

TWENTIETH DAY

St. Paul, Minnesota, Monday, March 11, 2019

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Gazelka imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Vicar Troy Medlin.

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

The roll was called, and the following Senators answered to their names:

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

January 7, 2019

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HOUSING FINANCE AGENCY
COMMISSIONER

Jennifer Ho, 2349 Commonwealth Ave., Saint Paul, in the county of Ramsey, effective January 7, 2019, for a term expiring on January 2, 2023.

(Referred to the Committee on Agriculture, Rural Development, and Housing Policy.)

January 7, 2019

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA POLLUTION CONTROL AGENCY
COMMISSIONER

Laura Bishop, 520 Lafayette Rd. N., Saint Paul, in the county of Ramsey, effective January 7, 2019, for a term expiring on January 2, 2023.

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

Sincerely,
Tim Walz, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 281, 608, 745, and 13.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 7, 2019

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 281: A bill for an act relating to Open Meeting Law; modifying requirements for attendance by interactive television; amending Minnesota Statutes 2018, section 13D.02, subdivisions 1, 2, by adding a subdivision.

Referred to the Committee on Local Government.

H.F. No. 608: A bill for an act relating to local government; amending the St. Louis County Civil Service Commission; making technical changes; removing obsolete language; amending Minnesota Statutes 2018, sections 383C.031; 383C.032; 383C.033; 383C.034; 383C.035; 383C.037; 383C.038; 383C.039; 383C.04; 383C.041; 383C.042; 383C.043; 383C.044; 383C.045; 383C.046; 383C.048; 383C.05; 383C.051; 383C.056; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 2018, sections 383C.036; 383C.047; 383C.049; 383C.052; 383C.053; 383C.059.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 754, now on General Orders.

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.

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

H.F. No. 13: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for gender equality under the law.

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

REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Chamberlain from the Committee on Taxes, to which was referred

S.F. No. 1894: A bill for an act relating to gambling; creating a sports wagering commission; providing for licensing of sports pool operators and sports wagering premises; establishing mobile and electronic sports pool licenses; prescribing the conduct of sports pools; prohibiting local restrictions; restricting participation in sports wagering; imposing an excise tax on sports wagers in lieu of the corporate tax; providing for the administration of the tax; requiring a report; amending Minnesota Statutes 2018, sections 290.0131, by adding a subdivision; 290.0132, by adding a subdivision; 290.0133, by adding a subdivision; 290.0134, by adding a subdivision; 297E.02, subdivision 3; 541.20; 541.21; proposing coding for new law as Minnesota Statutes, chapters 240B; 297J.

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

Page 1, line 22, after "device" insert "owned or possessed by the person placing the wager"

Page 2, line 11, delete "or other governing body"

Page 2, delete line 25

Page 2, delete section 2

Page 4, line 10, delete the second "and"

Page 4, line 13, delete the period and insert "; and"

Page 4, after line 13, insert:

"(9) develop license requirements for providing equipment and software used in operating a sports pool."

Page 4, delete line 29

Page 5, delete line 13

Page 5, line 16, delete everything after the period

Page 5, delete lines 17 and 18

Page 5, line 26, after the period, insert "A license to operate an electronic sports pool through a website or mobile application may be granted only to a holder of a license under clause (1) or (2). An electronic sports wagering platform may be operated only through equipment owned or possessed by the wagerer."

Page 6, after line 2, insert:

"Subd. 3. **Equipment and software licenses.** No person may provide equipment or software for use in operating a sports pool without a license. An equipment or software provider licensed in Nevada is eligible for a license under this subdivision."

Page 6, delete line 6

Page 6, line 8, after "casino" insert "and racetrack"

Page 7, delete lines 9 and 30

Page 7, line 25, delete the second "or"

Page 7, line 26, delete everything before the semicolon

Page 8, delete lines 4 and 19

Page 8, delete section 10

Page 9, delete line 4

Page 9, line 8, before the period, insert ", whichever is later"

Renumber the subdivisions and sections in sequence

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred

S.F. No. 1815: A bill for an act relating to economic development; modifying use of Minnesota investment fund; requiring a report.

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

Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was re-referred

S.F. No. 239: A bill for an act relating to housing; modifying provisions related to manufactured and modular homes; amending Minnesota Statutes 2018, sections 326B.815, subdivision 1; 327.31, by adding a subdivision; 327B.041; 327C.095, subdivisions 4, 6, 12, 13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 327.

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

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2018, section 327.31, is amended by adding a subdivision to read:

Subd. 23. **Modular home.** For the purposes of this section, "modular home" means a single-family dwelling constructed in accordance with applicable standards adopted in Minnesota Rules, chapter 1360 or 1361, or in compliance with the 2015 Minnesota Residential Code for a single-family dwelling with a floor area of 400 square feet or less. The modular home must be attached to a foundation designed to the State Building Code."

Page 4, line 34, after the period, insert "The covenant must be in writing and must be recorded with the office of the county recorder or registrar of titles to remain in effect."

And when so amended the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. Amendments adopted. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 750: A bill for an act relating to natural resources; modifying certain natural resources fee and permit conditions; making technical corrections; amending Minnesota Statutes 2018, sections 103G.2242, subdivision 14; 115.03, subdivisions 1, 5; 115.035; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 116.07, subdivisions 2, 4d; 116D.04, subdivision 2a; 216G.01, subdivision 3.

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

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 1443: A bill for an act relating to natural resources; providing for funding for soil and water conservation districts; amending Minnesota Statutes 2018, sections 103C.331, subdivision 16, by adding a subdivision; 275.066; 444.075, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103C.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Taxes without recommendation. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 1535: A bill for an act relating to environment; appropriating money to develop curriculum for feedlot training.

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

Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred

S.F. No. 955: A bill for an act relating to health licensing; making technical changes; expanding duty to warn and reciprocity for certain mental health professionals and social workers; amending Minnesota Statutes 2018, sections 148B.56; 148B.593; 148E.240, subdivision 6; 148F.03; 148F.13, subdivision 2.

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

Page 4, line 24, delete "148B.393" and insert "148B.593"

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

Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred

S.F. No. 1217: A bill for an act relating to human services; modifying provisions governing child foster care; amending Minnesota Statutes 2018, sections 245A.05; 245A.07, subdivision 1; 245A.16, by adding a subdivision; 245C.02, by adding a subdivision; 245C.05, subdivision 4; 245C.14, subdivision 1; 245C.15, by adding a subdivision; 245C.24.

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

Page 3, line 20, after "(3)," insert "for licensed family child foster care"

Page 4, line 11, after the period, insert "Licensed family child foster care does not include foster residence settings that meet the licensing requirements of Minnesota Rules, parts 2960.3200 to 2960.3230."

Page 4, after line 12, insert:

"Sec. 5. Minnesota Statutes 2018, section 245C.05, subdivision 2c, is amended to read:

Subd. 2c. **Privacy notice to background study subject.** (a) Prior to initiating each background study, the entity initiating the study must provide the commissioner's privacy notice to the background study subject required under section 13.04, subdivision 2. The notice must be available through the commissioner's electronic NETStudy and NETStudy 2.0 systems and shall include the information in paragraphs (b) and (c).

(b) The background study subject shall be informed that any previous background studies that received a set-aside will be reviewed, and without further contact with the background study subject, the commissioner may notify the agency that initiated the subsequent background study:

(1) that the individual has a disqualification that has been set aside for the program or agency that initiated the study;

(2) the reason for the disqualification; and

(3) that information about the decision to set aside the disqualification will be available to the license holder upon request without the consent of the background study subject.

(c) The background study subject must also be informed that:

(1) the subject's fingerprints collected for purposes of completing the background study under this chapter must not be retained by the Department of Public Safety, Bureau of Criminal Apprehension, or by the commissioner. ~~The Federal Bureau of Investigation will only retain fingerprints of subjects with a criminal history;~~

(2) effective upon implementation of NETStudy 2.0, the subject's photographic image will be retained by the commissioner, and if the subject has provided the subject's Social Security number for purposes of the background study, the photographic image will be available to prospective employers and agencies initiating background studies under this chapter to verify the identity of the subject of the background study;

(3) the commissioner's authorized fingerprint collection vendor shall, for purposes of verifying the identity of the background study subject, be able to view the identifying information entered into NETStudy 2.0 by the entity that initiated the background study, but shall not retain the subject's fingerprints, photograph, or information from NETStudy 2.0. The authorized fingerprint collection vendor shall retain no more than the subject's name and the date and time the subject's fingerprints were recorded and sent, only as necessary for auditing and billing activities;

(4) the commissioner shall provide the subject notice, as required in section 245C.17, subdivision 1, paragraph (a), when an entity initiates a background study on the individual;

(5) the subject may request in writing a report listing the entities that initiated a background study on the individual as provided in section 245C.17, subdivision 1, paragraph (b);

(6) the subject may request in writing that information used to complete the individual's background study in NETStudy 2.0 be destroyed if the requirements of section 245C.051, paragraph (a), are met; and

(7) notwithstanding clause (6), the commissioner shall destroy:

(i) the subject's photograph after a period of two years when the requirements of section 245C.051, paragraph (c), are met; and

(ii) any data collected on a subject under this chapter after a period of two years following the individual's death as provided in section 245C.051, paragraph (d).

Sec. 6. Minnesota Statutes 2018, section 245C.05, subdivision 2d, is amended to read:

Subd. 2d. **Fingerprint data notification.** The commissioner of human services shall notify all background study subjects under this chapter that the Department of Human Services, Department of Public Safety, and the Bureau of Criminal Apprehension do not retain fingerprint data after a background study is completed, ~~and that the Federal Bureau of Investigation only retains the fingerprints of subjects who have a criminal history.~~"

Page 4, line 19, after "results" insert "and relevant underlying investigative information"

Page 4, line 21, after "results" insert ", except as prohibited by law"

Page 5, after line 3, insert:

"(d) Section 245C.08, subdivision 3, paragraph (c), applies to results transmitted under this subdivision."

Page 5, after line 4, insert:

"Sec. 8. Minnesota Statutes 2018, section 245C.05, subdivision 5, is amended to read:

Subd. 5. **Fingerprints and photograph.** (a) Notwithstanding paragraph (b), for background studies conducted by the commissioner for child foster care, adoptions, or a transfer of permanent legal and physical custody of a child, the subject of the background study, who is 18 years of age or older, shall provide the commissioner with a set of classifiable fingerprints obtained from an authorized agency for a national criminal history record check.

(b) For background studies initiated on or after the implementation of NETStudy 2.0, except as provided under subdivision 5a, every subject of a background study must provide the commissioner with a set of the background study subject's classifiable fingerprints and photograph. The photograph and fingerprints must be recorded at the same time by the commissioner's authorized fingerprint collection vendor and sent to the commissioner through the commissioner's secure data system described in section 245C.32, subdivision 1a, paragraph (b).

(c) The fingerprints shall be submitted by the commissioner to the Bureau of Criminal Apprehension and, when specifically required by law, submitted to the Federal Bureau of Investigation for a national criminal history record check.

(d) The fingerprints must not be retained by the Department of Public Safety, Bureau of Criminal Apprehension, or the commissioner. ~~The Federal Bureau of Investigation will only retain fingerprints of subjects with a criminal history.~~

(e) The commissioner's authorized fingerprint collection vendor shall, for purposes of verifying the identity of the background study subject, be able to view the identifying information entered into NETStudy 2.0 by the entity that initiated the background study, but shall not retain the subject's fingerprints, photograph, or information from NETStudy 2.0. The authorized fingerprint collection vendor shall retain no more than the name and date and time the subject's fingerprints were recorded and sent, only as necessary for auditing and billing activities.

(f) For any background study conducted under this chapter, the subject shall provide the commissioner with a set of classifiable fingerprints when the commissioner has reasonable cause to require a national criminal history record check as defined in section 245C.02, subdivision 15a.

Sec. 9. Minnesota Statutes 2018, section 245C.08, subdivision 3, is amended to read:

Subd. 3. **Arrest and investigative information.** (a) For any background study completed under this section, if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual, the commissioner also may review arrest and investigative information from:

- (1) the Bureau of Criminal Apprehension;
- (2) the ~~commissioner~~ commissioners of health and human services;
- (3) a county attorney;
- (4) a county sheriff;
- (5) a county agency;
- (6) a local chief of police;
- (7) other states;
- (8) the courts;
- (9) the Federal Bureau of Investigation;
- (10) the National Criminal Records Repository; and
- (11) criminal records from other states.

(b) Except when specifically required by law, the commissioner is not required to conduct more than one review of a subject's records from the Federal Bureau of Investigation if a review of the

subject's criminal history with the Federal Bureau of Investigation has already been completed by the commissioner and there has been no break in the subject's affiliation with the license holder who initiated the background study.

(c) If the commissioner conducts a national criminal history record check when required by law and uses the information from the national criminal history record check to make a disqualification determination, the data obtained is private data and cannot be shared with county agencies, private agencies, or prospective employers of the background study subject.

(d) If the commissioner conducts a national criminal history record check when required by law and uses the information from the national criminal history record check to make a disqualification determination, the license holder or entity that submitted the study is not required to obtain a copy of the background study subject's disqualification letter under section 245C.17, subdivision 3.

EFFECTIVE DATE. This section is effective for background studies requested on or after October 1, 2019."

Page 6, delete lines 11 and 12

Page 6, line 13, delete "(2)"

Page 6, after line 34, insert:

"(b) Notwithstanding subdivisions 1 to 5, for the purposes of a background study affiliated with a licensed family foster care license, an individual is disqualified under section 245C.14, regardless of how much time has passed, if the individual committed an action under paragraph (d) that resulted in death or involved sexual abuse."

Page 7, line 1, delete "(b)" and insert "(c)"

Page 7, line 4, delete "(a) or"

Page 7, line 24, delete "(c)" and insert "(d)"

Page 7, line 26, delete "a determination"

Page 7, line 27, delete "or disposition of the individual's"

Page 7, line 28, after "(1)" insert "a determination or disposition of the individual's"

Page 7, line 30, delete the second "or"

Page 7, line 31, after "(2)" insert "a determination or disposition of the individual's"

Page 8, line 1, delete everything after "626.557" and insert "and meet the definition of serious maltreatment or recurring maltreatment; or"

Page 8, delete line 2 and insert:

"(3) the termination of the individual's parental rights under section 260C.301, subdivision 1, paragraph (a)."

Page 9, line 5, after "age" insert "at the time the background study is submitted"

Page 10, line 31, delete "(b)" and insert "(c)" and after "age" insert "at the time the background study is submitted"

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred

S.F. No. 1694: A bill for an act relating to human services; modifying background study set aside criteria; amending Minnesota Statutes 2018, sections 144.057, subdivision 3; 245C.02, by adding a subdivision; 245C.22, subdivisions 4, 5.

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

Page 3, line 6, after "245G" insert ", and has had no disqualifying crimes or conduct under section 245C.15 after the successful completion of treatment"

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

Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred

S.F. No. 1935: A bill for an act relating to human services; establishing a task force on childhood trauma-informed policy and practices; requiring reports.

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

Page 1, line 7, before "The" insert "(a)"

Page 2, after line 6 insert:

"(b) For purposes of this section, "adverse childhood experience" means a traumatic experience in a person's life occurring before the age of 18 that the person remembers as an adult, including physical abuse, sexual abuse, emotional abuse, mental illness of a household member, problematic drinking or alcoholism of a household member, illegal street or prescription drug use by a household member, divorce or separation of a parent, domestic violence towards a parent, or incarceration of a household member."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred

S.F. No. 787: A bill for an act relating to human services; modifying medical assistance coverage for community-based care coordination to include tribes; amending Minnesota Statutes 2018, section 256B.0625, subdivision 56a.

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

Page 1, after line 5 insert:

"Section 1. [245.4663] OFFICER-INVOLVED COMMUNITY-BASED CARE COORDINATION GRANT PROGRAM.

Subdivision 1. **Establishment and authority.** (a) The commissioner shall make grants to programs that provide officer-involved community-based care coordination services under section 256B.0625, subdivision 56a. The commissioner shall balance awarding grants to counties outside the metropolitan area and counties inside the metropolitan area.

(b) The commissioner shall provide outreach, technical assistance, and program development support to increase capacity of new and existing officer-involved community-based care coordination programs, particularly in areas where officer-involved community-based care coordination programs have not been established, especially in greater Minnesota.

(c) Funds appropriated for this section must be expended on activities described under subdivision 3, technical assistance, and capacity building, including the capacity to maximize revenue by billing services to available third-party reimbursement sources, in order to meet the greatest need on a statewide basis.

Subd. 2. **Eligibility.** An eligible applicant for an officer-involved community-based care coordination grant under subdivision 1, paragraph (a), is a county or tribe that operates or is prepared to implement an officer-involved community-based care coordination program.

Subd. 3. **Allowable grant activities.** Grant recipients may use grant funds for the costs of providing officer-involved community-based care coordination services that are not otherwise covered under section 256B.0625, subdivision 56a, and for the cost of services for individuals not eligible for medical assistance.

Subd. 4. **Evaluation.** Grants under this section shall be formally evaluated by the commissioner of management and budget using an experimental or quasi-experimental design. The commissioner shall consult with the commissioner of management and budget to ensure that grants are administered to facilitate the evaluation. Grant recipients must collect and provide to the commissioner information needed to complete the evaluation. The commissioner must provide to the commissioner of management and budget the information collected for the evaluation. The commissioner of management and budget, under section 15.08, may obtain additional relevant data to support the evaluation study.

Subd. 5. **Reporting.** (a) The commissioner shall report annually on the use of officer-involved community-based care coordination grants to the legislative committees with jurisdiction over human

services by December 31, beginning in 2020. Each report shall include the name and location of the grant recipients, the amount of each grant, the services provided or planning activities conducted, and the number of individuals receiving services. The commissioner shall determine the form required for the reports and may specify additional reporting requirements.

(b) The reporting requirements under this subdivision are in addition to the reporting requirements under section 256B.0625, subdivision 56a, paragraph (e)."

Page 2, after line 31 insert:

"Sec. 3. OFFICER-INVOLVED COMMUNITY-BASED CARE COORDINATION; PLANNING GRANTS.

In fiscal year 2020, the commissioner shall make up to ten planning grants of up to \$10,000 available to counties and tribes to establish new post-arrest community-based care coordination programs. An eligible applicant for a planning grant under this section is a county or tribe that does not have a fully functioning officer-involved community-based care coordination program and has not yet taken steps to implement an officer-involved community-based care coordination program. Planning grant recipients may use grant funds for the start-up costs of a new officer-involved community-based care coordination program, including data platform design, data collection, and quarterly reporting.

Sec. 4. APPROPRIATION.

(a) \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the general fund to the commissioner of human services for officer-involved community-based care coordination grants under Minnesota Statutes, section 245.4663. At least one grant must be awarded to a county that has operated a fully functional "Yellow Line Project" to provide officer-involved community-based care coordination services since May, 2017.

(b) \$150,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for up to ten planning grants under section 3. In awarding these grants, the commissioner must place a priority on funding nonmetro programs. \$50,000 of this appropriation is for a grant to a county that has operated a fully functional "Yellow Line Project" to provide officer-involved community-based care coordination services since May, 2017, to provide technical assistance to other counties or groups of counties to establish new officer-involved community-based care coordination programs. This is a onetime appropriation and is available until expended.

EFFECTIVE DATE. This section is effective July 1, 2019."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "establishing the officer-involved community-based care coordination grant program to provide mental health services to individuals arrested by law enforcement;"

Page 1, line 3, after the semicolon, insert "appropriating money;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

Senator Nelson from the Committee on E-12 Finance and Policy, to which was referred

S.F. No. 1237: A bill for an act relating to education finance; increasing state equalization aid for school district debt service and referendum levies; appropriating money; amending Minnesota Statutes 2018, sections 123B.53, subdivisions 4, 5; 126C.17, subdivision 6.

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

Senator Nelson from the Committee on E-12 Finance and Policy, to which was referred

S.F. No. 670: A bill for an act relating to education finance; modifying the calculation of school district equalized referendum levies; appropriating money; amending Minnesota Statutes 2018, section 126C.17, subdivision 6.

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

Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred

S.F. No. 1940: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds to honor all Minnesota veterans who served in the United States armed forces, both at home and abroad, during World War I.

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

Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred

S.F. No. 160: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds to honor all Minnesota veterans who served in the United States armed forces, both at home and abroad, during World War I.

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

Senator Anderson, P. from the Committee on Higher Education Finance and Policy, to which was re-referred

S.F. No. 973: A bill for an act relating to health; requesting the Board of Regents of the University of Minnesota to establish an advisory council on rare diseases; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

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

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 38: A bill for an act relating to transportation; designating a bridge on marked U.S. Highway 52 in Rosemount as Warrant Officer Dennis A. Groth Memorial Bridge; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 1261: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 23 in Kandiyohi County as Ryane Clark Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

H.F. No. 58: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 95 as Corrections Officer Joseph Gomm Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 935: A bill for an act relating to transportation; designating a portion of marked Interstate Highway 94 as Kenneth E. Sellon and Eugene B. Schlotfeldt Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 938: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 210 in Cass County as State Trooper Ray Krueger Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 646: A bill for an act relating to transportation; renaming a bridge over the Mississippi River in Red Wing; amending Minnesota Statutes 2018, section 161.14, subdivision 16.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 1003: A bill for an act relating to transportation; designating the Richard J. Ames Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Page 1, line 22, delete everything after the first "signs" insert "along U.S. and trunk highways. The appropriate local road authority shall erect appropriate signs on local roads. The Ames family shall pay the costs of the signs."

Page 1, delete line 23

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

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

S.F. No. 910: A bill for an act relating to state government; modifying duties of the Office of MN.IT Services; requiring legislation to recodify Minnesota Statutes, chapter 16E.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

REFORMS

Section 1. Minnesota Statutes 2018, section 16E.016, is amended to read:

16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.

(a) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, and development of the following information technology systems and services to state agencies:

- (1) state data centers;
- (2) mainframes including system software;
- (3) servers including system software;
- ~~(4) desktops including system software;~~
- ~~(5) laptop computers including system software;~~
- ~~(6)~~ (4) a data network including system software;
- ~~(7) database, (5) electronic mail, office systems, reporting, and other standard software tools;~~
- ~~(8) business application software and related technical support services;~~
- ~~(9)~~ (6) help desk for the components listed in clauses (1) to ~~(8)~~ (5);
- ~~(10)~~ (7) maintenance, problem resolution, and break-fix for the components listed in clauses (1) to ~~(8)~~ (5); and
- ~~(11)~~ (8) regular upgrades and replacement for the components listed in clauses (1) to ~~(8)~~; and (5).
- ~~(12) network connected output devices.~~

(b) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, and development of the following information technology systems and services to a state agency, at the request of the agency:

- (1) desktops including system software;
- (2) laptop computers including system software;
- (3) database, office systems, reporting, and other standard software tools;
- (4) business application software and related technical support services;
- (5) help desk for the components listed in clauses (1) to (4);
- (6) maintenance, problem resolution, and break-fix for the components listed in clauses (1) to (4);
- (7) regular upgrades and replacement for the components listed in clauses (1) to (4); and

(8) network-connected output devices.

~~(b)~~ (c) All state agency employees whose work primarily involves functions specified in paragraph (a) are employees of the Office of MN.IT Services. This includes employees who directly perform the functions in paragraph (a), as well as employees whose work primarily involves managing, supervising, or providing administrative services or support services to employees who directly perform these functions. The chief information officer may assign employees of the office to perform work exclusively for another state agency.

~~(e)~~ (d) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a state agency to obtain services specified in paragraph (a) through a contract with an outside vendor when the chief information officer and the agency head agree that a contract would provide best value, as defined in section 16C.02, under the service-level agreement. The chief information officer must require that Agency contracts with outside vendors ensure that systems and services are compatible with standards established by the Office of MN.IT Services.

~~(d)~~ (e) The Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, the Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio Board are not state agencies for purposes of this section.

EFFECTIVE DATE. This section is effective July 1, 2018, and applies to contracts entered into on or after that date.

Sec. 2. Minnesota Statutes 2018, section 16E.0466, subdivision 1, is amended to read:

Subdivision 1. **Consultation required.** (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project if the Office of MN.IT Services is selected by an agency to perform the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph ~~(d)~~ (e), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.

Sec. 3. Minnesota Statutes 2018, section 16E.055, is amended to read:

16E.055 ELECTRONIC GOVERNMENT SERVICES.

A state agency that implements electronic government services for fees, licenses, sales, or other purposes ~~must~~ may use the single entry site created by the chief information officer for all agencies to use for electronic government services.

Sec. 4. Minnesota Statutes 2018, section 16E.14, subdivision 3, is amended to read:

Subd. 3. **Reimbursements.** Except as specifically provided otherwise by law, each agency shall reimburse the MN.IT services revolving fund for the cost of all services, supplies, materials, labor, and depreciation of equipment, including reasonable overhead costs, which the chief information officer is authorized and directed to furnish an agency. The chief information officer shall report the rates to be charged for the revolving fund no later than ~~July 1 each~~ June 1 each even-numbered calendar year to the chair of the committee or division in the senate and house of representatives with primary jurisdiction over the budget of the Office of MN.IT Services. These rates shall apply for the biennium beginning July 1 of the following calendar year.

Sec. 5. Minnesota Statutes 2018, section 16E.18, subdivision 4, is amended to read:

Subd. 4. **Program participation.** The chief information officer may ~~require~~ request the participation of state agencies ~~and~~, the commissioner of education, ~~and may request the participation of~~ the Board of Regents of the University of Minnesota, and the Board of Trustees of the Minnesota State Colleges and Universities, in the planning and implementation of the network to provide interconnective technologies. The Board of Trustees of the Minnesota State Colleges and Universities may opt out of participation as a subscriber on the network, in whole or in part, if the board is able to secure telecommunications services from another source that ensures it will achieve the policy objectives set forth in subdivision 1.

Sec. 6. Minnesota Statutes 2018, section 16E.18, subdivision 6, is amended to read:

Subd. 6. **Rates.** (a) The chief information officer shall establish reimbursement rates in cooperation with the commissioner of management and budget to be billed to participating agencies and educational institutions sufficient to cover the operating, maintenance, and administrative costs of the system.

(b) An invoice or statement to an agency from the chief information officer must include clear descriptions of the services the Office of MN.IT Services has provided. The invoice or statement must categorize or code services in a manner prescribed by the agency, or the chief information officer must provide supplemental information with an invoice or statement that categorizes or codes all services reflected on the invoice or statement in a manner prescribed by the agency.

(c) Except as otherwise provided in subdivision 4, a direct appropriation made to an educational institution for usage costs associated with the state information infrastructure must only be used by the educational institution for payment of usage costs of the network as billed by the chief information officer.

Sec. 7. **CONSOLIDATION OF INFORMATION TECHNOLOGY FOR HUMAN SERVICES UNDER MN.IT.**

By January 1, 2020, the Office of MN.IT Services shall be responsible for information technology services for the Department of Human Services, consistent with Minnesota Statutes, chapter 16E. The commissioner of human services and the chief information officer shall begin immediately to transfer duties, employees, and information technology assets to complete the transfer by January 1, 2020. By January 15, the commissioner of human services and the chief information officer shall report to the chairs and ranking minority members of the committees in the house of representatives

and the senate with jurisdiction over human services policy and finance and state government on the status of the completed transfer.

Sec. 8. **DRAFT LEGISLATION FROM MN.IT.**

By January 15, 2020, the chief information officer shall submit to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over state government policy and finance, draft legislation developed with assistance by the revisor of statutes, to address the recommendation of the legislative auditor on page 82, as described on pages 79 to 82, of the 2019 evaluation report on the "Office of Minnesota Information Technology Services (MNIT)" to clarify MN.IT's authorizing statutes.

ARTICLE 2

LEGISLATIVE COMMISSION ON INFORMATION TECHNOLOGY

Section 1. **[3.889] LEGISLATIVE COMMISSION ON INFORMATION TECHNOLOGY.**

Subdivision 1. **Membership.** (a) The Legislative Commission on Information Technology consists of the following eight members:

(1) four senators, including two senators appointed by the senate majority leader and two senators appointed by the senate minority leader; and

(2) four members of the house of representatives, including two members appointed by the speaker of the house and two members appointed by the minority leader of the house.

(b) To the extent possible, the appointing authorities must appoint members with knowledge of technical aspects or management of information technology.

Subd. 2. **Terms; vacancies.** Members of the commission serve for a two-year term beginning upon appointment and expiring on appointment of a successor after the opening of the next regular session of the legislature in the odd-numbered year. A vacancy in the membership of the commission must be filled for the unexpired term in a manner that will preserve the representation established by this section.

Subd. 3. **Duties.** The commission must consider the issues raised in the 2019 evaluation report of the Office of the Legislative Auditor titled "Office of Minnesota Information Technology Services (MNIT)." The commission must prepare draft legislation, as appropriate, and develop plans or advice to implement the recommendations of the legislative auditor.

Subd. 4. **Chair.** The commission shall elect a chair by a majority vote of members present. The officers shall alternate between a member of the senate and a member of the house of representatives. A chair shall serve a two-year term expiring upon election of a new chair after the opening of the next regular session of the legislature in the odd-numbered year.

Subd. 5. **Meetings.** The commission must meet at least three times per calendar year. The meetings of the commission are subject to section 3.055, except that the commission may close a meeting when necessary to safeguard the state's information technology. The minutes, recordings,

and documents from a closed meeting under this subdivision shall be maintained by the Legislative Coordinating Commission and shall not be made available to the public until eight years after the date of the meeting.

Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide administrative services for the commission.

Subd. 7. **Sunset.** The commission sunsets January 30, 2021.

Sec. 2. **FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE COMMISSION ON INFORMATION TECHNOLOGY.**

Subdivision 1. **First appointments.** Appointing authorities must make initial appointments to the Legislative Commission on Information Technology by July 1, 2019.

Subd. 2. **First meeting.** The majority leader of the senate shall designate one senate member of the Legislative Commission on Information Technology under Minnesota Statutes, section 3.888, to convene the first meeting by August 15, 2019. The commission must select a chair from among the senate members at the first meeting.

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

ARTICLE 3

LEGISLATIVE AUDITOR

Section 1. Minnesota Statutes 2018, section 3.97, subdivision 3a, is amended to read:

Subd. 3a. **Evaluation topics.** (a) The commission shall periodically select topics for the legislative auditor to evaluate. Topics may include any agency, program, or activity established by law to achieve a state purpose, or any topic that affects the operation of state government, but the commission shall give primary consideration to topics that are likely, upon examination, to produce recommendations for cost savings, increased productivity, or the elimination of duplication among public agencies. The commission shall also give consideration to information technology projects and to the delivery of information technology services from the Office of MN.IT Services to state agencies. Legislators and legislative committees may suggest topics for evaluation, but the legislative auditor shall only conduct evaluations approved by the commission.

(b) The commission is requested to direct the auditor, in response to a suggestion from an individual legislator of an evaluation topic, to estimate the scope of the proposed evaluation and the time required to complete it. The estimate must be reported to the legislator who submitted the suggestion and to the commission. The commission must determine within 60 days of receiving the estimate whether to proceed with the suggested evaluation and must convey its decision to the legislator along with the reasons for its decision.

Sec. 2. **APPROPRIATION.**

\$...... is appropriated to the Legislative Coordinating Commission for the Office of the Legislative Auditor to be used for increasing the capabilities of the legislative auditor to evaluate information

technology projects and the delivery of information technology services from the Office of MN.IT Services to state agencies."

Delete the title and insert:

"A bill for an act relating to state government; permitting agencies more flexibility in contracting for information technology services; reforms to MN.IT business practices and business software implementation; consolidation of information technology services for the Department of Human Services; creating a legislative commission on information technology; expanding topics for review by the legislative auditor; appropriating money; amending Minnesota Statutes 2018, sections 3.97, subdivision 3a; 16E.016; 16E.0466, subdivision 1; 16E.055; 16E.14, subdivision 3; 16E.18, subdivisions 4, 6; proposing coding for new law in Minnesota Statutes, chapter 3."

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S.F. No. 971: A bill for an act relating to health; modifying provisions governing home care providers; amending Minnesota Statutes 2018, sections 144A.43, subdivisions 11, 27, 30, by adding a subdivision; 144A.472, subdivisions 5, 7; 144A.473; 144A.474, subdivision 2; 144A.475, subdivisions 1, 2, 5; 144A.476, subdivision 1; 144A.479, subdivision 7; 144A.4791, subdivisions 1, 3, 6, 7, 8, 9; 144A.4792, subdivisions 1, 2, 5, 10; 144A.4793, subdivision 6; 144A.4796, subdivision 2; 144A.4797, subdivision 3; 144A.4798; 144A.4799, subdivisions 1, 3; 144A.484, subdivision 1; repealing Minnesota Statutes 2018, sections 144A.45, subdivision 6; 144A.481.

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

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

S.F. No. 1732: A bill for an act relating to health; permitting certain outpatient surgical centers to share a facility; amending Minnesota Statutes 2018, section 144.55, subdivisions 1, 2, 9, by adding subdivisions; repealing Minnesota Statutes 2018, section 144.55, subdivision 10.

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

Page 2, line 22, before "Outpatient" insert "Admissions to"

Page 2, line 23, delete "must admit patients only for" and insert "are limited to"

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 1611: A bill for an act relating to housing; appropriating money for housing supports for persons with a mental illness.

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was re-referred

S.F. No. 1294: A bill for an act relating to state government; establishing a Legislative Commission on Housing Affordability; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Delete everything after the enacting clause and insert:

"Section 1. [3.8845] LEGISLATIVE COMMISSION ON HOUSING AFFORDABILITY.

Subdivision 1. **Membership.** (a) The Legislative Commission on Housing Affordability consists of:

(1) two senators appointed by the senate majority leader;

(2) two senators appointed by the senate minority leader;

(3) two representatives appointed by the speaker of the house; and

(4) two representatives appointed by the minority leader of the house of representatives.

(b) Each appointing authority must make appointments by January 31 of the regular legislative session in the odd-numbered year.

Subd. 2. **Meetings.** The ranking senator from the majority party appointed to the commission must convene the first meeting of a biennium by February 15 in the odd-numbered year.

Subd. 3. **Terms; vacancies.** Members of the commission serve for terms beginning upon appointment and ending at the beginning of the regular legislative session in the next odd-numbered year. The appropriate appointing authority must fill a vacancy for a seat of a current legislator for the remainder of the unexpired term.

Subd. 4. **Officers.** The commission must elect a chair and may elect other officers as it determines are necessary, at the first meeting of the commission in an odd-numbered year. The chair alternates between a member of the senate and a member of the house of representatives at the start of the regular legislative session in each odd-numbered year.

Subd. 5. **Staff.** The Legislative Coordinating Commission must provide administrative and research assistance to the commission.

Subd. 6. **Duties.** The commission shall:

(1) define housing affordability and study issues relating to housing affordability and the construction, preservation and rehabilitation of owner-occupied and rental housing, including

subsidized housing, existing and future government regulations impacting housing affordability, market forces impacting housing affordability, and access to homeownership;

(2) review and provide the legislature with research and analysis of emerging issues affecting housing affordability and homeownership access, including but not limited to construction work force, innovation, building practices, and building material costs;

(3) review and provide the legislature with research and analysis of policies to reduce the homeownership equity gap; and

(4) review and make recommendations on legislative and rulemaking proposals positively impacting personal housing affordability, access to homeownership, and other related barriers to homeownership, especially with regard to first-time homebuyers and economically disadvantaged buyers and renters.

Subd. 7. **Expiration.** This section expires June 30, 2023.

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

Sec. 2. **INITIAL APPOINTMENTS.**

(a) Appointing authorities for the Legislative Commission on Housing Affordability under Minnesota Statutes, section 3.8845, must make initial appointments by June 1, 2019, to serve a term ending in January 2021.

(b) The speaker of the house must designate one member of the commission to convene the first meeting of the commission by June 15, 2019. A member of the house of representatives shall serve as the first chair of the commission. A member of the senate shall serve as chair of the commission beginning in January 2021."

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 1887: A bill for an act relating to agriculture; appropriating money for grants to Second Harvest Heartland; requiring reports.

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 1669: A bill for an act relating to housing; establishing a pilot program providing grants for housing infrastructure; appropriating money.

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 1517: A bill for an act relating to veterinary medicine; providing immunity for animal cruelty reporting; proposing coding for new law in Minnesota Statutes, chapter 343.

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

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

S.F. No. 278: A bill for an act relating to health care; creating licensure and regulations for pharmacy benefit managers; authorizing rulemaking; amending Minnesota Statutes 2018, section 151.21, subdivision 7, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 62W; repealing Minnesota Statutes 2018, sections 151.214, subdivision 2; 151.60; 151.61; 151.62; 151.63; 151.64; 151.65; 151.66; 151.67; 151.68; 151.69; 151.70; 151.71.

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

Delete everything after the enacting clause and insert:

"Section 1. **[62W.01] CITATION.**

This chapter may be cited as the "Minnesota Pharmacy Benefit Manager Licensure and Regulation Act."

Sec. 2. **[62W.02] DEFINITIONS.**

Subdivision 1. **Scope.** For purposes of this chapter, the following terms have the meanings given.

Subd. 2. **Aggregate retained rebate.** "Aggregate retained rebate" means the percentage of all rebates received by a pharmacy benefit manager from a drug manufacturer for drug utilization that is not passed on to the pharmacy benefit manager's client.

Subd. 3. **Claims processing service.** "Claims processing service" means the administrative services performed in connection with the processing and adjudicating of claims relating to pharmacy services that includes:

- (1) receiving payments for pharmacy services;
- (2) making payments to pharmacists or pharmacies for pharmacy services; or
- (3) both clause (1) and clause (2).

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of commerce.

Subd. 5. **Enrollee.** "Enrollee" means a natural person covered by a health plan and includes an insured, policyholder, subscriber, contract holder, member, covered person, or certificate holder.

Subd. 6. **Health carrier.** "Health carrier" has the meaning given in section 62A.011, subdivision 2.

Subd. 7. **Health plan.** "Health plan" means a policy, contract, certificate, or agreement defined in section 62A.011, subdivision 3.

Subd. 8. **Mail order pharmacy.** "Mail order pharmacy" means a pharmacy whose primary business is to receive prescriptions by mail, fax, or through electronic submissions, dispense prescription drugs to enrollees through the use of the United States mail or other common carrier services, and provide consultation with patients electronically rather than face-to-face.

Subd. 9. **Maximum allowable cost price.** "Maximum allowable cost price" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for a group of therapeutically and pharmaceutically equivalent multiple source drugs. The maximum allowable cost price does not include a dispensing or professional fee.

Subd. 10. **Multiple source drugs.** "Multiple source drugs" means a therapeutically equivalent drug that is available from at least two manufacturers.

Subd. 11. **Network pharmacy.** "Network pharmacy" means a retail or other licensed pharmacy provider that directly contracts with a pharmacy benefit manager.

Subd. 12. **Other prescription drug or device services.** "Other prescription drug or device services" means services other than claims processing services, provided directly or indirectly, whether in connection with or separate from claims processing services, including:

(1) negotiating rebates, discounts, or other financial incentives and arrangements with drug manufacturers;

(2) disbursing or distributing rebates;

(3) managing or participating in incentive programs or arrangements for pharmacy services;

(4) negotiating or entering into contractual arrangements with pharmacists or pharmacies, or both;

(5) developing prescription drug formularies;

(6) designing prescription benefit programs; or

(7) advertising or promoting services.

Subd. 13. **Pharmacist.** "Pharmacist" means an individual with a valid license issued by the Board of Pharmacy under chapter 151.

Subd. 14. **Pharmacy.** "Pharmacy" or "pharmacy provider" means a place of business licensed by the Board of Pharmacy under chapter 151 in which prescription drugs are prepared, compounded, or dispensed under the supervision of a pharmacist.

Subd. 15. **Pharmacy benefit manager.** (a) "Pharmacy benefit manager" means a person, business, or other entity that contracts with a plan sponsor to perform pharmacy benefits management, including but not limited to:

(1) contracting directly or indirectly with pharmacies to provide prescription drugs to enrollees or other covered individuals;

(2) administering a prescription drug benefit;

(3) processing or paying pharmacy claims;

(4) creating or updating prescription drug formularies;

(5) making or assisting in making prior authorization determinations on prescription drugs;

(6) administering rebates on prescription drugs; or

(7) establishing a pharmacy network.

(b) Pharmacy benefit manager does not include the Department of Human Services.

Subd. 16. **Plan sponsor.** "Plan sponsor" means a group purchaser as defined under section 62J.03; an employer in the case of an employee health benefit plan established or maintained by a single employer; or an employee organization in the case of a health plan established or maintained by an employee organization, an association, joint board trustees, a committee, or other similar group that establishes or maintains the health plan. This term includes a person or entity acting for a pharmacy benefit manager in a contractual or employment relationship in the performance of pharmacy benefit management. Plan sponsor does not include the Department of Human Services.

Subd. 17. **Specialty drug.** "Specialty drug" means a prescription drug that: (1) is not available for order or purchase by a retail pharmacy, regardless if the drug is meant to be self-administered; and (2) requires special storage and has distribution or inventory limitations that are not available at a retail pharmacy.

Subd. 18. **Retail pharmacy.** "Retail pharmacy" means a chain pharmacy, a supermarket pharmacy, an independent pharmacy, or a network of independent pharmacies, licensed under chapter 151, that dispenses prescription drugs to the public.

Subd. 19. **Rebates.** "Rebates" means all price concessions paid by a drug manufacturer to a pharmacy benefit manager or plan sponsor, including discounts and other price concessions that are based on the actual or estimated utilization of a prescription drug. Rebates also include price concessions based on the effectiveness of a prescription drug as in a value-based or performance-based contract.

Sec. 3. **[62W.03] LICENSE TO DO BUSINESS.**

Subdivision 1. **General.** (a) Beginning January 1, 2020, no person shall perform, act, or do business in this state as a pharmacy benefit manager unless the person has a valid license issued under this chapter by the commissioner of commerce.

(b) A license issued in accordance with this chapter is nontransferable.

Subd. 2. **Application.** (a) A pharmacy benefit manager seeking a license shall apply to the commissioner of commerce on a form prescribed by the commissioner. The application form must include at a minimum the following information:

(1) the name, address, and telephone number of the pharmacy benefit manager;

(2) the name and address of the pharmacy benefit manager agent for service of process in this state; and

(3) the name, address, official position, and professional qualifications of each person responsible for the conduct of affairs of the pharmacy benefit manager, including all members of the board of directors, board of trustees, executive committee, or other governing board or committee; the principal officers in the case of a corporation; or the partners or members in the case of a partnership or association.

(b) Each application for licensure must be accompanied by a nonrefundable fee of \$.....

(c) Within 30 days of receiving an application, the commissioner may require additional information or submissions from an applicant and may obtain any document or information reasonably necessary to verify the information contained in the application. Within 90 days after receipt of a completed application, the network adequacy report required under section 62W.05, and the applicable license fee, the commissioner shall review the application and issue a license if the applicant is deemed qualified under this section. If the commissioner determines the applicant is not qualified, the commissioner shall notify the applicant and shall specify the reason or reasons for the denial.

Subd. 3. **Renewal.** (a) A license issued under this chapter is valid for a period of three years. To renew a license, an applicant must submit a completed renewal application on a form prescribed by the commissioner, the network adequacy report required under section 62W.05, and a renewal fee of \$..... The commissioner may request a renewal applicant to submit additional information to clarify any new information presented in the renewal application.

(b) A renewal application submitted after the renewal deadline date must be accompanied by a nonrefundable late fee of \$.....

(c) The commissioner may deny the renewal of a license for any of the following reasons:

(1) the pharmacy benefit manager has been determined by the commissioner to be in violation or noncompliance with federal or state law; or

(2) the pharmacy benefit manager has failed to timely submit a renewal application and the information required under paragraph (a).

In lieu of a denial of a renewal application, the commissioner may permit the pharmacy benefit manager to submit to the commissioner a corrective action plan to cure or correct deficiencies.

Subd. 4. **Oversight.** (a) The commissioner may suspend, revoke, or place on probation a pharmacy benefit manager license issued under this chapter for any of the following circumstances:

(1) the pharmacy benefit manager has engaged in fraudulent activity that constitutes a violation of state or federal law;

(2) the commissioner has received consumer complaints that justify an action under this subdivision to protect the safety and interests of consumers;

(3) the pharmacy benefit manager fails to pay an application license or renewal fee; and

(4) the pharmacy benefit manager fails to comply with a requirement set forth in this chapter.

(b) The commissioner may issue a license subject to restrictions or limitations, including the types of services that may be supplied or the activities in which the pharmacy benefit manager may be engaged.

Subd. 5. **Penalty.** If a pharmacy benefit manager acts without a license, the pharmacy benefit manager may be subject to a fine of \$5,000 per day for the period the pharmacy benefit manager is found to be in violation.

Subd. 6. **Enforcement.** The commissioner shall enforce this chapter under the provisions of chapter 45.

Sec. 4. **[62W.04] PHARMACY BENEFIT MANAGER GENERAL BUSINESS PRACTICES.**

(a) A pharmacy benefit manager must exercise good faith and fair dealing in the performance of its contractual duties. A provision in a contract between a pharmacy benefit manager and a health carrier or a network pharmacy that attempts to waive or limit this obligation is void.

(b) A pharmacy benefit manager must notify a health carrier in writing of any activity, policy, or practice of the pharmacy benefit manager that directly or indirectly presents a conflict of interest with the duties imposed in this section.

Sec. 5. **[62W.05] PHARMACY BENEFIT MANAGER NETWORK ADEQUACY.**

(a) A pharmacy benefit manager must provide an adequate and accessible pharmacy network for the provision of prescription drugs that provides access to pharmacies within a reasonable distance from an enrollee's residence. The network must include a sufficient number of pharmacies to ensure that pharmacy services are available to all enrollees without unreasonable delay. In determining network adequacy, the commissioner shall ensure that the maximum travel distance or time requirement to the nearest pharmacy equals the requirement applied under section 62K.10 for pharmacy services. A mail order pharmacy must not be included in the calculations of determining the adequacy of the pharmacy benefit manager's pharmacy network.

(b) A pharmacy benefit manager must submit to the commissioner a pharmacy network adequacy report describing the pharmacy network and pharmacy accessibility in this state, with the pharmacy benefit manager's license application and renewal, in a manner prescribed by the commissioner.

Sec. 6. **[62W.06] PHARMACY BENEFIT MANAGER TRANSPARENCY.**

Subdivision 1. **Transparency to plan sponsors.** (a) Beginning in the second quarter after the effective date of a contract between a pharmacy benefit manager and a plan sponsor, the pharmacy benefit manager must disclose, upon the request of the plan sponsor, the following information with respect to prescription drug benefits specific to the plan sponsor:

(1) the aggregate wholesale acquisition costs from a drug manufacturer or wholesale drug distributor for each therapeutic category of prescription drugs;

(2) the aggregate amount of rebates received by the pharmacy benefit manager by therapeutic category of prescription drugs. The aggregate amount of rebates must include any utilization discounts the pharmacy benefit manager receives from a drug manufacturer or wholesale drug distributor;

(3) any other fees received from a drug manufacturer or wholesale drug distributor;

(4) whether the pharmacy benefit manager has a contract, agreement, or other arrangement with a drug manufacturer to exclusively dispense or provide a drug to a plan sponsor's employees or enrollees, and the application of all consideration or economic benefits collected or received pursuant to the arrangement;

(5) prescription drug utilization information for the plan sponsor's employees or enrollees that is not specific to any individual employee or enrollee;

(6) the aggregate amount of payments made by the pharmacy benefit manager to pharmacies owned or controlled by the pharmacy benefit manager;

(7) the aggregate amount of payments made by the pharmacy benefit manager to pharmacies not owned or controlled by the pharmacy benefit manager; and

(8) the aggregate amount of the fees imposed on, or collected from, network pharmacies or other assessments against network pharmacies, including point-of-sale fees and retroactive charges, and the application of those amounts collected pursuant to the contract with the plan sponsor.

(b) A pharmacy benefit manager may require a plan sponsor to agree to a nondisclosure agreement that specifies that the information reported under this subdivision is proprietary information. The pharmacy benefit manager is not required to disclose the information to the plan sponsor until the plan sponsor has executed the nondisclosure agreement, if required by the pharmacy benefit manager.

Subd. 2. **Transparency report to the commissioner.** (a) Beginning June 1, 2020, and annually thereafter, each pharmacy benefit manager must submit to the commissioner a transparency report containing data from the prior calendar year. The report must contain the following information:

(1) the aggregate wholesale acquisition costs from a drug manufacturer or wholesale drug distributor for each therapeutic category of prescription drugs for all of the pharmacy benefit manager's plan sponsor clients, unless providing this information even in the aggregate permits the determination of a specific drug manufacturer;

(2) the aggregate amount of all rebates that the pharmacy benefit manager received from all drug manufacturers for all of the pharmacy benefit manager's plan sponsor clients. The aggregate

amount of rebates must include any utilization discounts the pharmacy benefit manager receives from a drug manufacturer or wholesale drug distributor;

(3) the aggregate retained rebates that the pharmacy benefit manager received from all drug manufacturers that were not passed through to plan sponsors;

(4) the aggregate retained rebate percentage; and

(5) the highest, lowest, and mean aggregate retained rebate percentage for all of the pharmacy benefit manager's plan sponsor clients.

(b) Within 60 days upon receipt of the transparency report, the commissioner shall publish the report from each pharmacy benefit manager on the Department of Commerce's website, with the exception of data considered trade secret information under section 13.37.

(c) For purposes of this subdivision, the aggregate retained rebate percentage must be calculated for each plan sponsor for rebates in the previous calendar year as follows:

(1) the sum total dollar amount of rebates from all drug manufacturers for all utilization of enrollees of a plan sponsor that was not passed through to the plan sponsor; and

(2) divided by the sum total dollar amount of all rebates received from all drug manufacturers for all enrollees of a plan sponsor.

Subd. 3. **Penalty.** The commissioner may impose civil penalties of not more than \$1,000 per day per violation of this section.

Sec. 7. [62W.07] PHARMACY OWNERSHIP INTEREST; SPECIALTY PHARMACY SERVICES.

(a) A pharmacy benefit manager that has an ownership interest either directly or indirectly, or through an affiliate or subsidiary, in a pharmacy must disclose to a plan sponsor that contracts with the pharmacy benefit manager any difference between the amount paid to that pharmacy and the amount charged to the plan sponsor.

(b) A pharmacy benefit manager or a pharmacy benefit manager's affiliates or subsidiaries must not own or have an ownership interest in a patient assistance program or a mail order or specialty pharmacy, unless the pharmacy benefit manager, affiliate, or subsidiary agrees to fair competition, no self-dealing, and no interference with prospective economic advantage, and establishes a firewall between the administrative functions and the mail order or specialty pharmacy.

(c) A pharmacy benefit manager or health carrier is prohibited from penalizing, requiring, or providing financial incentives, including variations in premiums, deductibles, co-payments, or coinsurance, to an enrollee as an incentive to use a retail pharmacy, mail order pharmacy, specialty pharmacy, or other network pharmacy provider in which a pharmacy benefit manager has an ownership interest or in which the pharmacy provider has an ownership interest in the pharmacy benefit manager.

(d) A pharmacy benefit manager or health carrier is prohibited from imposing limits, including quantity limits or refill frequency limits, on a patient's access to medication that differ based solely

on whether the health carrier or pharmacy benefit manager has an ownership interest in a pharmacy or the pharmacy has an ownership interest in the pharmacy benefit manager.

(e) A pharmacy benefit manager must not require pharmacy accreditation standards or recertification requirements to participate in a network that are inconsistent with, more stringent than, or in addition to federal and state requirements for licensure as a pharmacy in this state.

Sec. 8. **[62W.075] THERAPEUTIC ALTERNATIVE PRESCRIPTION DRUG.**

A pharmacy benefit manager or health carrier must not require a pharmacy to dispense a therapeutically equivalent or therapeutically alternative drug that costs more than a prescribed drug, unless the switch is made for medically necessary reasons that benefit the patient. Before a switch is made under this section, the pharmacy must obtain approval from the prescribing practitioner and must inform the enrollee of the reason for the switch.

Sec. 9. **[62W.076] SPECIALTY PHARMACY.**

A pharmacy benefit manager that contracts with a specialty pharmacy must disclose to enrollees the price for each prescription drug at the specialty pharmacy and at a retail pharmacy unless the specialty pharmacy offers prescription drugs at the same or a lower price than the enrollee could receive at a retail pharmacy.

Sec. 10. **[62W.077] PREFERRED NETWORK.**

A pharmacy benefit manager that uses a preferred network of pharmacies must disclose to an enrollee the price for each prescription drug at the preferred network pharmacies and at a retail pharmacy unless the preferred network pharmacies offer the prescription drug at the same or a lower price than the enrollee could receive at a retail pharmacy.

Sec. 11. **[62W.078] REQUIRING MAIL ORDER SERVICE.**

A pharmacy benefit manager or health carrier shall not require an enrollee whose health plan has the option of using a retail pharmacy to use a mail order pharmacy unless the mail order pharmacy offers the prescription drug at a lower price than the enrollee could receive at a retail pharmacy. The pharmacy benefit manager or health carrier shall not deny an enrollee the right to use a retail pharmacy willing to dispense the prescription at the same or a lower price as the mail order pharmacy.

Sec. 12. **[62W.08] MAXIMUM ALLOWABLE COST PRICING.**

(a) With respect to each contract and contract renewal between a pharmacy benefit manager and a pharmacy, the pharmacy benefits manager must:

(1) provide to the pharmacy, at the beginning of each contract and contract renewal, the sources utilized to determine the maximum allowable cost pricing of the pharmacy benefit manager;

(2) update any maximum allowable cost price list at least every seven business days, noting any price changes from the previous list, and provide a means by which network pharmacies may promptly review current prices in an electronic, print, or telephonic format within one business day at no cost to the pharmacy;

(3) maintain a procedure to eliminate products from the list of drugs subject to maximum allowable cost pricing in a timely manner in order to remain consistent with changes in the marketplace;

(4) ensure that the maximum allowable cost prices are not set below sources utilized by the pharmacy benefits manager; and

(5) upon request of a network pharmacy, disclose the sources utilized for setting maximum allowable cost price rates on each maximum allowable cost price list included under the contract and identify each maximum allowable cost price list that applies to the network pharmacy. A pharmacy benefit manager must make the list of the maximum allowable costs available to a contracted pharmacy in a format that is readily accessible and usable to the network pharmacy.

(b) A pharmacy benefit manager must not place a prescription drug on a maximum allowable cost list unless the drug is available for purchase by pharmacies in this state from a national or regional drug wholesaler and is not obsolete.

(c) Each contract between a pharmacy benefit manager and a pharmacy must include a process to appeal, investigate, and resolve disputes regarding maximum allowable cost pricing that includes:

(1) a 15-business-day limit on the right to appeal following the initial claim;

(2) a requirement that the appeal be investigated and resolved within seven business days after the appeal is received; and

(3) a requirement that a pharmacy benefit manager provide a reason for any appeal denial and identify the national drug code of a drug that may be purchased by the pharmacy at a price at or below the maximum allowable cost price as determined by the pharmacy benefit manager.

(d) If an appeal is upheld, the pharmacy benefit manager must make an adjustment to the maximum allowable cost price no later than one business day after the date of determination. The pharmacy benefit manager must make the price adjustment applicable to all similarly situated network pharmacy providers as defined by the plan sponsor.

Sec. 13. [62W.09] PHARMACY AUDITS.

Subdivision 1. Procedure and process for conducting and reporting an audit. (a) Unless otherwise prohibited by federal requirements or regulations, any entity conducting a pharmacy audit must follow the following procedures:

(1) a pharmacy must be given notice 14 days before an initial on-site audit is conducted;

(2) an audit that involves clinical or professional judgment must be conducted by or in consultation with a licensed pharmacist; and

(3) each pharmacy shall be audited under the same standards and parameters as other similarly situated pharmacies.

(b) Unless otherwise prohibited by federal requirements or regulations, for any entity conducting a pharmacy audit the following items apply:

(1) the period covered by the audit may not exceed 24 months from the date that the claim was submitted to or adjudicated by the entity, unless a longer period is required under state or federal law;

(2) if an entity uses random sampling as a method for selecting a set of claims for examination, the sample size must be appropriate for a statistically reliable sample. Notwithstanding section 151.69, the auditing entity shall provide the pharmacy a masked list that provides a prescription number or date range that the auditing entity is seeking to audit;

(3) an on-site audit may not take place during the first five business days of the month unless consented to by the pharmacy;

(4) auditors may not enter the pharmacy area unless escorted where patient-specific information is available and to the extent possible must be out of sight and hearing range of the pharmacy customers;

(5) any recoupment will not be deducted against future remittances until after the appeals process and both parties have received the results of the final audit;

(6) a pharmacy benefit manager may not require information to be written on a prescription unless the information is required to be written on the prescription by state or federal law. Recoupment may be assessed for items not written on the prescription if:

(i) additional information is required in the provider manual; or

(ii) the information is required by the Food and Drug Administration (FDA); or

(iii) the information is required by the drug manufacturer's product safety program; and

(iv) the information in item (i), (ii), or (iii) is not readily available for the auditor at the time of the audit; and

(7) the auditing company or agent may not receive payment based on a percentage of the amount recovered. This section does not prevent the entity conducting the audit from charging or assessing the responsible party, directly or indirectly, based on amounts recouped if both of the following conditions are met:

(i) the plan sponsor and the entity conducting the audit have a contract that explicitly states the percentage charge or assessment to the plan sponsor; and

(ii) a commission to an agent or employee of the entity conducting the audit is not based, directly or indirectly, on amounts recouped.

(c) An amendment to pharmacy audit terms in a contract between a pharmacy benefit manager and a pharmacy must be disclosed to the pharmacy at least 60 days prior to the effective date of the proposed change.

Subd. 2. **Requirement for recoupment or chargeback.** For recoupment or chargeback, the following criteria apply:

- (1) audit parameters must consider consumer-oriented parameters based on manufacturer listings;
- (2) a pharmacy's usual and customary price for compounded medications is considered the reimbursable cost unless the pricing methodology is outlined in the pharmacy provider contract;
- (3) a finding of overpayment or underpayment must be based on the actual overpayment or underpayment and not a projection based on the number of patients served having a similar diagnosis or on the number of similar orders or refills for similar drugs;
- (4) the entity conducting the audit shall not use extrapolation in calculating the recoupment or penalties for audits unless required by state or federal law or regulations;
- (5) calculations of overpayments must not include dispensing fees unless a prescription was not actually dispensed, the prescriber denied authorization, the prescription dispensed was a medication error by the pharmacy, or the identified overpayment is solely based on an extra dispensing fee;
- (6) an entity may not consider any clerical or record-keeping error, such as a typographical error, scrivener's error, or computer error regarding a required document or record as fraud, however such errors may be subject to recoupment;
- (7) in the case of errors that have no actual financial harm to the patient or plan, the pharmacy benefit manager must not assess any chargebacks. Errors that are a result of the pharmacy failing to comply with a formal corrective action plan may be subject to recovery; and
- (8) interest may not accrue during the audit period for either party, beginning with the notice of the audit and ending with the final audit report.

Subd. 3. **Documentation.** (a) To validate the pharmacy record and delivery, the pharmacy may use authentic and verifiable statements or records including medication administration records of a nursing home, assisted living facility, hospital, physician, or other authorized practitioner or additional audit documentation parameters located in the provider manual.

(b) Any legal prescription that meets the requirements in this chapter may be used to validate claims in connection with prescriptions, refills, or changes in prescriptions, including medication administration records, faxes, e-prescriptions, or documented telephone calls from the prescriber or the prescriber's agents.

Subd. 4. **Appeals process.** The entity conducting the audit must establish a written appeals process which must include appeals of preliminary reports and final reports.

Subd. 5. **Audit information and reports.** (a) A preliminary audit report must be delivered to the pharmacy within 60 days after the conclusion of the audit.

(b) A pharmacy must be allowed at least 45 days following receipt of the preliminary audit to provide documentation to address any discrepancy found in the audit.

(c) A final audit report must be delivered to the pharmacy within 120 days after receipt of the preliminary audit report or final appeal, whichever is later.

(d) An entity shall remit any money due to a pharmacy or pharmacist as a result of an underpayment of a claim within 45 days after the appeals process has been exhausted and the final audit report has been issued.

Subd. 6. **Disclosure to plan sponsor.** Where contractually required, an auditing entity must provide a copy to the plan sponsor of its claims that were included in the audit, and any recouped money shall be returned to the plan sponsor.

Subd. 7. **Applicability of other laws and regulations.** This section does not apply to any investigative audit that involves suspected fraud, willful misrepresentation, abuse, or any audit completed by Minnesota health care programs.

Subd. 8. **Definitions.** For purposes of this section, "entity" means a pharmacy benefit manager or any person or organization that represents a pharmacy benefit manager.

Sec. 14. **[62W.10] SYNCHRONIZATION.**

(a) For purposes of this section, "synchronization" means the coordination of prescription drug refills for a patient taking two or more medications for one or more chronic conditions, to allow the patient's medications to be refilled on the same schedule for a given period of time.

(b) A contract between a pharmacy benefit manager and a pharmacy must allow for synchronization of prescription drug refills for a patient on at least one occasion per year, if the following criteria are met:

(1) the prescription drugs are covered under the patient's health plan or have been approved by a formulary exceptions process;

(2) the prescription drugs are maintenance medications as defined by the health plan and have one or more refills available at the time of synchronization;

(3) the prescription drugs are not Schedule II, III, or IV controlled substances;

(4) the patient meets all utilization management criteria relevant to the prescription drug at the time of synchronization;

(5) the prescription drugs are of a formulation that can be safely split into short-fill periods to achieve synchronization; and

(6) the prescription drugs do not have special handling or sourcing needs that require a single, designated pharmacy to fill or refill the prescription.

(c) When necessary to permit synchronization, the pharmacy benefit manager must apply a prorated, daily patient cost-sharing rate to any prescription drug dispensed by a pharmacy under this section. The dispensing fee must not be prorated, and all dispensing fees shall be based on the number of prescriptions filled or refilled.

Sec. 15. **[62W.11] GAG CLAUSE PROHIBITION.**

(a) No contract between a pharmacy benefit manager or health carrier and a pharmacy or pharmacist shall prohibit, restrict, or penalize a pharmacy or pharmacist from disclosing to an enrollee any health care information that the pharmacy or pharmacist deems appropriate regarding the nature of treatment; the risks or alternatives; the availability of alternative therapies, consultations, or tests; the decision of utilization reviewers or similar persons to authorize or deny services; the process that is used to authorize or deny health care services or benefits; or information on financial incentives and structures used by the health carrier or pharmacy benefit manager.

(b) A pharmacy or pharmacist must provide to an enrollee information regarding the enrollee's total cost for each prescription drug dispensed where part or all of the cost of the prescription is being paid or reimbursed by the employer-sponsored plan or by a health carrier or pharmacy benefit manager, in accordance with section 151.214.

(c) A pharmacy benefit manager or health carrier must not prohibit a pharmacist or pharmacy from discussing information regarding the total cost for pharmacy services for a prescription drug, including the patient's co-payment amount, the pharmacy's own usual and customary price of the prescription, and the net amount the pharmacy will receive from all sources for dispensing the prescription drug, once the claim has been completed by the pharmacy benefit manager or the patient's health carrier.

(d) A pharmacy benefit manager or health carrier must not prohibit a pharmacist or pharmacy from discussing the availability of any therapeutically equivalent alternative prescription drugs or alternative methods for purchasing the prescription drug, including but not limited to paying out-of-pocket the pharmacy's usual and customary price when that amount is less expensive to the enrollee than the amount the enrollee is required to pay for the prescription drug under the enrollee's health plan.

Sec. 16. **[62W.12] POINT OF SALE.**

No pharmacy benefit manager or health carrier shall require an enrollee to make a payment at the point of sale for a covered prescription drug in an amount greater than the lesser of:

- (1) the applicable co-payment for the prescription drug;
- (2) the allowable claim amount for the prescription drug;
- (3) the amount an enrollee would pay for the prescription drug if the enrollee purchased the prescription drug without using a health plan or any other source of prescription drug benefits or discounts; or
- (4) the amount the pharmacy will be reimbursed for the prescription drug from the pharmacy benefit manager or health carrier.

Sec. 17. Minnesota Statutes 2018, section 151.21, subdivision 7, is amended to read:

Subd. 7. **Drug formulary.** ~~This section~~ Subdivision 3 does not apply when a pharmacist is dispensing a prescribed drug to persons covered under a managed health care plan that maintains a mandatory or closed drug formulary.

Sec. 18. Minnesota Statutes 2018, section 151.21, is amended by adding a subdivision to read:

Subd. 7a. Coverage by substitution. (a) When a pharmacist receives a prescription order by paper or hard copy, by electronic transmission, or by oral instruction from the prescriber, in which the prescriber has not expressly indicated that the prescription is to be dispensed as communicated and the drug prescribed is not covered under the purchaser's health plan or prescription drug plan, the pharmacist may dispense a therapeutically equivalent and interchangeable prescribed drug or biological product that is covered under the purchaser's plan if the pharmacist has a written protocol with the prescriber that outlines the class of drugs of the same generation and designed for the same indication that can be substituted and the required communication between the pharmacist and the prescriber.

(b) The pharmacist must inform the purchaser if the pharmacist is dispensing a drug or biological product other than the specific drug or biological product prescribed and the reason for the substitution.

(c) The pharmacist must communicate to the prescriber the name and manufacturer of the substituted drug that was dispensed and the reason for the substitution in accordance with the written protocol.

Sec. 19. **REPEALER.**

Minnesota Statutes 2018, sections 151.214, subdivision 2; 151.60; 151.61; 151.62; 151.63; 151.64; 151.65; 151.66; 151.67; 151.68; 151.69; 151.70; and 151.71, are repealed."

Amend the title as follows:

Page 1, line 3, delete "authorizing rulemaking;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 955, 1694, 1940, 160, 1618, 38, 1261, 935, 938, 646, 1003, 971, and 1732 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 58 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Westrom introduced--

S.F. No. 2226: A bill for an act relating to agriculture; establishing a budget for the Department of Agriculture, the Board of Animal Health, and the Agricultural Utilization Research Institute; amending Laws 2015, First Special Session chapter 4, article 1, section 2, subdivision 4, as amended; Laws 2017, chapter 88, article 1, section 2, subdivisions 2, 4.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senator Kiffmeyer introduced--

S.F. No. 2227: A bill for an act relating to state government; modifying certain administrative law judge salaries; amending Minnesota Statutes 2018, section 15A.083, subdivision 6a.

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

Senators Kiffmeyer, Howe, and Koran introduced--

S.F. No. 2228: A bill for an act relating to lawful gambling; modifying regulatory provisions of the Gambling Control Board; making clarifying, conforming, and technical changes; amending Minnesota Statutes 2018, sections 349.12, subdivision 2; 349.17, subdivision 6; 349.181, subdivision 5; 349.19, subdivisions 1, 2.

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

Senators Isaacson and Laine introduced--

S.F. No. 2229: A bill for an act relating to natural resources; prohibiting use of certain conservation materials; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Senators Franzen, Hawj, Sparks, Goggin, and Lang introduced--

S.F. No. 2230: A bill for an act relating to agriculture; modifying eligibility for beginning farmer tax credits; allocating tax credits to beginning farmers belonging to a protected group; amending Minnesota Statutes 2018, section 41B.0391, subdivisions 1, 4.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

Senators Bakk, Franzen, and Tomassoni introduced--

S.F. No. 2231: A bill for an act relating to capital investment; appropriating money for a multimodal trailhead center in Silver Bay; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Bakk and Tomassoni introduced--

S.F. No. 2232: A bill for an act relating to capital investment; appropriating money for access roads and a public campground in Crane Lake for the Voyageurs National Park and the Boundary Waters Canoe Area Wilderness; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Isaacson, Rest, Cwodzinski, and Klein introduced--

S.F. No. 2233: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 3; establishing a redistricting commission to adopt congressional and legislative district boundaries following each federal decennial census.

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

Senator Jasinski introduced--

S.F. No. 2234: A bill for an act relating to transportation; exempting towing and recovery vehicles from certain motor vehicle weight limitations; amending Minnesota Statutes 2018, section 169.87, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

Senators Hayden, Torres Ray, Hawj, and Dziejdzic introduced--

S.F. No. 2235: A bill for an act relating to state government; requiring voting instructions and sample ballots to be printed in languages other than English for certain designated precincts; requiring multilingual election judges in certain precincts; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 2018, section 204B.27, subdivision 11.

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

Senator Jasinski introduced--

S.F. No. 2236: A bill for an act relating to transportation; requiring commissioners of transportation and employment and economic development to develop a statewide freight network optimization tool; appropriating money.

Referred to the Committee on Transportation Finance and Policy.

Senators Ruud, Simonson, Lang, Tomassoni, and Housley introduced--

S.F. No. 2237: A bill for an act relating to economic development; establishing Minnesota Outdoor Recreation Office; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116U.

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

Senators Benson and Abeler introduced--

S.F. No. 2238: A bill for an act relating to human services; requiring a report on the cost of producing legislatively mandated reports.

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

Senator Westrom introduced--

S.F. No. 2239: A bill for an act relating to natural resources; appropriating money for Midwest Outdoors Unlimited.

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

Senator Westrom introduced--

S.F. No. 2240: A bill for an act relating to water; requiring certain revisions of public waters inventory; amending Minnesota Statutes 2018, section 103G.201.

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

Senators Rest and Laine introduced--

S.F. No. 2241: A bill for an act relating to campaign finance; modifying provisions for certain campaign disclosures in Hennepin County; amending Minnesota Statutes 2018, sections 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 24, 27, 28, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, by adding a subdivision; 383B.041; repealing Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; 383B.057.

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

Senators Dibble, Cwodzinski, Dziezic, and Laine introduced--

S.F. No. 2242: A bill for an act relating to energy; providing for beneficial electrification goals to reduce greenhouse gas emissions and improve public health; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Senators Champion and Housley introduced--

S.F. No. 2243: A bill for an act relating to economic development; appropriating money for minority business development; requiring a report.

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

Senators Champion and Housley introduced--

S.F. No. 2244: A bill for an act relating to economic development; appropriating money for competitive grants to minority business development assistance services; requiring reports.

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

Senator Howe introduced--

S.F. No. 2245: A bill for an act relating to health; prohibiting abortions when a fetal heartbeat is detected with certain exceptions; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Senators Ingebrigtsen and Westrom introduced--

S.F. No. 2246: A bill for an act relating to liquor; authorizing the city of Alexandria to issue temporary licenses to a museum without regard to certain time restrictions.

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

Senator Abeler introduced--

S.F. No. 2247: A bill for an act relating to human services; modifying policy provisions governing disability services; amending Minnesota Statutes 2018, sections 144A.471, subdivision 8; 144A.475, subdivision 6; 176.011, subdivision 9; 216C.435, subdivision 13; 245A.03, subdivision 7; 245C.03, subdivision 2; 245C.04, subdivision 3; 245C.10, subdivision 3; 245C.16, subdivision 1; 245D.03, subdivision 1; 245D.071, subdivisions 1, 3; 245D.09, subdivision 4a; 245D.091, subdivisions 2, 3, 4; 252.32, subdivisions 1a, 3a; 256B.038; 256B.04, subdivision 21; 256B.0621, subdivision 2; 256B.0625, by adding a subdivision; 256B.0651, subdivisions 1, 2, 12, 13; 256B.0652, subdivisions 2, 5, 8, 10, 12; 256B.0653, subdivision 3; 256B.0659, subdivision 3a; 256B.0705, subdivisions 1, 2; 256B.0711, subdivisions 1, 2; 256B.0911, subdivisions 1a, 3a, 3f, 6; 256B.0913, subdivision 5a; 256B.0915, subdivisions 3a, 6; 256B.0916, subdivision 9; 256B.0918, subdivision 2; 256B.092, subdivision 1b; 256B.093, subdivision 4; 256B.097, subdivision 1; 256B.439, subdivision 1; 256B.49, subdivisions 13, 14, 17; 256B.4914, subdivisions 2, 3, 14; 256B.501, subdivision 4a; 256B.69, subdivision 5a; 256B.765; 256B.85, subdivisions 1, 2, 4, 5, 6, 8, 9, 10, 11, 11b, 12, 12b, 13a, 18a, by adding a subdivision; 256D.44, subdivision 5; 256I.05, subdivision 1a; 256J.21, subdivision 2; 256J.45, subdivision 3; 394.307, subdivision 1; 462.3593, subdivision 1; 604A.33, subdivision 1; 609.232, subdivisions 3, 11; 626.556, subdivisions 2, 3, 3c, 4, 10d; 626.5572, subdivisions 6, 21; Laws 2017, First Special Session chapter 6, article 1, section 44; repealing Minnesota Statutes 2018, sections 256.476, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, 10, 11; 256B.0625, subdivisions 19a, 19c; 256B.0652, subdivision 6; 256B.0659, subdivisions 1, 2, 3, 3a, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 11a, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31.

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

Senators Utke and Bigham introduced--

S.F. No. 2248: A bill for an act relating to human services; directing the commissioner of human services to modify substance use disorder county staff requirements.

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

Senators Torres Ray, Klein, and Marty introduced--

S.F. No. 2249: A bill for an act relating to labor relations; clarifying terms related to meatpacking workers; providing for notification in languages other than English and Spanish; appropriating money; amending Minnesota Statutes 2018, sections 179.86, subdivisions 1, 3; 181.635, subdivision 2.

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

Senator Laine introduced--

S.F. No. 2250: A bill for an act relating to state government; modifying the ethnic councils' enabling statute; amending Minnesota Statutes 2018, section 15.0145, subdivisions 3, 5.

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

Senators Jensen and Osmek introduced--

S.F. No. 2251: A bill for an act relating to capital investment; appropriating money for Lake Waconia Regional Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Jensen and Abeler introduced--

S.F. No. 2252: A bill for an act relating to insurance; requiring coverage for treatment and services provided by mental health professionals and clinical trainees; requiring a denial of a claim for mental health services be made or reviewed by a licensed mental health professional; amending Minnesota Statutes 2018, section 62A.15, subdivision 4, by adding a subdivision.

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

Senators Wiger, Chamberlain, and Isaacson introduced--

S.F. No. 2253: A bill for an act relating to environment; modifying data accessibility related to environmental hazards; amending Minnesota Statutes 2018, section 13.39, subdivision 2.

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

Senator Lang introduced--

S.F. No. 2254: A bill for an act relating to taxation; income; establishing a tax credit for volunteer firefighters and EMTs; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Kiffmeyer and Howe introduced--

S.F. No. 2255: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 3; establishing a redistricting commission; establishing redistricting principles; proposing coding for new law in Minnesota Statutes, chapter 2.

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

Senator Goggin introduced--

S.F. No. 2256: A bill for an act relating to employment; exempting temporary or seasonal agricultural workers from overtime requirements; amending Minnesota Statutes 2018, section 177.23, subdivision 7.

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

Senators Abeler, Isaacson, Miller, and Clausen introduced--

S.F. No. 2257: A bill for an act relating to higher education; requiring the Office of Higher Education to inform students of postsecondary education options for those with intellectual and developmental disabilities; appropriating money for a grant to Minnesota Independence College and Community; amending Minnesota Statutes 2018, section 136A.87.

Referred to the Committee on Higher Education Finance and Policy.

Senators Anderson, P. and Cwodzinski introduced--

S.F. No. 2258: A bill for an act relating to education finance; authorizing the International Spanish Language Academy and Hopkins school district to combine programming; authorizing a levy.

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

Senators Anderson, P. and Jasinski introduced--

S.F. No. 2259: A bill for an act relating to education finance; extending the maximum number of e-learning days; amending Minnesota Statutes 2018, sections 120A.41; 120A.414, subdivision 1.

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

Senators Pratt and Relph introduced--

S.F. No. 2260: A bill for an act relating to education; proposing a teacher code of ethics; modifying grounds for teacher license revocation, suspension, denial, or teacher discharge; amending Minnesota Statutes 2018, sections 122A.09, subdivision 2; 122A.18, subdivision 8; 122A.187, by adding a subdivision; 122A.20, subdivisions 1, 2; 122A.40, subdivision 13; 122A.41, subdivision 6; 122A.42; 123B.03, subdivisions 1, 2; 299C.17; 609.095; 626.556, subdivisions 3, 10, 10e; 631.40, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 122A; 299C.

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

Senator Champion introduced--

S.F. No. 2261: A bill for an act relating to education finance; appropriating money for Girls in Action programming grant.

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

Senators Eaton, Simonson, Cwodzinski, Senjem, and Torres Ray introduced--

S.F. No. 2262: A bill for an act relating to clean water; appropriating money from the clean water fund.

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

Senator Clausen introduced--

S.F. No. 2263: A bill for an act relating to education; modifying compulsory instruction requirements; requiring school districts to offer kindergarten; amending Minnesota Statutes 2018, sections 120A.22, subdivisions 5, 6, 11; 120A.24, subdivision 1; 123A.64; 124D.02, subdivision 1; 126C.126.

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

Senators Cwodzinski; Frentz; Anderson, P.; Abeler; and Little introduced--

S.F. No. 2264: A bill for an act relating to public safety; establishing a program to provide payments to firefighters with cancer or heart disease, counseling for firefighters, and firefighter training; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Senators Eichorn, Torres Ray, Abeler, Klein, and Senjem introduced--

S.F. No. 2265: A bill for an act relating to health; directing the commissioner of health to convene one or more working groups to examine links between health disparities and educational achievement for children from American Indian communities and communities of color; requiring a report; appropriating money.

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

Senator Carlson introduced--

S.F. No. 2266: A bill for an act relating to state government; modifying condemnation procedures; amending Minnesota Statutes 2018, section 117.075, subdivisions 2, 3.

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

Senators Hall, Torres Ray, and Anderson, P. introduced--

S.F. No. 2267: A bill for an act relating to local government; modifying Hennepin County library director qualifications; amending Minnesota Statutes 2018, section 383B.241.

Referred to the Committee on Local Government.

Senator Franzen introduced--

S.F. No. 2268: A bill for an act relating to public safety; appropriating money for a grant to an organization providing legal representation for children.

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

Senators Franzen and Cohen introduced--

S.F. No. 2269: A bill for an act relating to arts and culture; appropriating money to update 25-year plan and create a second ten-year plan for arts and cultural heritage fund; requiring a report.

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

Senator Eken introduced--

S.F. No. 2270: A bill for an act relating to liquor; eliminating volume limits on direct shipment of wine for personal use; amending Minnesota Statutes 2018, section 340A.417.

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

Senator Eken introduced--

S.F. No. 2271: A bill for an act relating to elections; requiring the names of partisan candidates to be rotated on the state general election ballot; amending Minnesota Statutes 2018, section 204D.13, by adding a subdivision; repealing Minnesota Statutes 2018, section 204D.13, subdivision 2.

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

Senator Champion introduced--

S.F. No. 2272: A bill for an act relating to public safety; appropriating money for Minneapolis SafeStreets.

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

Senator Hayden introduced--

S.F. No. 2273: A bill for an act relating to human services; appropriating money for literacy-based programming grant to Network for the Development of Children of African Descent.

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

Senator Relph introduced--

S.F. No. 2274: A bill for an act relating to health; requiring a report; appropriating money for identifying patients at risk for colon cancer and providing screening.

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

Senators Howe and Ingebrigtsen introduced--

S.F. No. 2275: A bill for an act relating to natural resources; appropriating money to develop recommendations for creating aquatic invasive species surveillance and early detection system.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Pappas, Torres Ray, Frenz, Isaacson, and Dibble introduced--

S.F. No. 2276: A bill for an act relating to State Board of Investment; mandating report on impact of climate change on fossil fuel investments currently held by State Board of Investment.

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

Senators Pappas, Dzedzic, Torres Ray, Isaacson, and Dibble introduced--

S.F. No. 2277: A bill for an act relating to the State Board of Investment; requiring divestment from certain investments relating to fossil fuels; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 11A.

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

Senator Pappas introduced--

S.F. No. 2278: A bill for an act relating to economic development; appropriating money for a career pathways program.

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

Senator Pappas introduced--

S.F. No. 2279: A bill for an act relating to human rights; classifying data collected under the workforce certificate of compliance; amending Minnesota Statutes 2018, section 363A.36, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 2280: A bill for an act relating to human rights; requiring certain contractors to obtain workforce and equal pay certificates; amending Minnesota Statutes 2018, sections 363A.36, subdivision 1; 363A.44, subdivision 1.

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

Senators Rosen, Clausen, and Goggin introduced--

S.F. No. 2281: A bill for an act relating to education finance; establishing a vocational enrichment program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Senators Rosen and Clausen introduced--

S.F. No. 2282: A bill for an act relating to education finance; establishing an evidence-based grant standard for any legislative grants awarded to organizations for prekindergarten through grade 12 education programs; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 127A.

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

Senators Rosen, Mathews, Eaton, and Bigham introduced--

S.F. No. 2283: A bill for an act relating to child protection; amending certain definitions applicable to the reporting of maltreatment of minors statute; codifying and directing the commissioner of human services to implement certain recommendations from the March 2015 Governor's Task Force on the Protection of Children Final Report and Recommendations; amending Minnesota Statutes 2018, section 626.556, subdivisions 2, 3d, 7a, 10, 10e.

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

Senators Howe, Pappas, Miller, and Eaton introduced--

S.F. No. 2284: A bill for an act relating to labor; ratifying SEIU healthcare agreement.

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

Senators Abeler, Miller, Hayden, and Pappas introduced--

S.F. No. 2285: A bill for an act relating to human services; modifying certain direct support services reimbursement rates.

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

Senators Eaton, Marty, Dibble, Klein, and Pappas introduced--

S.F. No. 2286: A bill for an act relating to health; establishing an end-of-life option for terminally ill adults; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Senator Utke introduced--

S.F. No. 2287: A bill for an act relating to clean water; appropriating money for local inflow and infiltration reduction programs.

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

Senator Relph introduced--

S.F. No. 2288: A bill for an act relating to public safety; increasing the Community Corrections Act subsidy; appropriating money.

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

Senators Dzedzic, Dibble, and Torres Ray introduced--

S.F. No. 2289: A bill for an act relating to education finance; authorizing grants for Project SUCCESS; requiring a report; appropriating money.

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

Senators Dzedzic and Marty introduced--

S.F. No. 2290: A bill for an act relating to taxation; income apportionment; requiring the attribution of receipts for services performed for certain investment company funds to the state where the shareholders reside; amending Minnesota Statutes 2018, section 290.191, subdivision 5.

Referred to the Committee on Taxes.

Senators Anderson, B.; Dibble; Isaacson; Chamberlain; and Goggin introduced--

S.F. No. 2291: A bill for an act relating to education; creating the Student Data Privacy Act; providing penalties; amending Minnesota Statutes 2018, section 13.32, subdivision 1, by adding subdivisions.

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

Senator Rosen introduced--

S.F. No. 2292: A bill for an act relating to corrections; appropriating money for sentence to service grants.

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

Senator Rosen introduced--

S.F. No. 2293: A bill for an act relating to economic development; requiring reports; appropriating money for entrepreneurial development.

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

Senators Wiklund, Bigham, Jensen, Marty, and Eaton introduced--

S.F. No. 2294: A bill for an act relating to health; expanding the maternal death studies conducted by the commissioner of health to include maternal morbidity; amending Minnesota Statutes 2018, section 145.901.

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

Senators Housley, Benson, Newman, and Anderson, P. introduced--

S.F. No. 2295: A bill for an act relating to human rights; clarifying the definition of sexual harassment; amending Minnesota Statutes 2018, section 363A.03, subdivision 43.

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

Senators Housley, Bigham, Benson, and Anderson, P. introduced--

S.F. No. 2296: A bill for an act relating to human services; establishing Family Child Care Working Group; providing appointments; requiring a report; appropriating money.

Referred to the Committee on Family Care and Aging.

Senators Abeler; Draheim; Clausen; Anderson, P.; and Jensen introduced--

S.F. No. 2297: A bill for an act relating to higher education; developing curriculum for community health workers.

Referred to the Committee on Higher Education Finance and Policy.

Senators Housley; Cwodzinski; Anderson, P.; and Dziedzic introduced--

S.F. No. 2298: A bill for an act relating to education; appropriating money for a grant to Reach Out and Read Minnesota program.

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

Senators Anderson, P.; Relph; Draheim; Pratt; and Eichorn introduced--

S.F. No. 2299: A bill for an act relating to education finance; increasing funding for school-linked mental health grants; appropriating money; amending Minnesota Statutes 2018, section 245.4889, subdivision 1, by adding a subdivision.

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

Senators Eaton, Frenz, Pappas, Wiklund, and Marty introduced--

S.F. No. 2300: A bill for an act relating to environment; providing for carpet product stewardship program; requiring a report; amending Minnesota Statutes 2018, sections 13.7411, subdivision 4; 115A.142; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Senators Eaton, Klein, Torres Ray, Pappas, and Hayden introduced--

S.F. No. 2301: A bill for an act relating to human services; appropriating money for recovery community organization grants.

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

Senator Marty introduced--

S.F. No. 2302: A bill for an act relating to state government; establishing the health and human services budget; modifying provisions governing children and family services, operations, direct care and treatment, continuing care for older adults, disability services, chemical and mental health, uniform service standards, health care, opioids, health-related licensing boards, Department of Health programs, adult protection, and medical cannabis; establishing OneCare Buy-In; establishing consumer protections for residents of assisted living; requiring licensure of assisted living; establishing dementia care services; making changes to home care licensing; requiring reports; making technical changes; establishing controlled substance registration requirement and registration fee; establishing councils; establishing OneCare Buy-In reserve account; modifying penalties; providing for rulemaking; modifying and making fees; making forecast adjustments; appropriating money; amending Minnesota Statutes 2018, sections 13.69, subdivision 1; 15C.02; 16A.724, subdivision 2; 62A.152, subdivision 3; 62A.3094, subdivision 1; 62J.497, subdivision 1; 119B.011, subdivisions 19, 20, by adding a subdivision; 119B.02, subdivision 7; 119B.025, subdivision 1; 119B.03, subdivision 9; 119B.09, subdivisions 1, 7; 119B.095, subdivision 2, by adding a subdivision; 119B.125, subdivision 6; 119B.13, subdivisions 1, 6, 7; 119B.16, subdivisions 1, 1a, 1b, by adding subdivisions; 144.0724, subdivisions 4, 5, 8; 144.3831, subdivision 1; 144A.071, subdivisions 1a, 2, 3, 4a, 4c, 5a; 144A.073, subdivision 3c; 144A.43, subdivision 6; 144A.44, subdivisions 1, 2; 144A.441; 144A.442; 144A.471, subdivisions 1, 5, 9; 144A.472, subdivision 7; 144A.474, subdivisions 9, 11; 144A.475, subdivisions 3b, 5; 144A.476, subdivision 1; 144A.4791, subdivision 10; 144A.4799; 144D.01, subdivision 4; 144D.015; 144D.04, subdivision 2; 147D.27, by adding a subdivision; 147E.40, subdivision 1; 147F.17, subdivision 1; 148.59; 148.6445, subdivisions 1, 2,

2a, 3, 4, 5, 6, 10; 148.7815, subdivision 1; 148B.5301, subdivision 2; 148E.0555, subdivision 6; 148E.120, subdivision 2; 148E.180; 148F.11, subdivision 1; 150A.06, by adding subdivisions; 150A.091, by adding subdivisions; 151.01, by adding subdivisions; 151.065, subdivisions 1, 2, 3, 6, by adding a subdivision; 151.252, subdivision 1; 151.47, by adding a subdivision; 152.01, by adding a subdivision; 152.10; 152.11, subdivisions 1, 1a, 2, 2a, 2b, 2c; 152.12, subdivisions 1, 2, 3, 4; 152.125, subdivisions 2, 3, 4; 152.22, subdivision 13; 152.25, subdivision 1c; 152.27, subdivisions 3, 4, 5, 6; 152.28, subdivision 1; 152.29, subdivision 3; 152.32, subdivision 2; 152.33, subdivisions 1, 2; 214.25, subdivision 2; 237.50, subdivisions 4a, 6a, 10a, 11, by adding subdivisions; 237.51, subdivisions 1, 5a; 237.52, subdivision 5; 237.53; 245.462, subdivisions 6, 8, 9, 14, 17, 18, 21, 23, by adding a subdivision; 245.4661, subdivision 9; 245.467, subdivisions 2, 3; 245.469, subdivisions 1, 2; 245.470, subdivision 1; 245.4712, subdivision 2; 245.472, subdivision 2; 245.4863; 245.4871, subdivisions 9a, 10, 11a, 17, 21, 26, 27, 29, 32, 34; 245.4876, subdivisions 2, 3; 245.4879, subdivisions 1, 2; 245.488, subdivision 1; 245.4889, subdivision 1; 245.696, by adding a subdivision; 245.735, subdivision 3; 245A.02, subdivisions 5a, 18; 245A.04, by adding a subdivision; 245A.14, subdivisions 4, 8, by adding subdivisions; 245A.151; 245A.16, subdivision 1; 245A.40; 245A.41; 245A.50; 245A.51, subdivision 3, by adding subdivisions; 245A.66, subdivisions 2, 3; 245C.02, subdivision 6a, by adding subdivisions; 245C.03, subdivision 1, by adding a subdivision; 245C.05, subdivisions 5, 5a; 245C.08, subdivisions 1, 3; 245C.10, by adding a subdivision; 245C.24, by adding a subdivision; 245C.30, subdivisions 1, 2, 3; 245D.03, subdivision 1; 245D.071, subdivision 1; 245D.081, subdivision 3; 245E.06, subdivision 3; 245H.01, by adding subdivisions; 245H.03, by adding a subdivision; 245H.07; 245H.10, subdivision 1; 245H.11; 245H.12; 245H.13, subdivision 5, by adding subdivisions; 245H.14, subdivisions 1, 3, 4, 5, 6; 245H.15, subdivision 1; 246B.10; 252.275, subdivision 3; 252.41, subdivisions 3, 4, 5, 6, 7, 9; 252.42; 252.43; 252.44; 252.45; 254A.03, subdivision 3; 254B.02, subdivision 1; 254B.03, subdivisions 2, 4; 254B.04, subdivision 1; 254B.05, subdivisions 1a, 5; 254B.06, subdivisions 1, 2; 256.01, subdivision 14b; 256.478; 256.9365; 256.962, subdivision 5; 256.969, subdivision 9; 256B.04, subdivisions 21, 22; 256B.055, subdivision 2; 256B.056, subdivision 3; 256B.0615, subdivision 1; 256B.0616, subdivisions 1, 3; 256B.0622, subdivisions 1, 2, 3a, 4, 5a, 7, 7a, 7b, 7d; 256B.0623, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12; 256B.0624, subdivisions 2, 4, 5, 6, 8, 9, 10, 11; 256B.0625, subdivisions 3b, 5, 5l, 13, 13e, 13f, 17, 19c, 23, 24, 42, 45a, 48, 49, 56a, 57, 61, 62, 65, by adding subdivisions; 256B.064, subdivision 1a; 256B.0644; 256B.0659, subdivision 21; 256B.0915, subdivisions 3a, 3b; 256B.092, subdivision 13; 256B.0941, subdivision 1; 256B.0943, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11; 256B.0944, subdivisions 1, 3, 4, 5, 6, 7, 8, 9; 256B.0946, subdivisions 1, 1a, 2, 3, 4, 6; 256B.0947, subdivisions 1, 2, 3, 3a, 5, 6, 7a; 256B.0949, subdivision 2, by adding a subdivision; 256B.49, subdivision 24; 256B.4914, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 10a; 256B.69, subdivision 6d; 256B.76, subdivisions 2, 4; 256B.766; 256B.767; 256B.85, subdivision 3; 256I.04, subdivisions 1, 2f; 256I.06, subdivision 8; 256L.03, by adding a subdivision; 256L.11, subdivision 7; 256R.02, subdivisions 8, 19; 256R.16, subdivision 1; 256R.21, by adding a subdivision; 256R.23, subdivision 5; 256R.24, subdivision 3; 256R.25; 256R.26; 256R.44; 256R.47; 256R.50, subdivision 6; 260C.007, subdivision 18, by adding a subdivision; 260C.178, subdivision 1; 260C.201, subdivisions 1, 2, 6; 260C.212, subdivision 2; 260C.452, subdivision 4; 260C.503, subdivision 1; 518A.32, subdivision 3; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6, as amended; Laws 2017, First Special Session chapter 6, article 3, section 49; article 8, sections 71; 72; article 18, section 2, subdivisions 1, 3, 5, 15; proposing coding for new law in Minnesota Statutes, chapters 119B; 144; 144A; 145; 148; 151; 245; 245A; 245D; 256; 256B; 256L; 256M; 256R; 260C; proposing coding for new law as Minnesota Statutes, chapters 144I; 245I; 256T; repealing Minnesota Statutes 2018, sections 119B.16, subdivision 2; 144A.071, subdivision 4d; 144A.472, subdivision 4; 144D.01, subdivisions

2a, 3a, 6; 144D.04, subdivision 2a; 144D.045; 144D.06; 144D.09; 144D.10; 144G.01; 144G.02; 144G.03; 144G.04; 144G.05; 144G.06; 214.17; 214.18; 214.19; 214.20; 214.21; 214.22; 214.23; 214.24; 245.462, subdivision 4a; 245E.06, subdivisions 2, 4, 5; 246.18, subdivisions 8, 9; 252.41, subdivision 8; 252.431; 252.451; 254B.03, subdivision 4a; 256B.0615, subdivisions 2, 4, 5; 256B.0616, subdivisions 2, 4, 5; 256B.0659, subdivision 22; 256B.0705; 256B.0943, subdivision 10; 256B.0944, subdivision 10; 256B.0946, subdivision 5; 256B.0947, subdivision 9; 256B.431, subdivisions 3a, 3f, 3g, 3i, 13, 15, 17, 17a, 17c, 17d, 17e, 18, 21, 22, 30, 45; 256B.434, subdivisions 4, 4f, 4i, 4j; 256L.11, subdivision 6a; 256R.36; 256R.40; 256R.41; Laws 2010, First Special Session chapter 1, article 25, section 3, subdivision 10; Minnesota Rules, parts 2960.3030, subpart 3; 3400.0185, subpart 5; 6400.6970; 7200.6100; 7200.6105; 9502.0425, subparts 4, 16, 17; 9503.0155, subpart 8; 9505.0370; 9505.0371; 9505.0372; 9520.0010; 9520.0020; 9520.0030; 9520.0040; 9520.0050; 9520.0060; 9520.0070; 9520.0080; 9520.0090; 9520.0100; 9520.0110; 9520.0120; 9520.0130; 9520.0140; 9520.0150; 9520.0160; 9520.0170; 9520.0180; 9520.0190; 9520.0200; 9520.0210; 9520.0230; 9549.0057; 9549.0060, subparts 4, 5, 6, 7, 10, 11, 14.

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

Senator Abeler, by request, introduced--

S.F. No. 2303: A bill for an act relating to health insurance; establishing a premium subsidy program administered by MNsure; providing a sunset for the Minnesota premium security plan; modifying calculation of loss ratios to reflect reinsurance payments; appropriating money; amending Minnesota Statutes 2018, sections 62A.021, by adding a subdivision; 62E.23, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62V; repealing Laws 2017, chapter 13, article 1, sections 1; 2; 3; 4; 5; 6.

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

Senators Abeler, Newton, Relph, Eaton, and Marty introduced--

S.F. No. 2304: A bill for an act relating to religious holidays; modifying student absence from school for religious observances; amending Minnesota Statutes 2018, sections 120A.35; 120A.40.

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

Senators Eichorn, Mathews, Rarick, Kiffmeyer, and Benson introduced--

S.F. No. 2305: A bill for an act relating to health; making changes to born alive infant protections; amending Minnesota Statutes 2018, section 145.423, subdivisions 1, 5, by adding subdivisions.

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

Senator Eichorn, by request, introduced--

S.F. No. 2306: A bill for an act relating to capital investment; appropriating money for the IRA Civic Center in Grand Rapids; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Chamberlain, Wiger, and Isaacson introduced--

S.F. No. 2307: A bill for an act relating to environment; providing for disposition of fines for certain trichloroethylene emissions; creating an account; creating stakeholder group; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Weber introduced--

S.F. No. 2308: A bill for an act relating to water; requiring rulemaking for shallow lakes; requiring review and report on rules for shallow lakes.

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

Senators Latz and Bigham introduced--

S.F. No. 2309: A bill for an act relating to corrections; appropriating money for additional support and clinical staff in correctional facilities.

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

Senator Utke introduced--

S.F. No. 2310: A bill for an act relating to commerce; making technical changes to various provisions administered by the Department of Commerce; amending Minnesota Statutes 2018, sections 45A.01, subdivision 7; 58A.03, subdivision 2; 72B.03, subdivision 2; 80A.84; 82B.195, subdivision 2; 115C.11; 332.37; 332A.07, subdivision 1; 332B.04, by adding a subdivision.

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

Senator Ingebrigtsen introduced--

S.F. No. 2311: A bill for an act relating to capital investment; appropriating money to acquire a building in Otter Tail County for use by the Department of Human Services; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Mathews introduced--

S.F. No. 2312: A bill for an act relating to wages; modifying definition of small business; amending Minnesota Statutes 2018, section 177.24, subdivision 1.

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

Senator Utke introduced--

S.F. No. 2313: A bill for an act relating to insurance; making changes to conform with certain model regulations; amending Minnesota Statutes 2018, section 60A.1291, subdivisions 1, 15, 18, by adding a subdivision.

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

Senators Ingebrigtsen, Ruud, and Tomassoni introduced--

S.F. No. 2314: A bill for an act relating to state government; appropriating money for environment and natural resources; modifying fees; creating accounts and providing for disposition of certain receipts; modifying public sale requirements for surplus state-owned land; modifying bough buyer provisions; modifying certain permit provisions; authorizing sales of certain surplus state land; amending Minnesota Statutes 2018, sections 85.42; 85.47; 86B.415, subdivisions 1, 1a, 2, 3, 4, 5, 7; 88.642, subdivisions 1, 3; 88.6435; 90.01, by adding a subdivision; 90.195; 94.10, subdivision 2; 97A.075, subdivision 1; 103G.301, subdivision 2; Laws 2016, chapter 189, article 3, sections 2, subdivision 2; 3, subdivision 8; Laws 2017, chapter 93, article 1, section 2, subdivision 6.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Hawj, Cwodzinski, Hall, Miller, and Pappas introduced--

S.F. No. 2315: A bill for an act relating to arts and culture; appropriating money to Hmong Museum.

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

Senator Weber introduced--

S.F. No. 2316: A bill for an act relating to environment; requiring commissioner of Pollution Control Agency to engage in rulemaking and to take certain actions with respect to class 3 and 4 waters.

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

Senators Weber and Sparks introduced--

S.F. No. 2317: A bill for an act relating to environment; appropriating money for county feedlot program.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Rarick and Bigham introduced--

S.F. No. 2318: A bill for an act relating to workforce development; appropriating money for a preapprenticeship training pilot program; requiring a report.

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

Senator Abeler introduced--

S.F. No. 2319: A bill for an act relating to higher education; appropriating money for an education debt relief grant.

Referred to the Committee on Higher Education Finance and Policy.

Senator Relph introduced--

S.F. No. 2320: A bill for an act relating to human services; modifying policy provisions governing children and families services; amending Minnesota Statutes 2018, sections 13.46, subdivision 2; 13.461, subdivision 28; 119B.02, subdivision 6; 144.216, by adding subdivisions; 144.218, by adding a subdivision; 144.225, subdivision 2b; 144.226, subdivision 1; 145.902; 256E.21, subdivision 5; 256M.41, subdivision 3, by adding a subdivision; 256N.02, subdivisions 10, 16, 17, 18; 256N.22, subdivision 1; 256N.23, subdivisions 2, 6; 256N.24, subdivisions 1, 8, 11, 12, 14; 256N.28, subdivision 6; 259.241; 259.35, subdivision 1; 259.37, subdivision 2; 259.53, subdivision 4; 259.75; 259.83, subdivisions 1, 1a, 3; 259A.75, subdivisions 1, 2, 3, 4, 5; 260.761, subdivision 2; 260C.101, by adding a subdivision; 260C.139, subdivision 3; 260C.171, subdivision 2; 260C.178, subdivision 1; 260C.212, subdivisions 1, 2, by adding a subdivision; 260C.219; 260C.451, subdivision 9; 260C.503, subdivision 2; 260C.515, subdivisions 3, 4; 260C.605, subdivision 1; 260C.607, subdivision 6; 260C.609; 260C.611; 260C.613, subdivision 6; 260C.615, subdivision 1; 260C.623, subdivisions 3, 4; 260C.625; 260C.629, subdivision 2; 518A.53, subdivision 11; 518A.685; 626.556, subdivisions 2, 3, 3c, 3e, 4, 7, 10, 10a, 10b, 10d, 10e, 10f, 10m, 11, 11c; 626.5561, subdivision 1; 626.558, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 518A; repealing Minnesota Statutes 2018, sections 119B.125, subdivision 8; 256J.751, subdivision 1.

Referred to the Committee on Family Care and Aging.

Senators Koran, Gazelka, Hall, Rosen, and Miller introduced--

S.F. No. 2321: A bill for an act relating to employment; providing uniformity for employment mandates on private employers; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Local Government.

Senators Weber, Housley, Kiffmeyer, and Draheim introduced--

S.F. No. 2322: A bill for an act relating to child care; establishing a technical assistance notice in certain circumstances; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Family Care and Aging.

Senator Isaacson introduced--

S.F. No. 2323: A bill for an act relating to human services; modifying basic sliding fee child care funding priorities and allocation formula; amending Minnesota Statutes 2018, section 119B.03, subdivisions 4, 6.

Referred to the Committee on Family Care and Aging.

Senator Howe introduced--

S.F. No. 2324: A bill for an act relating to automobile insurance; clarifying that volunteer drivers receiving funding from the public transit participation program are not for hire; amending Minnesota Statutes 2018, sections 65B.15, subdivision 1; 65B.43, subdivision 12, by adding a subdivision; 65B.47, subdivision 1a; 65B.472, subdivision 1; 256B.0625, subdivision 17.

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

Senators Hawj and Cwodzinski introduced--

S.F. No. 2325: A bill for an act relating to arts and culture; appropriating money for Somali Museum of Minnesota.

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

Senators Hawj, Weber, Eken, and Ingebrigtsen introduced--

S.F. No. 2326: A bill for an act relating to agriculture; appropriating money for a farmer outreach coordinator.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senator Rest introduced--

S.F. No. 2327: A bill for an act relating to education finance; authorizing Independent School District No. 281, Robbinsdale, to transfer money from its postemployment benefits irrevocable trust fund to the general fund.

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

Senators Eichorn and Utke introduced--

S.F. No. 2328: A bill for an act relating to capital investment; appropriating money for a grant to the city of Bemidji for a new well for drinking water; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Eichorn, Tomassoni, Simonson, and Utke introduced--

S.F. No. 2329: A bill for an act relating to environment; establishing Wild Rice Stewardship Council; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Johnson introduced--

S.F. No. 2330: A bill for an act relating to energy; authorizing the construction of certain pipelines.

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

Senator Johnson introduced--

S.F. No. 2331: A bill for an act relating to agriculture; appropriating money for innovative agricultural production incentive programs.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senator Johnson introduced--

S.F. No. 2332: A bill for an act relating to natural resources; modifying eligibility for provisional firearms safety certificates; amending Minnesota Statutes 2018, sections 97B.015, subdivision 6; 97B.1055.

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

Senator Johnson introduced--

S.F. No. 2333: A bill for an act relating to state government; prohibiting the state auditor from billing for certain supplemental audits; appropriating money to the commissioner of management and budget for the purpose of providing refunds to impacted counties.

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

Senator Johnson introduced--

S.F. No. 2334: A bill for an act relating to state government; establishing a procedure for resolution of disputed billings by the state auditor; amending Minnesota Statutes 2018, section 6.56, subdivision 3, by adding a subdivision.

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

Senator Johnson introduced--

S.F. No. 2335: A bill for an act relating to natural resources; allowing all-terrain vehicles with snorkel devices; amending Minnesota Statutes 2018, sections 84.775, subdivision 1; 84.928, subdivision 2.

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

Senator Johnson introduced--

S.F. No. 2336: A bill for an act relating to natural resources; providing for training and licensing of wildland firefighters; amending Minnesota Statutes 2018, section 88.10, by adding a subdivision.

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

Senator Johnson introduced--

S.F. No. 2337: A bill for an act relating to natural resources; allowing investment of financial assurance money; establishing natural resources damages account; appropriating money; amending Minnesota Statutes 2018, section 116.155, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 11A; 115B.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Frentz and Newton introduced--

S.F. No. 2338: A bill for an act relating to veterans; permitting veterans with certain service-connected disabilities to participate in the medical cannabis program; amending Minnesota Statutes 2018, sections 152.22, by adding subdivisions; 152.27, subdivision 6, by adding a subdivision; 152.28, subdivision 1.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

Senators Howe, Rarick, and Eken introduced--

S.F. No. 2339: A bill for an act relating to labor and industry; mandating certain contractor recovery fund projects; requiring a report.

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

Senators Weber, Relph, Eichorn, Wiklund, and Hayden introduced--

S.F. No. 2340: A bill for an act relating to human services; modifying child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1.

Referred to the Committee on Family Care and Aging.

Senators Utke, Limmer, Eaton, Marty, and Abeler introduced--

S.F. No. 2341: A bill for an act relating to human services; modifying coverage of chiropractic services under medical assistance and MinnesotaCare; amending Minnesota Statutes 2018, section 256B.0625, subdivision 8e; repealing Minnesota Statutes 2018, section 256L.03, subdivision 3b; Minnesota Rules, part 9505.0245.

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

Senator Osmek introduced--

S.F. No. 2342: A bill for an act relating to energy; establishing an electric vehicle charging station revolving loan program; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Senator Housley introduced--

S.F. No. 2343: A bill for an act relating to child care; authorizing additional special family child care home licenses; appropriating money; amending Minnesota Statutes 2018, section 245A.14, subdivision 4.

Referred to the Committee on Family Care and Aging.

Senator Westrom introduced--

S.F. No. 2344: A bill for an act relating to environment; clarifying regulation of pastures and natural deposit of manure under feedlot permits; amending Minnesota Statutes 2018, sections 116.06, by adding a subdivision; 116.07, subdivisions 7, 7d.

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

Senators Senjem and Jasinski introduced--

S.F. No. 2345: A bill for an act relating to education finance; appropriating money for school safety facility grants.

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

Senators Wiklund and Benson introduced--

S.F. No. 2346: A bill for an act relating to health insurance; requiring health plan coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Senator Nelson introduced--

S.F. No. 2347: A bill for an act relating to education finance; providing funding for prekindergarten through grade 12 education including general education, education excellence, special education, facilities and technology, nutrition, libraries, early childhood and family support, community education, self-sufficiency and lifelong learning, and state agencies; appropriating money; amending Minnesota Statutes 2018, sections 119A.03, by adding a subdivision; 120B.30, subdivision 1; 120B.35, subdivision 3; 120B.36, subdivision 1; 122A.14, subdivision 9; 122A.18, subdivision 8; 122A.21, subdivision 1; 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 122A.70, subdivision 1; 123B.61; 124D.151, subdivisions 4, 5, 6; 124D.165, by adding a subdivision; 124D.231; 124D.531, subdivision 1; 124D.83, subdivision 2; 124D.862, subdivisions 1, 4, 5, by adding a subdivision; 124D.98, by adding a subdivision; 124E.20, subdivision 1; 124E.21, subdivision 1; 125A.76, subdivisions 1, 2c, by adding a subdivision; 126C.05, subdivision 1; 126C.10, subdivisions 2, 2d, 2e, 13a, 24; 126C.17, subdivisions 1, 2, 5, 6, 7, 7a, 9, by adding subdivisions; 126C.44; 127A.47, subdivision 7; 134.355, subdivisions 8, 10; 245C.12; Laws 2017, First Special Session chapter 5, article 11, sections 8, as amended; 9, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 119A; 245C; repealing Minnesota Statutes 2018, sections 120B.299; 120B.30, subdivision 1a; 122A.175; 126C.17, subdivision 9a; Laws 2017, First Special Session chapter 5, article 11, section 4.

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

Senators Dibble and Kent introduced--

S.F. No. 2348: A bill for an act relating to data practices; classifying municipal identification card data as private data; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Senators Goggin, Abeler, and Benson introduced--

S.F. No. 2349: A bill for an act relating to taxation; individual income; creating a health insurance premium credit; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senator Goggin introduced--

S.F. No. 2350: A bill for an act relating to environment; allowing a city within five miles of the border of a solid waste management district or county to opt out of a solid waste processing or disposal facility designation; amending Minnesota Statutes 2018, section 115A.86, subdivision 1.

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

Senator Gazelka introduced--

S.F. No. 2351: A bill for an act relating to capital investment; appropriating money for the Minnesota Military Museum at Camp Ripley; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Jensen, Abeler, Klein, Draheim, and Benson introduced--

S.F. No. 2352: A bill for an act relating to health care; prohibiting maintenance of certification for physicians; amending Minnesota Statutes 2018, section 147.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 62Q; 144.

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

Senator Gazelka introduced--

S.F. No. 2353: A bill for an act relating to capital investment; appropriating money for the C.A. Weyerhaeuser Museum in Morrison County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Cohen introduced--

S.F. No. 2354: A bill for an act relating to capital investment; appropriating money to remove and replace the Third Street/Kellogg Boulevard bridge in St. Paul.

Referred to the Committee on Transportation Finance and Policy.

Senator Abeler introduced--

S.F. No. 2355: A bill for an act relating to human services; modifying provisions governing continuing care for older adults; amending Minnesota Statutes 2018, sections 245A.07, subdivision 3; 245C.08, subdivision 1; 256.021, subdivision 2; 256R.02, subdivisions 4, 17, 18, 19, 29, 42a, 48a; 256R.07, subdivisions 1, 2; 256R.09, subdivision 2; 256R.10, subdivision 1; 256R.13, subdivision 4; 256R.39; 626.557, subdivisions 3, 3a, 4, 4a, 6, 9, 9b, 9c, 9d, 10, 10b, 12b, 14, 17; 626.5572, subdivisions 2, 3, 4, 6, 8, 9, 16, 17, 20, 21, by adding a subdivision; repealing Minnesota Statutes 2018, sections 256R.08, subdivision 2; 256R.49.

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

Senator Isaacson introduced--

S.F. No. 2356: A bill for an act relating to health; establishing a substance use disorder and alcohol abuse prevention account; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 144; 254B.

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

Senators Eaton, Ruud, and Isaacson introduced--

S.F. No. 2357: A bill for an act relating to natural resources; increasing watercraft surcharge; creating invasive species research account and dedicating receipts; amending Minnesota Statutes 2018, sections 84D.15; 86B.415, subdivision 7.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Anderson, B. introduced--

S.F. No. 2358: A bill for an act relating to state government; establishing a budget for military affairs and veterans affairs.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

Senators Eaton and Isaacson introduced--

S.F. No. 2359: A bill for an act relating to game and fish; modifying requirements for certain traps; requiring certain permission for traps and snares; requiring reporting; requiring license forfeiture for certain violations; providing criminal penalties; amending Minnesota Statutes 2018, sections 97A.421, subdivision 1; 97B.903; 97B.931, subdivision 2, by adding a subdivision; 97B.951; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Senators Dibble, Franzen, and Carlson introduced--

S.F. No. 2360: A bill for an act relating to transportation; establishing the governor's budget for transportation and public safety activities; modifying various provisions governing transportation and public safety policy and finance; appropriating money; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2018, sections 13.461, by adding a subdivision; 13.72, subdivision 10; 161.088, subdivision 2; 161.45, subdivision 2; 161.46, subdivision 2; 168.013, subdivisions 1a, 1m, 21; 168.10, subdivision 1g; 168.105, subdivision 5; 168.12, subdivisions 2, 2b, 2c, 2d, 2e, 2g, 5; 168.121, subdivision 1; 168.123, subdivision 1; 168.1235, subdivision 1; 168.1255, subdivision 1; 168.1256, subdivision 1; 168.128, subdivision 2; 168.1282, subdivision 1; 168.1291, subdivision 4; 168.1294, subdivision 1; 168.1295, subdivision 1; 168.1296, subdivision 1; 168.1297, subdivision 1; 168.1298, subdivision 1; 168.1299, subdivision 1; 168.62, subdivision 3; 168A.29, subdivision 1; 171.06, subdivision 2; 174.24, subdivision 2; 174.57; 219.1651; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.815, subdivision 3; 297A.94; 297A.99, subdivision 1; 297B.02, subdivision 1; 299D.03, subdivision 5; 360.013, by adding subdivisions; 360.024; 360.55, by adding a subdivision; 360.59, subdivision 10; 360.62; 473.386, by adding a subdivision; 473.39, subdivision 6; Laws 2018, chapter 214, article 1, section 16, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 297A; 360; repealing Laws 2017, First Special Session chapter 3, article 3, section 123.

Referred to the Committee on Transportation Finance and Policy.

Senators Tomassoni; Abeler; Anderson, B.; and Weber introduced--

S.F. No. 2361: A bill for an act relating to vocational rehabilitation; appropriating money for a grant to EquipALife.

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

MOTIONS AND RESOLUTIONS

Senator Clausen moved that the name of Senator Abeler be added as a co-author to S.F. No. 160. The motion prevailed.

Senator Eichorn moved that the name of Senator Draheim be added as a co-author to S.F. No. 239. The motion prevailed.

Senator Hoffman moved that the name of Senator Newton be added as a co-author to S.F. No. 539. The motion prevailed.

Senator Little moved that the name of Senator Hall be added as a co-author to S.F. No. 811. The motion prevailed.

Senator Pratt moved that the names of Senators Hall, Draheim, Goggin, and Little be added as co-authors to S.F. No. 1003. The motion prevailed.

Senator Ruud moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 1015. The motion prevailed.

Senator Osmek moved that the name of Senator Dibble be added as a co-author to S.F. No. 1077. The motion prevailed.

Senator Latz moved that the names of Senators Relph and Anderson, B. be added as co-authors to S.F. No. 1090. The motion prevailed.

Senator Senjem moved that the name of Senator Abeler be added as a co-author to S.F. No. 1456. The motion prevailed.

Senator Franzen moved that the name of Senator Pappas be added as a co-author to S.F. No. 1544. The motion prevailed.

Senator Anderson, P. moved that the name of Senator Franzen be added as a co-author to S.F. No. 1647. The motion prevailed.

Senator Ruud moved that the name of Senator Jensen be added as a co-author to S.F. No. 1733. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Draheim be added as a co-author to S.F. No. 1747. The motion prevailed.

Senator Relph moved that the names of Senators Howe and Laine be added as co-authors to S.F. No. 1892. The motion prevailed.

Senator Utke moved that the names of Senators Bakk, Tomassoni, and Ingebrigtsen be added as co-authors to S.F. No. 2011. The motion prevailed.

Senator Clausen moved that the name of Senator Pratt be added as a co-author to S.F. No. 2048. The motion prevailed.

Senator Housley moved that the name of Senator Utke be added as a co-author to S.F. No. 2059. The motion prevailed.

Senator Kent moved that the name of Senator Wiklund be added as a co-author to S.F. No. 2065. The motion prevailed.

Senator Housley moved that the name of Senator Draheim be added as a co-author to S.F. No. 2127. The motion prevailed.

Senator Housley moved that the name of Senator Draheim be added as a co-author to S.F. No. 2151. The motion prevailed.

Senator Housley moved that the name of Senator Draheim be added as a co-author to S.F. No. 2152. The motion prevailed.

Senator Relph moved that the name of Senator Draheim be added as a co-author to S.F. No. 2157. The motion prevailed.

Senator Isaacson moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 2159. The motion prevailed.

Senator Koran moved that his name be stricken as a co-author to S.F. No. 2162. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Draheim be added as a co-author to S.F. No. 2185. The motion prevailed.

Senator Mathews moved that the name of Senator Eichorn be added as a co-author to S.F. No. 2203. The motion prevailed.

Senator Mathews moved that the name of Senator Eichorn be added as a co-author to S.F. No. 2204. The motion prevailed.

Senator Koran moved that the name of Senator Draheim be added as a co-author to S.F. No. 2217. The motion prevailed.

Senator Newton moved that the name of Senator Clausen be added as a co-author to S.F. No. 2220. The motion prevailed.

Senator Goggin moved that the name of Senator Draheim be added as a co-author to S.F. No. 2225. The motion prevailed.

Senator Ingebrigtsen moved that S.F. No. 445 be withdrawn from the Committee on Finance and re-referred to the Committee on State Government Finance and Policy and Elections. The motion prevailed.

Senator Jasinski moved that S.F. No. 1845 be withdrawn from the Committee on Family Care and Aging and re-referred to the Committee on Human Services Reform Finance and Policy. The motion prevailed.

Senator Jasinski moved that S.F. No. 1846 be withdrawn from the Committee on Family Care and Aging and re-referred to the Committee on Human Services Reform Finance and Policy. The motion prevailed.

Senator Ingebrigtsen moved that S.F. No. 1995 be withdrawn from the Committee on Judiciary and Public Safety Finance and Policy and re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. The motion prevailed.

Senators Dziedzic and Laine introduced --

Senate Resolution No. 70: A Senate resolution congratulating Peter Joncas of St. Anthony Village, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated S.F. No. 761 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 761: A bill for an act relating to state government; extending the operation of the Minnesota premium security plan funding; specifying information required in submitted reports; amending Minnesota Statutes 2018, section 62E.24, subdivision 2; Laws 2017, chapter 13, article 1, section 15, as amended.

CALL OF THE SENATE

Senator Klein imposed a call of the Senate for the balance of the proceedings on S.F. No. 761. The Sergeant at Arms was instructed to bring in the absent members.

Senator Klein moved to amend S.F. No. 761 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [62V.115] ADVANCED PAYMENT OF STATE-BASED HEALTH INSURANCE PREMIUM TAX CREDIT.

Subdivision 1. **Determination of eligibility for advanced payment of state-based health insurance premium tax credit.** (a) The Board of Directors of MNsure shall assess an individual's eligibility for an advanced payment of the state-based health insurance tax credit under section 290.0693 when an individual applies for an eligibility determination through MNsure, basing the eligibility determination upon income for the relevant tax year as projected by the individual. MNsure shall equally divide the value of the potential state-based tax credit across the monthly premiums to be charged to the individual. If the individual selects a plan through MNsure, MNsure shall notify the relevant health carrier of the amount of the advanced payment of the state-based insurance premium tax credit amount and direct the health carrier to deduct the amount from the eligible individual's premiums.

(b) An individual is eligible for an advanced payment of the state-based health insurance premium tax credit if they are a Minnesota resident who:

(1) had at least one month of coverage by a qualified health plan offered through MNsure during the tax year;

(2) was not enrolled in public program coverage under section 256B.055 or 256L.04 during the months of coverage by the qualified health plan; and

(3) is eligible for the health insurance tax credit in section 290.0693.

(c) To be eligible for an advanced payment of the state-based health insurance premium tax credit, the individual must attest that the individual will file a state tax return in order to reconcile any advanced payment of the credit and will file a joint tax return with their spouse, if married.

(d) An individual is not eligible for an advanced payment of the state-based health insurance premium tax credit for the taxable year if MNsure is notified by the commissioner of revenue that the individual received an advanced payment in a prior tax year and has not filed a tax return for the relevant tax year and has not fully paid any amount necessary to reconcile the advanced payment.

Subd. 2. **Payments to health carriers.** The board shall make payments to health carriers equal to the amount of the advance state-based health insurance premium tax credit amounts provided to eligible individuals effectuating coverage for the months in which the individual has paid the net premium amount to the health carrier.

Subd. 3. **Health carrier responsibilities.** A health carrier that receives notice from MNsure that an individual enrolled in the health carrier's qualified health plan is eligible for an advanced payment of the state-based health insurance premium tax credit shall:

(1) reduce the portion of the premium charged to the individual for the applicable months by the amount of the state-based health insurance tax credit determined by MNsure;

(2) include the amount of advanced state-based health insurance premium tax credit determined by MNsure on each billing statement for which an advanced state-based health insurance tax credit has been applied; and

(3) reconcile advanced payments of state-based health insurance premium tax credits with MNsure at least once a month.

Subd. 4. **Appeals.** MNsure appeals are available for Minnesota residents for initial determinations and redeterminations made by MNsure of eligibility for and level of an advanced payment of the state-based health insurance premium tax credit. The appeals must follow the procedures enumerated in Minnesota Rules, chapter 7700.

Subd. 5. **Data practices.** The data classifications in section 62V.06, subdivision 3, apply to data on individuals applying for or receiving a state-based health insurance tax credit pursuant to this subdivision.

Subd. 6. **Data sharing.** Notwithstanding any law to the contrary, the board is permitted to share or disseminate data in subdivision 5 as described in section 62V.06, subdivision 5.

Subd. 7. **Appropriations.** Beginning in fiscal year 2021 and each fiscal year thereafter an amount sufficient to make advanced payments of the state-based health insurance tax credit is appropriated from the health care access fund to the board for payment of advanced state-based health insurance premium tax credits under this section

EFFECTIVE DATE. This section is effective for advanced payment of the state-based health insurance premium tax credit applied to premiums for plan year 2021.

Sec. 2. **[62V.12] DEFINITIONS.**

Subdivision 1. **Scope.** For purposes of sections 62V.12 to 62V.15, the following terms have the meanings given.

Subd. 2. **Eligible individual.** (a) "Eligible individual" means a Minnesota resident who:

(1) is not receiving an advance premium tax credit under Code of Federal Regulations, title 26, section 1.36B-2, in a month in which the eligible individual's coverage is effective;

(2) is not enrolled in public program coverage under section 256B.055 or 256L.04;

(3) purchased a qualified health plan through MNsure; and

(4) has a household income that does not exceed 800 percent of the federal poverty guidelines, calculated using a modified adjusted gross income methodology.

(b) "Eligible individual" includes a person required to repay an advanced premium tax credit because the person's income was subsequently determined to exceed 400 percent of the federal poverty guidelines, provided the person would have met the income limit in paragraph (a), clause (4), during the time period when the advanced premium tax credit must be repaid.

Subd. 3. **Gross premium.** "Gross premium" means the amount billed for a health plan purchased by an eligible individual prior to a premium subsidy in a calendar year.

Subd. 4. **Net premium.** "Net premium" means the gross premium less the premium subsidy.

Subd. 5. **Premium subsidy.** "Premium subsidy" means a payment:

(1) made on behalf of eligible individuals to promote general welfare and not as compensation for any services; and

(2) equal to (i) 25 percent of the monthly gross premium otherwise paid by or on behalf of the eligible individual for coverage purchased through MNsure, that covers the eligible individual and the eligible individual's spouse and dependents, or (ii) the percentage established by the commissioner under section 62V.13, subdivision 3, paragraph (c).

Sec. 3. **[62V.13] PAYMENT TO HEALTH CARRIERS ON BEHALF OF ELIGIBLE INDIVIDUALS.**

Subdivision 1. **Program established.** The board of directors of MNsure, in consultation with the commissioners of commerce and human services, must establish and administer the premium

subsidy program authorized by this section to help eligible individuals pay for coverage through MNsure, beginning January 1, 2020.

Subd. 2. **Premium subsidy provided.** (a) Health carriers must provide a premium subsidy to each eligible individual who purchases a qualified health plan through MNsure for each month the net premium is paid. An eligible individual must pay the net premium amount to the health carrier.

(b) The premium subsidy must be excluded from any calculation used to determine eligibility within any Department of Human Services programs.

Subd. 3. **Payments to health carriers.** (a) The board must make payments to health carriers on behalf of eligible individuals effectuating coverage for a calendar year, for the months in that year for which the individual has paid the net premium amount to the health carrier. Payments to health carriers must be based on the premium subsidy available to eligible individuals in the individual market, regardless of the cost of the coverage purchased. The board must not withhold payments because a health carrier cannot prove an enrollee is an eligible individual.

(b) In order to be eligible for payment, health carriers seeking reimbursement from the board must submit an invoice and supporting information to the board, using a form developed by the board. The board must finalize the form by November 1, 2019.

(c) Total state payments to health carriers must be made within the limits of the available appropriation. The board must reimburse health carriers at the full requested amount up to the level of the appropriation. The board, by July 15 of each calendar year, must determine whether the available appropriation is sufficient to provide premium subsidies equal to 25 percent of the gross premium for the period September 1 through December 31 of the calendar year. If the board determines the available appropriation is not sufficient, the board must reduce the premium subsidy percentage, beginning September 1 and through the remainder of the calendar year, by an amount sufficient to ensure that the total amount of premium subsidies provided for the calendar year does not exceed the available appropriation. The board must notify health carriers of any reduced premium subsidy percentage within five days of making a determination. Health carriers must provide enrollees with at least 30 days' notice of any reduction in the premium subsidy percentage.

(d) The board must consider health carriers as vendors under section 16A.124, subdivision 3, and each monthly invoice must represent the completed delivery of the service.

(e) With each November forecast, the board must certify the extent to which appropriations exceed forecast obligations under this subdivision.

Subd. 4. **Retroactive payments to individuals.** (a) The board must make retroactive subsidy payments directly to individuals for any month the individual is required to repay an advanced premium tax credit because the individual's income exceeded 400 percent of the federal poverty guidelines. In order to qualify for retroactive subsidy payments for the month, the individual must have met the income limit in section 62V.12, subdivision 2, clause (4), for that month.

(b) Retroactive subsidy payments to individuals must be adjusted by the board to the same extent that payments to health carriers are adjusted under subdivision 3.

Subd. 5. **Data practices.** (a) The definitions in section 13.02 apply to this subdivision.

(b) Government data on an enrollee or health carrier under this section are private data on individuals or nonpublic data, except that the total reimbursement requested by a health carrier and the total state payment to the health carrier are public data.

Subd. 6. **Data sharing.** (a) Notwithstanding any law to the contrary, government entities are permitted to share or disseminate data as follows:

(1) the commissioner of human services must share data on public program enrollment under sections 256B.055 and 256L.04 with the board; and

(2) the board must disseminate data on an enrollee's public program coverage enrollment under sections 256B.055 and 256L.04 to health carriers to the extent the board determines is necessary to determine the enrollee's eligibility for the premium subsidy program authorized by this section.

(b) Data shared under this subdivision may be collected, stored, or used only to administer the premium subsidy program authorized by this section, and must not be further shared or disseminated except as otherwise provided by law.

Subd. 7. **Intent.** The legislature intends to repeal sections 62V.12 to 62V.15 upon the enactment of future legislation to stabilize the individual insurance market and ensure premium affordability in that market. Repeal of these sections is effective only if the sections are repealed through the enactment of future legislation.

Sec. 4. **[62V.14] AUDITS.**

(a) The legislative auditor must annually audit the health carriers' supporting data, as prescribed by the board, to determine whether payments align with criteria established in sections 62V.12 and 62V.13. The commissioner of human services must provide data as necessary to the legislative auditor to complete the audit. The board must withhold or charge back payments to the health carriers to the extent they do not align with the criteria established in sections 62V.12 and 62V.13, as determined by the audit.

(b) The legislative auditor must annually audit the extent to which health carriers provided premium subsidies to persons meeting the residency and other eligibility requirements specified in section 62V.12, subdivision 2. The legislative auditor must report to the board the amount of premium subsidies provided by each health carrier to persons not eligible for a premium subsidy. The board, in consultation with the commissioners of commerce and human services, must develop and implement a process to recover from health carriers the premium subsidies received for enrollees the legislative auditor determines are ineligible for premium subsidies.

(c) The legislative auditor must annually audit the extent to which the board provided retroactive subsidy payments to individuals meeting the eligibility requirements specified in section 62V.12, subdivision 2, and 62V.13, subdivision 3. The legislative auditor must report to the board the amount of retroactive subsidy payments provided by the board to persons that are not eligible for retroactive subsidy payments. The board, in consultation with the commissioners of commerce and human services, must develop and implement a process to recover from individuals the amount of retroactive subsidy payments that were incorrectly provided.

Sec. 5. **[62V.15] APPLICABILITY OF GROSS PREMIUM.**

Notwithstanding premium subsidies provided under section 62V.13, subdivision 2, the premium base to calculate any applicable premium taxes under chapter 297I is the gross premium for health plans purchased by eligible individuals in the individual market.

Sec. 6. Minnesota Statutes 2018, section 270B.12, is amended by adding a subdivision to read:

Subd. 15. **Board of Directors of MNSure.** The commissioner may disclose return information to the extent necessary to the Board of Directors of MNSure to determine eligibility under section 62V.12, subdivision 1.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2020.

Sec. 7. Minnesota Statutes 2018, section 290.0131, is amended by adding a subdivision to read:

Subd. 15. **Health insurance premiums.** The amount of health insurance premiums deducted on the taxpayer's federal return, to the extent used to calculate the credit under section 290.0693, is an addition.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2020.

Sec. 8. **[290.0693] HEALTH INSURANCE PREMIUM CREDIT.**

Subdivision 1. **Credit allowed.** (a) An individual who is a resident of Minnesota is allowed a credit against the tax due under this chapter if the individual would be allowed a credit under section 36B of the Internal Revenue Code, except that the individual's household income, as defined in section 36B(d)(2) of the Internal Revenue Code, exceeds 400 percent of the poverty line for the individual's family size as defined in section 36B(d)(3) of the Internal Revenue Code.

(b) In the determination of "coverage month" under section 36B(c)(2) of the Internal Revenue Code, section 36B(c)(2)(B) and (C) must not apply.

(c) The credit is equal to what the credit would have been under section 36B of the Internal Revenue Code, except the applicable percentage for purposes of section 36B(b)(2)(B)(ii) of the Internal Revenue Code, is the highest premium percentage in section 36B(b)(3)(A) of the Internal Revenue Code.

(d) The amount of monthly premiums taken into account under section 36B(b)(2)(A) of the Internal Revenue Code must be reduced by the amount of premium subsidy made by MNSure and applied to the gross premium.

Subd. 2. **Advanced payment of credit.** (a) An individual may claim the credit on the individual's tax return or have the credit paid in advance pursuant to section 62V.12.

(b) If an individual elects to have the credit paid in advance, the credit claimed under subdivision 1 must be reduced by the amount of the advanced payments. If the amount of the advance payments exceeds the amount of credit the individual is eligible for, the tax imposed by this chapter for the taxable year must be increased by the amount of the excess.

(c) If the amount of credit that the individual is allowed under subdivision 1, after subtracting any advanced payments, exceeds the individual's tax liability under this chapter, the commissioner shall refund the excess to the individual.

(d) By January 31 of each year, the Board of Directors of MNsure must provide to each individual who applied for assistance and enrolled in a qualified health plan and to the commissioner a statement containing information on the preceding year necessary to reconcile the credit with the advance payments. The Board of Directors of MNsure and the commissioner must consult to develop the form and manner of the report.

(e) Each year, 60 days prior to MNsure's open enrollment, the commissioner shall provide information to MNsure about which individuals received an advanced payment of the state-based health insurance tax credit under section 62V.12 in a prior taxable year and did not file a return and reconcile the payments for that taxable year.

Subd. 3. **Reporting requirements.** (a) If the individual has a change in eligibility status determination by MNsure, after the taxable year is complete, the individual and MNsure must notify the commissioner of the change in eligibility within six months of the change.

(b) Notwithstanding any law to the contrary, the commissioner may recompute the tax due based on the determination of eligibility.

Subd. 4. **Appropriation.** (a) An amount sufficient to pay the refunds required by this section is appropriated to the commissioner from the health care access fund.

(b) \$1,037,000 in fiscal year 2022 and \$880,000 in each fiscal year thereafter are appropriated from the general fund to the commissioner of revenue for administering this act.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2020.

Sec. 9. **APPROPRIATION; MNSURE.**

In addition to the amounts appropriated in Minnesota Statutes, section 62V.12, \$1,241,000 in fiscal year 2020 and \$4,539,000 in fiscal year 2021 are appropriated from the health care access fund to the Board of Directors of MNsure for technology and program development and administration related to the management and implementation of the advanced state-based health insurance premium tax credit. This is a onetime appropriation.

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

Sec. 10. **APPROPRIATION.**

\$190,127,000 is appropriated from the general fund to the board for the biennium beginning July 1, 2019, for premium assistance under Minnesota Statutes, section 62V.13."

Delete the title and insert:

"A bill for an act relating to health care; providing for an insurance premium credit for individuals and advanced payment of the credit; providing for disclosure of certain taxpayer data; providing an

addition for certain deducted health insurance premiums; establishing a premium subsidy program administered by MNsure; providing a sunset for the Minnesota premium security plan; amending Minnesota Statutes 2018, sections 270B.12, by adding a subdivision; 290.0131, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 62V; 290."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Cwodzinski	Frentz	Laine	Rest
Bigham	Dibble	Hayden	Latz	Simonson
Carlson	Dziedzic	Hoffman	Little	Sparks
Champion	Eaton	Isaacson	Marty	Tomassoni
Clausen	Eken	Kent	Newton	Wiger
Cohen	Franzen	Klein	Pappas	Wiklund

Those who voted in the negative were:

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

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

Senator Marty moved to amend S.F. No. 761 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2018, section 62D.02, subdivision 4, is amended to read:

Subd. 4. **Health maintenance organization.** "Health maintenance organization" means a ~~foreign or domestic nonprofit~~ corporation organized under chapter 317A, or a local governmental unit as defined in subdivision 11, controlled and operated as provided in sections 62D.01 to 62D.30, which provides, either directly or through arrangements with providers or other persons, comprehensive health maintenance services, or arranges for the provision of these services, to enrollees on the basis of a fixed prepaid sum without regard to the frequency or extent of services furnished to any particular enrollee.

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

Sec. 2. Minnesota Statutes 2018, section 62D.03, subdivision 1, is amended to read:

Subdivision 1. **Certificate of authority required.** Notwithstanding any law of this state to the contrary, any ~~foreign or domestic nonprofit~~ corporation organized to do so or a local governmental unit may apply to the commissioner of health for a certificate of authority to establish and operate a health maintenance organization in compliance with sections 62D.01 to 62D.30. No person shall establish or operate a health maintenance organization in this state, nor sell or offer to sell, or solicit offers to purchase or receive advance or periodic consideration in conjunction with a health

maintenance organization or health maintenance contract unless the organization has a certificate of authority under sections 62D.01 to 62D.30.

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

Sec. 3. Minnesota Statutes 2018, section 62D.05, subdivision 1, is amended to read:

Subdivision 1. **Authority granted.** Any nonprofit corporation or local governmental unit may, upon obtaining a certificate of authority as required in sections 62D.01 to 62D.30, operate as a health maintenance organization.

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

Sec. 4. Minnesota Statutes 2018, section 62D.06, subdivision 1, is amended to read:

Subdivision 1. **Governing body composition; enrollee advisory body.** The governing body of any health maintenance organization which is a nonprofit corporation may include enrollees, providers, or other individuals; provided, however, that after a health maintenance organization which is a nonprofit corporation has been authorized under sections 62D.01 to 62D.30 for one year, at least 40 percent of the governing body shall be composed of enrollees and members elected by the enrollees and members from among the enrollees and members. For purposes of this section, "member" means a consumer who receives health care services through a self-insured contract that is administered by the health maintenance organization or its related third-party administrator. The number of members elected to the governing body shall not exceed the number of enrollees elected to the governing body. An enrollee or member elected to the governing board may not be a person:

(1) whose occupation involves, or before retirement involved, the administration of health activities or the provision of health services;

(2) who is or was employed by a health care facility as a licensed health professional; or

(3) who has or had a direct substantial financial or managerial interest in the rendering of a health service, other than the payment of a reasonable expense reimbursement or compensation as a member of the board of a health maintenance organization.

After a health maintenance organization which is a local governmental unit has been authorized under sections 62D.01 to 62D.30 for one year, an enrollee advisory body shall be established. The enrollees who make up this advisory body shall be elected by the enrollees from among the enrollees.

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

Sec. 5. Minnesota Statutes 2018, section 62D.12, is amended by adding a subdivision to read:

Subd. 8a. **Net earnings.** All net earnings of the health maintenance organization shall be devoted to the nonprofit purposes of the health maintenance organization in providing comprehensive health care. No health maintenance organization shall provide for the payment, whether directly or indirectly, of any part of its net earnings to any person as a dividend or rebate, provided, however, that health maintenance organizations may make payments to providers or other persons based upon the efficient provision of services or as incentives to provide quality care. The commissioner of health shall,

pursuant to sections 62D.01 to 62D.30, revoke the certificate of authority of any health maintenance organization in violation of this subdivision.

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

Sec. 6. Minnesota Statutes 2018, section 62D.19, is amended to read:

62D.19 UNREASONABLE EXPENSES.

No health maintenance organization shall incur or pay for any expense of any nature which is unreasonably high in relation to the value of the service or goods provided. The commissioner of health shall implement and enforce this section by rules adopted under this section.

In an effort to achieve the stated purposes of sections 62D.01 to 62D.30, in order to safeguard the underlying nonprofit status of health maintenance organizations, and to ensure that the payment of health maintenance organization money to major participating entities results in a corresponding benefit to the health maintenance organization and its enrollees, when determining whether an organization has incurred an unreasonable expense in relation to a major participating entity, due consideration shall be given to, in addition to any other appropriate factors, whether the officers and trustees of the health maintenance organization have acted with good faith and in the best interests of the health maintenance organization in entering into, and performing under, a contract under which the health maintenance organization has incurred an expense. The commissioner has standing to sue, on behalf of a health maintenance organization, officers or trustees of the health maintenance organization who have breached their fiduciary duty in entering into and performing such contracts.

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

Sec. 7. Minnesota Statutes 2018, section 62E.02, subdivision 3, is amended to read:

Subd. 3. **Health maintenance organization.** "Health maintenance organization" means a nonprofit corporation licensed and operated as provided in chapter 62D.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Dahms questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Marty appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 30, as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.

Anderson, P.
Benson

Chamberlain
Dahms

Draheim
Eichorn

Gazelka
Goggin

Hall	Jensen	Limmer	Osmek	Senjem
Hoffman	Johnson	Mathews	Pratt	Utke
Housley	Kiffmeyer	Miller	Rarick	Weber
Ingebrigtsen	Koran	Nelson	Relph	Westrom
Jasinski	Lang	Newman	Ruud	

Those who voted in the negative were:

Bakk	Cwodzinski	Frentz	Latz	Rosen
Bigham	Dibble	Hayden	Little	Simonson
Carlson	Dziedzic	Isaacson	Marty	Sparks
Champion	Eaton	Kent	Newton	Tomassoni
Clausen	Eken	Klein	Pappas	Wiger
Cohen	Franzen	Laine	Rest	Wiklund

So the decision of the President was sustained.

Senator Marty moved to amend S.F. No. 761 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2018, section 62E.21, subdivision 8, is amended to read:

Subd. 8. **Eligible health carrier.** (a) "Eligible health carrier" means all of the following that offer individual health plans and incur claims costs for an individual enrollee's covered benefits in the applicable benefit year:

(1) 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;

(2) a nonprofit health service plan corporation operating under chapter 62C; or

(3) a health maintenance organization operating under chapter 62D.

(b) To be considered an eligible health carrier, all of the health carrier's net earnings must be devoted to providing comprehensive health care. The health carrier must not provide for the payment, whether directly or indirectly, of any of its net earnings to any person as a dividend or rebate, provided, however, that the health carrier may make payments to providers or other persons based upon the efficient provision of services or an incentive to provide quality care."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Bakk	Cwodzinski	Frentz	Latz	Simonson
Bigham	Dibble	Hayden	Little	Sparks
Carlson	Dziedzic	Isaacson	Marty	Wiger
Champion	Eaton	Kent	Newton	Wiklund
Clausen	Eken	Klein	Pappas	
Cohen	Franzen	Laine	Rest	

Those who voted in the negative were:

Abeler	Gazelka	Johnson	Newman	Tomassoni
Anderson, B.	Goggin	Kiffmeyer	Osmek	Utke
Anderson, P.	Hall	Koran	Pratt	Weber
Benson	Hoffman	Lang	Rarick	Westrom
Chamberlain	Housley	Limmer	Relph	
Dahms	Ingebrigtsen	Mathews	Rosen	
Draheim	Jasinski	Miller	Ruud	
Eichorn	Jensen	Nelson	Senjem	

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

Senator Wiklund moved to amend S.F. No. 761 as follows:

Page 1, line 16, delete "report" and insert "reports"

Page 1, line 19, delete "for" and insert "and submitted for payment per"

Page 1, line 20, after "off-exchange" insert "and per eligible health carrier"

Page 2, line 2, before the semicolon, insert "for each year, including the federal and state contributions received, investment income, and any other revenue or funds received"

Page 2, line 3, delete "eligible health carriers" and insert "each eligible health carrier"

Page 2, line 4, after "plan" insert ", including the total amount incurred and as a percentage of the plan's operational budget"

The motion prevailed. So the amendment was adopted.

S.F. No. 761 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 28, as follows:

Those who voted in the affirmative were:

Abeler	Gazelka	Kiffmeyer	Newman	Sparks
Anderson, B.	Goggin	Koran	Osmek	Tomassoni
Anderson, P.	Hall	Lang	Pratt	Utke
Benson	Housley	Limmer	Rarick	Weber
Chamberlain	Ingebrigtsen	Little	Relph	Westrom
Dahms	Jasinski	Mathews	Rosen	
Draheim	Jensen	Miller	Ruud	
Eichorn	Johnson	Nelson	Senjem	

Those who voted in the negative were:

Bakk	Cwodzinski	Frentz	Laine	Simonson
Bigham	Dibble	Hayden	Latz	Torres Ray
Carlson	Dziedzic	Hoffman	Marty	Wiger
Champion	Eaton	Isaacson	Newton	Wiklund
Clausen	Eken	Kent	Pappas	
Cohen	Franzen	Klein	Rest	

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

MEMBERS EXCUSED

Senators Hawj and Howe were excused from the Session of today. Senator Torres Ray was excused from the Session of today from 11:00 a.m. to 12:15 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 13, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate