6; 34.02; 60B.32, subdivision 5; 60B.38, subdivision 1; 60B.40, subdivision 2; 60B.46, subdivision 2; 62J.498, subdivision 1; 62J.4981, subdivision 3; 62J.812; 88.01, subdivision 1; 88.17, subdivision 3; 97A.052, subdivision 1; 97C.081, subdivision 10; 97C.825, subdivision 2; 103C.201, subdivision 8; 103G.411; 115.72, subdivision 2; 116J.395, subdivision 3; 116J.8737, subdivision 8; 122A.40, subdivision 14; 123A.19, subdivisions 3, 5; 123A.75, subdivisions 2, 4; 124D.77; 124D.98, subdivision 3; 126C.13, subdivision 4; 137.38, subdivision 1; 144.292, subdivision 7; 144A.19, subdivision 2; 145.901, subdivision 2; 146A.08, subdivision 4; 147.091, subdivision 6; 147A.13, subdivision 6; 148.10, subdivision 1; 148.261, subdivision 5; 148.5194, subdivision 5; 148.754; 148B.5905; 148E.065, subdivision 1; 148E.075, subdivision 2; 148E.245, subdivision 5; 148F.09, subdivision 6; 151.01, subdivision 27a; 151.071, subdivision 10; 155A.271, subdivision 2; 156.125, subdivision 3; 160.262, subdivision 3; 160.266, subdivision 1b; 160.276, subdivision 2a; 161.082,

subdivision 2; 161.166, subdivision 2; 161.53; 169.18, subdivision 6; 169.791, subdivision 5; 169A.03, subdivision 20; 171.02, subdivision 2a; 171.075, subdivision 1; 171.17, subdivision 4; 171.175, subdivision 1; 171.187, subdivisions 1, 3; 174.30, subdivision 3; 216B.1641; 245.814, subdivision 2; 270A.03, subdivision 8; 297E.02, subdivisions 1, 6; 298.28, subdivision 7a; 299A.11, subdivision 1; 308A.711, subdivision 1; 326A.05, subdivision 1; 326A.14, subdivision 1; 353G.08, subdivision 3; 504B.211, subdivision 2; 571.74; 576.21; 576.22; 576.29, subdivision 1; 576.42, subdivision 6; 609.2111; 609.224, subdivision 3; 609.535, subdivision 6; 609.80; 609.891, subdivision 3; 609.902, subdivision 4; 628.26; 629.344; 629.364; Minnesota Statutes 2019 Supplement, sections 16A.968, subdivision 2; 28A.075; 116.155, subdivision 3; 116J.8737, subdivision 5; 121A.335, subdivision 5; 122A.635, subdivision 2; 144G.50, subdivision 2; 151.01, subdivision 27; 151.43; 151.441, subdivision 1; 152.126, subdivision 6; 157.22; 169.881, subdivision 3; 169A.24, subdivision 1; 176.231, subdivision 1; 245A.11, subdivision 7a; 245C.22, subdivision 5; 256B.85, subdivision 2; 260B.331, subdivision 2; 290.0121, subdivision 3; 297A.75, subdivision 1; 349.12, subdivision 25; 609.52, subdivision 1; Laws 2019, First Special Session chapter 4, article 3, section 109; Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 6; repealing Minnesota Statutes 2018, sections 13.383, subdivision 9; 115.71, subdivision 4; 161.1231, subdivision 10; Minnesota Statutes 2019 Supplement, section 13.7905, subdivision 7; Laws 2019, chapter 37, section 1.

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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hansen	Lesch	Neu	Schomacker
Albright	Dehn	Hassan	Liebling	Noor	Schultz
Anderson	Demuth	Hausman	Lien	Nornes	Scott
Backer	Dettmer	Heinrich	Lillie	Novotny	Stephenson
Bahner	Drazkowski	Heintzeman	Lippert	O'Driscoll	Sundin
Bahr	Ecklund	Her	Lislegard	Olson	Swedzinski
Baker	Edelson	Hertaus	Long	O'Neill	Tabke
Becker-Finn	Elkins	Hornstein	Lueck	Pelowski	Theis
Bennett	Erickson	Howard	Mahoney	Persell	Torkelson
Bernardy	Fabian	Huot	Mariani	Petersburg	Urdahl
Bierman	Fischer	Johnson	Marquart	Pierson	Vang
Boe	Franson	Jordan	Masin	Pinto	Vogel
Brand	Freiberg	Jurgens	McDonald	Poppe	Wagenius
Cantrell	Garofalo	Kiel	Mekeland	Poston	Wazlawik
Carlson, A.	Gomez	Klevorn	Miller	Pryor	West
Carlson, L.	Green	Koegel	Moller	Quam	Winkler
Christensen	Grossell	Kotyza-Witthuhn	Moran	Richardson	Wolgamott
Claflin	Gruenhagen	Koznick	Morrison	Robbins	Xiong, J.
Considine	Gunther	Kresha	Munson	Runbeck	Xiong, T.
Daniels	Haley	Kunesh-Podein	Murphy	Sandell	Youakim
Daudt	Halverson	Layman	Nelson, M.	Sandstede	Spk. Hortman
Davids	Hamilton	Lee	Nelson, N.	Sauke	

Those who voted in the negative were:

Lucero

The bill was passed and its title agreed to.

S. F. No. 4091, A bill for an act relating to commerce; making technical changes to various provisions governing or administered by the Department of Commerce; modifying the Minnesota Life and Health Insurance Guaranty Association Act; amending Minnesota Statutes 2018, sections 47.60, by adding a subdivision; 48A.11; 53.03, by adding a subdivision; 53A.03; 53B.07, by adding a subdivision; 53C.01, subdivision 12; 53C.02; 56.02; 58.02, subdivision 21; 58.06, by adding a subdivision; 58A.02, subdivision 13; 58A.13; 59A.03, by adding a subdivision; 60A.031, subdivision 4; 60A.07, subdivision 1d; 60A.16, subdivisions 1, 2; 60B.02; 61B.19, subdivisions 1, 2, 3, 4; 61B.20, subdivisions 10, 13, 16; 61B.21, subdivision 1; 61B.22, subdivision 1; 61B.23, subdivisions 1, 3, 4, 8a, 12, 13, 14; 61B.24, subdivisions 3, 5, 6, 7, 8, 10; 61B.26; 61B.27; 61B.28, subdivisions 3, 3a, 4, 6, 7, 8; 62D.18, subdivision 1; 82.68, subdivision 2; 82C.03, subdivision 2; 82C.06; 82C.15; 216C.437, subdivision 11; 297I.20, subdivision 1; 332.30; 332.54, subdivision 4, by adding a subdivision; 332.57, subdivision 2; 332A.03; 332B.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 2018, sections 53B.27, subdivisions 3, 4; 60A.07, subdivision 1a; 72B.14.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Davnie	Hansen	Lesch	Nelson, N.	Sauke
Albright	Dehn	Hassan	Liebling	Neu	Schomacker
Anderson	Demuth	Hausman	Lien	Noor	Schultz
Backer	Dettmer	Heinrich	Lillie	Nornes	Scott
Bahner	Drazkowski	Heintzeman	Lippert	Novotny	Stephenson
Bahr	Ecklund	Her	Lislegard	O'Driscoll	Sundin
Baker	Edelson	Hertaus	Long	Olson	Swedzinski
Becker-Finn	Elkins	Hornstein	Lucero	O'Neill	Tabke
Bennett	Erickson	Howard	Lueck	Pelowski	Theis
Bernardy	Fabian	Huot	Mahoney	Persell	Torkelson
Bierman	Fischer	Johnson	Mariani	Petersburg	Urdahl
Boe	Franson	Jordan	Marquart	Pierson	Vang
Brand	Freiberg	Jurgens	Masin	Pinto	Vogel
Cantrell	Garofalo	Kiel	McDonald	Poppe	Wagenius
Carlson, A.	Gomez	Klevorn	Mekeland	Poston	Wazlawik
Carlson, L.	Green	Koegel	Miller	Pryor	West
Christensen	Grossell	Kotyza-Witthuhn	Moller	Quam	Winkler
Clafin	Gruenhagen	Koznick	Moran	Richardson	Wolgammott
Considine	Gunther	Kresha	Morrison	Robbins	Xiong, J.
Daniels	Haley	Kunesh-Podein	Munson	Runbeck	Xiong, T.
Daudt	Halverson	Layman	Murphy	Sandell	Youakim
Davids	Hamilton	Lee	Nelson, M.	Sandstede	Spk. Hortman

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Edelson moved that the name of Bernardy be added as an author on H. F. No. 331. The motion prevailed.

Wagenius moved that the name of Acomb be added as an author on H. F. No. 1842. The motion prevailed.

Claflin moved that the name of Brand be added as an author on H. F. No. 2274. The motion prevailed.

Schultz moved that the name of Bernardy be added as an author on H. F. No. 2475. The motion prevailed.

Dehn moved that the name of Hornstein be added as an author on H. F. No. 2701. The motion prevailed.

Lillie moved that the names of Freiberg, Becker-Finn, Koegel and Hornstein be added as authors on H. F. No. 2768. The motion prevailed.

Wazlawik moved that the names of Bernardy and Bierman be added as authors on H. F. No. 3376. The motion prevailed.

Morrison moved that the name of Freiberg be added as an author on H. F. No. 3570. The motion prevailed.

Hornstein moved that the name of Tabke be added as an author on H. F. No. 3837. The motion prevailed.

Hansen moved that the name of Bernardy be added as an author on H. F. No. 4498. The motion prevailed.

Stephenson moved that the name of Bernardy be added as an author on H. F. No. 4502. The motion prevailed.

Halverson moved that the name of Bernardy be added as an author on H. F. No. 4582. The motion prevailed.

Davids moved that the name of Daudt be added as an author on H. F. No. 4596. The motion prevailed.

Gomez moved that the names of Bernardy and Pinto be added as authors on H. F. No. 4611. The motion prevailed.

Huot moved that the names of Wazlawik and Long be added as authors on H. F. No. 4639. The motion prevailed.

Olson moved that the names of Long and Kunesh-Podein be added as authors on H. F. No. 4640. The motion prevailed.

Robbins moved that the names of Layman, Bennett and Urdahl be added as authors on H. F. No. 4643. The motion prevailed.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 9:00 a.m., Monday, May 11, 2020. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Monday, May 11, 2020.

PATRICK D. MURPHY, Chief Clerk, House of Representatives