

STATE OF MINNESOTA

Journal of the Senate

NINETIETH LEGISLATURE

SEVENTY-SIXTH DAY

St. Paul, Minnesota, Tuesday, March 27, 2018

The Senate met at 12:15 p.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, Rev. Richard Carlson.

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

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 communication was received.

March 27, 2018

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Pursuant to Senate Rule 8.2, the following appointments have been withdrawn from the following committee and placed on the Confirmation Calendar:

From the Committee on E-12 Policy, to which were referred the following appointments as reported in the Journal for February 13, 2017:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Jody Grams
Leslie Lecuyer
Thomas Surprenant
Gregory Winter

Sincerely,
Cal R. Ludeman
Secretary of the Senate

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 3154.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 26, 2018

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2982, 3157, and 3418.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 26, 2018

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2982: A bill for an act relating to agricultural data; classifying agricultural research data maintained by the University of Minnesota; amending Minnesota Statutes 2016, section 13.643, subdivision 7.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2550, now on General Orders.

H.F. No. 3157: A bill for an act relating to public safety; establishing a crime for misrepresenting an animal as a service animal; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2646, now on General Orders.

H.F. No. 3418: A bill for an act relating to commerce; changing requirements for motor vehicle service contracts; amending Minnesota Statutes 2016, section 59B.02, subdivision 11, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3524

REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2064 and 3299. The motion prevailed.

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

S.F. No. 2064: A bill for an act relating to construction codes; modifying accessibility requirements for public buildings; amending Minnesota Statutes 2016, section 326B.106, subdivision 9.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 326B.106, subdivision 9, is amended to read:

Subd. 9. **Accessibility.** (a) **Public buildings.** The code must ~~provide for making~~ require new public buildings constructed or remodeled after July 1, 1963, and existing public buildings when remodeled, to be accessible to and usable by persons with disabilities, although this does not require the remodeling of public buildings solely to provide accessibility and usability to persons with disabilities when remodeling would not otherwise be undertaken.

(b) **Leased space.** No agency of the state may lease space for agency operations in a non-state-owned building unless the building satisfies the requirements of the State Building Code for accessibility by persons with disabilities, or is eligible to display the state symbol of accessibility. This limitation applies to leases of 30 days or more for space of at least 1,000 square feet.

(c) **Meetings or conferences.** Meetings or conferences for the public or for state employees which are sponsored in whole or in part by a state agency must be held in buildings that meet the State Building Code requirements relating to accessibility for persons with disabilities. This subdivision does not apply to any classes, seminars, or training programs offered by the Minnesota State Colleges and Universities or the University of Minnesota. Meetings or conferences intended for specific individuals none of whom need the accessibility features for persons with disabilities specified in the State Building Code need not comply with this subdivision unless a person with a disability gives reasonable advance notice of an intent to attend the meeting or conference. When

sign language interpreters will be provided, meetings or conference sites must be chosen which allow participants who are deaf or hard-of-hearing to see the sign language interpreters clearly.

(d) **Exemptions.** The commissioner may grant an exemption from the requirements of paragraphs (b) and (c) in advance if an agency has demonstrated that reasonable efforts were made to secure facilities which complied with those requirements and if the selected facilities are the best available for access for persons with disabilities. Exemptions shall be granted using criteria developed by the commissioner in consultation with the Council on Disability.

(e) **Symbol indicating access.** The wheelchair symbol adopted by Rehabilitation International's Eleventh World Congress is the state symbol indicating buildings, facilities, and grounds which are accessible to and usable by persons with disabilities. In the interests of uniformity, this symbol is the sole symbol for display in or on all public or private buildings, facilities, and grounds which qualify for its use. The secretary of state shall obtain the symbol and keep it on file. No building, facility, or grounds may display the symbol unless it is in compliance with the rules adopted by the commissioner under subdivision 1. Before any rules are proposed for adoption under this paragraph, the commissioner shall consult with the Council on Disability. Rules adopted under this paragraph must be enforced in the same way as other accessibility rules of the State Building Code."

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 3580: A bill for an act relating to economic development; modifying definition of taconite assistance area; clarifying use of taconite economic development fund; providing for transfer of 2018 distribution; amending Minnesota Statutes 2016, sections 273.1341; 298.28, subdivision 9a; Minnesota Statutes 2017 Supplement, section 298.227.

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

Page 1, delete section 1

Page 3, delete lines 19 to 22, and insert:

"For the 2018 distribution, the fund established under Minnesota Statutes, section 298.28, subdivision 7, shall receive ten cents per ton of any excess of the balance remaining after distribution of amounts required under Minnesota Statutes, section 298.28, subdivision 6."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "area;"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. 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. 3573: A bill for an act relating to waters; temporarily prohibiting enforcement of certain water appropriation permit conditions.

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

Delete everything after the enacting clause and insert:

"Section 1. **TEMPORARY ENFORCEMENT OF GROUNDWATER APPROPRIATION PERMIT REQUIREMENTS.**

(a) Until July 1, 2019, the commissioner of natural resources must not expend funds to suspend or revoke a water appropriation permit, issue an order requiring a violation to be corrected, assess monetary penalties, or otherwise take enforcement action against a water appropriation permit holder if the suspension, revocation, order, penalty, or other enforcement action is based solely on a violation of a permit requirement added as a result of a court order issued in 2017.

(b) The commissioner of natural resources may continue to use all the authorities granted to the commissioner under Minnesota Statutes, section 103G.287, to manage groundwater resources within the north and east groundwater management area.

Sec. 2. **GROUNDWATER MANAGEMENT AREA PERMIT REQUIREMENTS.**

(a) Notwithstanding water appropriation permit requirements added by the commissioner of natural resources as a result of a court order issued in 2017, a public water supplier located in the seven-county metropolitan area within a designated groundwater management area:

(1) is not required to revise a water supply plan to include contingency plans to fully or partially convert its water supplies to surface water;

(2) may prepare, enact, and enforce commercial or residential irrigation bans or alternative measures that achieve similar water use reductions when notified by the commissioner of natural resources that lake levels have fallen below court ordered levels; and

(3) is not required to use per capita residential water use as a measure for purposes of water use reduction goals, plans, and implementation and may submit water use plans and reports that use a measure other than per capita residential water use.

(b) This section expires July 1, 2019."

Amend the title as follows:

Page 1, line 2, delete "temporarily prohibiting" and insert "temporary"

And when so amended the bill do pass. 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. 3380: A bill for an act relating to watercraft; modifying requirements for carbon monoxide detection devices; amending Minnesota Statutes 2016, sections 86B.005, subdivision 8a; 86B.532, subdivision 1.

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

Page 2, line 1, delete "and enclosed"

Page 2, line 2, delete "occupancy compartment"

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

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

S.F. No. 3410: A bill for an act relating to natural resources; modifying conditions for agricultural best management practice loans to include environmental service providers; modifying drainage law to accelerate ditch buffer strip implementation; provide a runoff and sediment delivery option for repair charges; amending Minnesota Statutes 2016, sections 17.117, subdivisions 1, 4, 11; 103E.005, by adding subdivisions; 103E.021, subdivision 6; 103E.071; 103E.095; 103E.215, subdivision 5; 103E.351, subdivision 1; 103E.401, subdivision 4; 103E.411, subdivision 5; 103E.615, subdivisions 1, 2, 3, 5, 7; 103E.711, subdivision 1; 103E.715, subdivisions 4, 5; 103E.725; 103E.728, subdivisions 1, 2, by adding a subdivision; 103E.731, subdivisions 1, 2, 6; 103E.735, subdivision 1.

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

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

S.F. No. 3299: A bill for an act relating to environment; limiting the amount of Volkswagen settlement funds that may be spent on administrative expenses; prohibiting hiring additional personnel to administer the settlement.

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 3111: A bill for an act relating to natural resources; modifying requirements for saltwater aquatic farms; amending Minnesota Statutes 2016, sections 17.494; 17.4982, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Page 3, line 4, delete "been certified by an" and insert "provided documentation"

Page 3, line 5, delete "approved laboratory for at least the last" and insert "of" and after "36" insert "or more" and after "months" insert "of negative testing by an approved laboratory"

Page 3, line 9, delete "was certified" and insert "includes documentation of negative testing for that specific lot"

Page 3, line 12, delete "(2)" and insert "(1)"

And when so amended the bill do pass. 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. 3705: A bill for an act relating to natural resources; recognizing Red River Basin Commission; providing for membership and duties of commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

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

S.F. No. 3638: A bill for an act relating to public safety; revoking snowmobile or all-terrain vehicle privileges following a conviction for driving under the influence; amending Minnesota Statutes 2017 Supplement, sections 84.91, subdivision 1; 169A.07.

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

Page 2, line 3, strike "is governed"

Page 2, strike lines 4 and 5

Page 2, line 6, strike everything before "is"

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2017 Supplement, section 86B.331, subdivision 1, is amended to read:

Subdivision 1. **Acts prohibited.** (a) An owner or other person having charge or control of a motorboat may not authorize or allow an individual the person knows or has reason to believe is under the influence of alcohol or a controlled or other substance to operate the motorboat in operation on the waters of this state.

(b) An owner or other person having charge or control of a motorboat may not knowingly authorize or allow a person, who by reason of a physical or mental disability is incapable of operating the motorboat, to operate the motorboat in operation on the waters of this state.

(c) A person who operates or is in physical control of a motorboat on the waters of this state is subject to chapter 169A. In addition to the applicable sanctions under chapter 169A, a person who is convicted of violating section 169A.20 or an ordinance in conformity with it ~~while operating a motorboat~~, shall be prohibited from operating a motorboat on the waters of this state for a period of 90 days between May 1 and October 31, extending over two consecutive years if necessary. If the person ~~operating the motorboat~~ refuses to comply with a lawful demand to submit to testing under sections 169A.50 to 169A.53 or 171.177, or an ordinance in conformity with it, the person shall be prohibited from operating a motorboat for a period of one year. The commissioner shall notify the person of the period during which the person is prohibited from operating a motorboat.

(d) Administrative and judicial review of the operating privileges prohibition ~~is governed by section 97B.066, subdivisions 7 to 9, if the person does not have a prior impaired driving conviction or prior license revocation, as defined in section 169A.03. Otherwise, administrative and judicial review of the prohibition~~ is governed by section 169A.53 or 171.177.

(e) The court shall promptly forward to the commissioner and the Department of Public Safety copies of all convictions and criminal and civil sanctions imposed under: (1) this section and chapters; (2) chapter 169 and relating to motorboats; (3) chapter 169A relating to motorboats; and (4) section 171.177.

(f) A person who violates paragraph (a) or (b), or an ordinance in conformity with either of them, is guilty of a misdemeanor.

(g) For purposes of this subdivision, a motorboat "in operation" does not include a motorboat that is anchored, beached, or securely fastened to a dock or other permanent mooring, or a motorboat that is being rowed or propelled by other than mechanical means.

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

Sec. 3. **REPEALER.**

(a) Minnesota Statutes 2017 Supplement, section 169A.07, is repealed.

(b) Minnesota Statutes 2016, section 169A.33, subdivision 1, is repealed.

EFFECTIVE DATE. Paragraph (a) is effective August 1, 2018, and applies to crimes committed on or after that date. Paragraph (b) is effective August 1, 2018, and applies to offenses committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; fully incorporating snowmobiles, all-terrain vehicles, and motorboats in operation into the DWI law; amending Minnesota Statutes 2017 Supplement,

section 84.91, subdivision 1; repealing Minnesota Statutes 2016, section 169A.33, subdivision 1; Minnesota Statutes 2017 Supplement, section 169A.07."

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Policy and Legacy Finance. Amendments adopted. Report adopted.

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

S.F. No. 2977: A bill for an act relating to public safety; modifying provisions governing passing emergency vehicles stopped on a roadway; amending Minnesota Statutes 2016, section 169.18, subdivisions 11, 12.

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

Page 1, line 22, delete "safe for the existing traffic" and insert "reasonable and prudent under the"

Page 1, line 23, after "vehicle" insert ", if it is possible to do so"

Page 2, line 14, strike "and (b)" and insert "to (c)"

Page 2, after line 18, insert:

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

Page 3, line 2, delete "safe for" and insert "reasonable and prudent under"

Page 3, line 3, delete "existing traffic"

Page 3, line 5, after "vehicle" insert ", if it is possible to do so"

Page 3, after line 5, insert:

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

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

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

S.F. No. 2704: A bill for an act relating to consumer protection; regulating transportation network companies; amending Minnesota Statutes 2016, sections 13.712, by adding a subdivision; 169.64, subdivision 2; 169.685, subdivision 6; 221.012, subdivisions 25, 38; 221.031, subdivision 3b; 221.091, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Page 7, after line 3, insert:

"(2) a photograph of the driver;"

Page 7, line 4, delete "(2)" and insert "(3)"

Page 7, line 5, delete "(3)" and insert "(4)"

Page 7, line 7, delete "Within a reasonable time following the" and insert "Upon"

Page 7, line 11, delete the second "and"

Page 7, line 12, delete the period and insert "; and"

Page 7, after line 12, insert:

"(4) the driver's first name."

Page 7, line 13, after the comma, insert "and annually thereafter."

Page 8, line 27, delete everything after "may" and insert "not, at the time the driver picks up a rider, refuse to transport an orderly rider, unless the driver has good reason to fear for the driver's personal safety or the safety of any other riders or the driver is prohibited by law from transporting the rider."

Page 8, delete line 28

Page 8, line 29, before the comma insert "or an officer or official of a public airport"

Page 11, line 26, delete everything after "subdivision" and insert a period

Page 11, delete lines 27 to 29

Page 11, line 30, delete everything before "Except"

Page 12, line 2, after "company" insert "for a violation of this section or upon reasonable suspicion that a violation of this section has occurred, including as a result of an inspection conducted under paragraph (b)"

Page 14, after line 12, insert:

"(e) This section shall not be construed to prohibit peace officers from enforcing applicable penal or traffic laws."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3573, 3380, 3410, and 3111 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Kiffmeyer introduced--

S.F. No. 3839: A bill for an act relating to elections; appropriating money for the purpose of modernizing, securing, and updating the statewide voter registration system.

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

Senator Simonson introduced--

S.F. No. 3840: A bill for an act relating to arts and cultural heritage; appropriating money for river systems exhibit at the Lake Superior Center Authority.

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

Senator Champion introduced--

S.F. No. 3841: A bill for an act relating to public safety; authorizing sealing of criminal records upon granting a pardon extraordinary; amending Minnesota Statutes 2016, section 638.02, subdivision 3.

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

Senators Frentz, Rosen, Senjem, Dahms, and Jasinski introduced--

S.F. No. 3842: A bill for an act relating to capital investment; appropriating money for phase II of the clinical sciences renovation project at Minnesota State University, Mankato; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Ruud, Ingebrigtsen, and Sparks introduced--

S.F. No. 3843: A bill for an act relating to natural resources; providing for funding for soil and water conservation districts; amending Minnesota Statutes 2016, 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.

Referred to the Committee on Taxes.

Senators Abeler, Hoffman, Draheim, and Ruud introduced--

S.F. No. 3844: A bill for an act relating to transportation; prohibiting the use of automated driving systems; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation Finance and Policy.

Senator Abeler introduced--

S.F. No. 3845: A bill for an act relating to human services; establishing the family medical account program; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Senators Rest and Kent introduced--

S.F. No. 3846: A bill for an act relating to elections; making changes to the presidential nomination primary law; allowing mail balloting for the presidential nomination primary; making technical changes; amending Minnesota Statutes 2016, sections 201.091, subdivision 4; 204B.27, subdivisions 3, 5; 207A.12; 207A.13, subdivision 1; 207A.14; 207A.15, subdivision 2; Minnesota Statutes 2017 Supplement, section 204C.10.

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

MOTIONS AND RESOLUTIONS

Senator Bigham moved that the name of Senator Latz be added as a co-author to S.F. No. 2962. The motion prevailed.

Senator Cohen moved that the name of Senator Ruud be added as a co-author to S.F. No. 3366. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Mathews be added as a co-author to S.F. No. 3466. The motion prevailed.

Senator Chamberlain moved that the name of Senator Wiger be added as a co-author to S.F. No. 3573. The motion prevailed.

Senator Champion moved that the name of Senator Marty be added as a co-author to S.F. No. 3736. The motion prevailed.

Senator Hayden moved that the name of Senator Abeler be added as a co-author to S.F. No. 3780. The motion prevailed.

Senator Abeler moved that the name of Senator Newton be added as a co-author to S.F. No. 3833. The motion prevailed.

Senator Rest moved that S.F. No. 3521 be withdrawn from the Committee on Taxes and returned to its author. The motion prevailed.

Senator Senjem moved that S.F. No. 3787 be withdrawn from the Committee on E-12 Finance and re-referred to the Committee on Higher Education Finance and Policy. The motion prevailed.

Senator Goggin moved that S.F. No. 3001, No. 47 on General Orders, be stricken and re-referred to the Committee on Veterans and Military Affairs Finance and Policy. The motion prevailed.

Senator Pratt moved that the appointments withdrawn from the Committee on E-12 Policy and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for March 27, 2018, be returned to the committee from which they were withdrawn.

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Jody Grams
Leslie LeCuyer
Thomas Surprenant
Gregory Winter

The motion prevailed.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills, and Second Reading of House Bills.

REPORTS OF COMMITTEES

Senator Benson moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2690 and 3392. The motion prevailed.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 2399: A bill for an act relating to commerce; enacting and modifying the Revised Uniform Athlete Agents Act; amending Minnesota Statutes 2016, section 45.011, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 81A; repealing Minnesota Statutes 2016, sections 81A.01; 81A.02; 81A.03; 81A.04; 81A.05; 81A.06; 81A.07; 81A.09; 81A.10; 81A.11; 81A.12; 81A.13; 81A.14; 81A.15; 81A.16; 81A.17; 81A.19; 81A.20; 81A.21.

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

Page 4, delete section 3

Page 10, delete section 9

Page 15, delete section 15

Page 16, line 9, delete "81A.03;"

Page 16, line 10, delete "81A.09;" and delete "81A.15; 81A.16; 81A.17;"

Page 16, line 13, delete "2017" and insert "2018"

Page 16, line 15, strike "CHANGE" and insert "CHANGES"

Page 16, after line 21, insert:

"Sec. 2. **REVISOR'S INSTRUCTION.**

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

<u>Column A</u>	<u>Column B</u>
<u>81A.03</u>	<u>81A.24</u>
<u>81A.09</u>	<u>81A.30</u>
<u>81A.15</u>	<u>81A.36</u>
<u>81A.16</u>	<u>81A.361</u>
<u>81A.17</u>	<u>81A.362</u> "

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 Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was re-referred

S.F. No. 3250: A bill for an act relating to motor vehicles; modifying various provisions governing motor vehicle titling and registration; amending Minnesota Statutes 2016, sections 80E.13; 168.013, subdivision 6; 168.27, by adding subdivisions; 168.301, subdivision 3; 168.33, subdivision 8a; 168.346, subdivision 1; 168A.05, by adding a subdivision; 168A.12, subdivision 2; 168A.17, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 168.013, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Page 5, delete lines 30 to 32 and insert:

"(r) to implement a charge back or withhold payment to a dealer that is solely due to an unreasonable delay by the registrar, as defined in section 168.002, subdivision 29, in the transfer or registration of a new motor vehicle. The dealer must give the manufacturer notice of the state's delay in writing. Within 30 days of any notice of a charge back, withholding of payments, or denial of a claim, the dealer must transmit to the manufacturer (1) documentation to demonstrate the vehicle sale and delivery as reported; and (2) a written attestation signed by the dealer operator or general manager stating that the delay is attributable to the state. This clause expires on June 30, 2021."

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 Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3524: A bill for an act relating to commerce; changing requirements for motor vehicle service contracts; amending Minnesota Statutes 2016, section 59B.02, subdivision 11, by adding a subdivision.

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

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3392: A bill for an act relating to insurance; health; modifying funding for MNsure operations and authority of MNsure to certify health carriers and health plans; requiring submission of federal waivers and approvals by certain deadline; placing limitations on risk-bearing by commissioner of human services; amending Minnesota Statutes 2016, section 62V.05, subdivisions 2, 5, 10; Laws 2015, chapter 71, article 12, section 8.

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

Senator Hayden questioned the reference thereon and, under Rule 21, the bill was referred to the Committee on Rules and Administration.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that S.F. No. 3392 be recommended to pass.

There were yeas 5 and nays 4, as follows:

Those who voted in the affirmative were:

Senators Chamberlain, Dahms, Limmer, Pratt, and Utke.

Those who voted in the negative were:

Senators Champion, Hayden, Latz, and Sparks.

The bill was recommended to pass.

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

S.F. No. 2545: A bill for an act relating to human services; modifying requirements for intensive residential treatment services provider entities; amending Minnesota Statutes 2016, section 256B.0622, subdivision 4.

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

Page 2, delete line 8 and insert:

"Sec. 2. Minnesota Statutes 2016, section 256B.0624, subdivision 4, is amended to read:

Subd. 4. **Provider entity standards.** (a) A provider entity is an entity that meets the standards listed in paragraph ~~(b)~~ (c) and:

(1) is a county board operated entity; or

(2) is a provider entity that is under contract with the county board in the county where the potential crisis or emergency is occurring. To provide services under this section, the provider entity must directly provide the services; or if services are subcontracted, the provider entity must maintain responsibility for services and billing.

(b) A provider entity that provides crisis stabilization services in a residential setting under subdivision 7 is not required to meet the requirements of paragraph (a), clauses (1) and (2), but must meet all other requirements of this subdivision.

(c) The adult mental health crisis response services provider entity must have the capacity to meet and carry out the following standards:

(1) has the capacity to recruit, hire, and manage and train mental health professionals, practitioners, and rehabilitation workers;

(2) has adequate administrative ability to ensure availability of services;

(3) is able to ensure adequate preservice and in-service training;

(4) is able to ensure that staff providing these services are skilled in the delivery of mental health crisis response services to recipients;

(5) is able to ensure that staff are capable of implementing culturally specific treatment identified in the individual treatment plan that is meaningful and appropriate as determined by the recipient's culture, beliefs, values, and language;

(6) is able to ensure enough flexibility to respond to the changing intervention and care needs of a recipient as identified by the recipient during the service partnership between the recipient and providers;

(7) is able to ensure that mental health professionals and mental health practitioners have the communication tools and procedures to communicate and consult promptly about crisis assessment and interventions as services occur;

(8) is able to coordinate these services with county emergency services, community hospitals, ambulance, transportation services, social services, law enforcement, and mental health crisis services through regularly scheduled interagency meetings;

(9) is able to ensure that mental health crisis assessment and mobile crisis intervention services are available 24 hours a day, seven days a week;

(10) is able to ensure that services are coordinated with other mental health service providers, county mental health authorities, or federally recognized American Indian authorities and others as necessary, with the consent of the adult. Services must also be coordinated with the recipient's case manager if the adult is receiving case management services;

(11) is able to ensure that crisis intervention services are provided in a manner consistent with sections 245.461 to 245.486;

(12) is able to submit information as required by the state;

(13) maintains staff training and personnel files;

(14) is able to establish and maintain a quality assurance and evaluation plan to evaluate the outcomes of services and recipient satisfaction;

(15) is able to keep records as required by applicable laws;

(16) is able to comply with all applicable laws and statutes;

(17) is an enrolled medical assistance provider; and

(18) develops and maintains written policies and procedures regarding service provision and administration of the provider entity, including safety of staff and recipients in high-risk situations."

Amend the title as follows:

Page 1, line 3, after "entities" insert "and crisis stabilization services"

Amend the title numbers accordingly

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. 2690: A bill for an act relating to human services; establishing an exception to the hospital moratorium to expand mental health and substance use disorder beds; modifying provisions related to mental health; appropriating money; amending Minnesota Statutes 2016, sections 245A.04, subdivision 7; 256.478; 256B.0622, subdivisions 3a, 4; 256B.0623, subdivision 4; 256B.0624, subdivision 4; 256B.0915, subdivision 3b; 256B.092, subdivision 13; 256B.49, subdivision 24; Minnesota Statutes 2017 Supplement, sections 144.551, subdivision 1; 245G.03, by adding a subdivision.

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

Page 2, line 24, after the first "transferred" insert ", except that more than 50 percent can be transferred if the beds are to be used as hospital beds that are federally certified as psychiatric distinct

part unit or delivered under the federal inpatient prospective payment system for psychiatric services. The beds exempted from the 50 percent cap cannot be used for other purposes in the future"

Page 2, line 25, after "transferred" insert ", except when the beds are to be used as hospital beds that are federally certified as psychiatric distinct part unit or delivered under the federal inpatient prospective payment system for psychiatric services. The beds exempted from the 50 percent cap cannot be used for other purposes in the future"

Page 6, delete lines 7 to 21 and insert:

"(28) the transfer of beds from one hospital corporate system to another hospital corporate system for the purpose of expanding hospital beds that are federally certified as psychiatric distinct part unit or delivered under the federal inpatient prospective payment system for psychiatric services."

Page 10, line 14, after "years." insert "A provider must specify in the provider's application what geographic area and populations will be primarily served by the proposed program. A provider must submit evidence that in planning for the proposed program it has solicited feedback from the county in which the proposed program would be located regarding how the proposed programming relates to the types of programing identified by the local mental health authority as being needed for the county in which the proposed program would be located and how the proposed populations to be served relate to the populations identified by the local mental health authority as being in need of services for the county in which the proposed program would be located. A provider must submit evidence that it has identified a process for aligning the proposed program with local mental health authority's efforts. A provider must submit evidence of ongoing relationships with other providers, the county where the program will be located, and levels of care to facilitate referrals to and from the proposed program. The commissioner may deny approval of a provider's application if the commissioner determines that the services currently available in the local area are sufficient to meet local need and that the addition of new services would be detrimental to individuals seeking these services."

Page 11, after line 20, insert:

"(c) A provider must specify in the provider's application what geographic area and populations will be primarily served by the proposed program. A provider must submit evidence that in planning for the proposed program it has solicited feedback from the county in which the proposed program would be located regarding how the proposed programming relates to the types of programing identified by the local mental health authority as being needed for the county in which the proposed program would be located and how the proposed populations to be served relate to the populations identified by the local mental health authority as being in need of services for the county in which the proposed program would be located. A provider must submit evidence that it has identified a process for aligning the proposed program with local mental health authority's efforts. A provider must submit evidence of ongoing relationships with other providers, the county where the program will be located, and levels of care to facilitate referrals to and from the proposed program. The commissioner may deny approval of a provider's application if the commissioner determines that the services currently available in the local area are sufficient to meet local need and that the addition of new services would be detrimental to individuals seeking these services."

Page 11, line 27, reinstate the stricken "(c)"

Page 12, line 2, after the stricken period, insert "A provider must specify in the provider's application what geographic area and populations will be primarily served by the proposed program. A provider must submit evidence that in planning for the proposed program it has solicited feedback from the county in which the proposed program would be located regarding how the proposed programming relates to the types of programming identified by the local mental health authority as being needed for the county in which the proposed program would be located and how the proposed populations to be served relate to the populations identified by the local mental health authority as being in need of services for the county in which the proposed program would be located. A provider must submit evidence that it has identified a process for aligning the proposed program with local mental health authority's efforts. A provider must submit evidence of ongoing relationships with other providers, the county where the program will be located, and levels of care to facilitate referrals to and from the proposed program. The commissioner may deny approval of a provider's application if the commissioner determines that the services currently available in the local area are sufficient to meet local need and that the addition of new services would be detrimental to individuals seeking these services. "

Page 12, line 3, reinstate "(d)" and delete "(c)"

Page 12, line 4, reinstate "(e)" and delete "(d)"

Page 12, line 7, reinstate "(f)" and delete "(e)"

Page 15, after line 3, insert:

"(d) A provider entity that is providing crisis stabilization services in a residential setting as described in subdivision 7, is not required to meet the requirements of paragraph (a), clause (1) or (2), of this subdivision, but must still meet the standards of paragraph (c). A provider entity that is providing crisis stabilization services in a residential setting as described in subdivision 7 must specify in the provider entity's application what geographic area and populations will be primarily served by the proposed program. A provider must submit evidence that in planning for the proposed program it has solicited feedback from the county in which the proposed program would be located regarding how the proposed programming relates to the types of programming identified by the local mental health authority as being needed for the county in which the proposed program would be located and how the proposed populations to be served relate to the populations identified by the local mental health authority as being in need of services for the county in which the proposed program would be located. A provider must submit evidence that it has identified a process for aligning the proposed program with local mental health authority's efforts. A provider must submit evidence of ongoing relationships with other providers, the county where the program will be located, and levels of care to facilitate referrals to and from the proposed program. The commissioner may deny approval of a provider entity's application if the commissioner determines that the services currently available in the local area are sufficient to meet local need and that the addition of new services would be detrimental to individuals seeking these services."

Page 17, after line 24, insert:

"Sec. 12. Minnesota Statutes 2017 Supplement, section 256I.04, subdivision 1, is amended to read:

Subdivision 1. **Individual eligibility requirements.** An individual is eligible for and entitled to a housing support payment to be made on the individual's behalf if the agency has approved the setting where the individual will receive housing support and the individual meets the requirements in paragraph (a), (b), or (c).

(a) The individual is aged, blind, or is over 18 years of age with a disability as determined under the criteria used by the title II program of the Social Security Act, and meets the resource restrictions and standards of section 256P.02, and the individual's countable income after deducting the (1) exclusions and disregards of the SSI program, (2) the medical assistance personal needs allowance under section 256B.35, and (3) an amount equal to the income actually made available to a community spouse by an elderly waiver participant under the provisions of sections 256B.0575, paragraph (a), clause (4), and 256B.058, subdivision 2, is less than the monthly rate specified in the agency's agreement with the provider of housing support in which the individual resides.

(b) The individual meets a category of eligibility under section 256D.05, subdivision 1, paragraph (a), clauses (1), (3), (4) to (8), and (13), and paragraph (b), if applicable, and the individual's resources are less than the standards specified by section 256P.02, and the individual's countable income as determined under section 256P.06, less the medical assistance personal needs allowance under section 256B.35 is less than the monthly rate specified in the agency's agreement with the provider of housing support in which the individual resides.

(c) The individual receives licensed residential crisis stabilization services under section 256B.0624, subdivision 7, or intensive residential treatment services under the pilot projects; specialized intensive residential treatment services in section 13 and is receiving medical assistance. The individual may receive concurrent housing support payments if receiving licensed residential crisis stabilization services under section 256B.0624, subdivision 7, or intensive residential treatment services under the pilot projects; specialized intensive residential treatment services in section 13.

Sec. 13. Minnesota Statutes 2017 Supplement, section 256I.06, subdivision 8, is amended to read:

Subd. 8. **Amount of housing support payment.** (a) The amount of a room and board payment to be made on behalf of an eligible individual is determined by subtracting the individual's countable income under section 256I.04, subdivision 1, for a whole calendar month from the room and board rate for that same month. The housing support payment is determined by multiplying the housing support rate times the period of time the individual was a resident or temporarily absent under section 256I.05, subdivision 1c, paragraph (d).

(b) For an individual with earned income under paragraph (a), prospective budgeting must be used to determine the amount of the individual's payment for the following six-month period. An increase in income shall not affect an individual's eligibility or payment amount until the month following the reporting month. A decrease in income shall be effective the first day of the month after the month in which the decrease is reported.

(c) For an individual who receives licensed residential crisis stabilization services under section 256B.0624, subdivision 7, or intensive residential treatment services under the pilot projects; specialized intensive residential treatment services in section 13, the amount of housing support

payment is determined by multiplying the housing support rate times the period of time the individual was a resident."

Page 18, line 7, delete "HYBRID" and insert "SPECIALIZED"

Page 18, line 10, after "administer" insert "pilot"

Page 18, line 11, before the colon, insert "priority shall be given to individuals who"

Page 18, line 19, delete everything after "residents" and insert "are screened for eligibility for housing support under Minnesota Statutes, chapter 256I."

Page 18, line 20, delete everything after "The" and insert "commissioner shall contract to evaluate the effectiveness of programs funded under this section, including rates of readmission to hospital level of care, rates of readmission to residential level of care, employment, criminal justice involvement, and engagement in treatment."

Page 18, delete lines 21 to 23

Page 18, line 29, after the first "for" insert "grants under Minnesota Statutes, section 256B.0622, subdivision 12," and delete "hybrid" and insert "specialized"

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 Health and Human Services Finance and Policy.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 3731: A bill for an act relating to human services; modifying various background study provisions; amending Minnesota Statutes 2016, section 245C.03, by adding a subdivision.

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

Page 2, line 5, delete "Departments" and insert "Department"

Page 2, line 6, delete everything after "Services"

Page 2, delete line 7

Page 2, line 8, delete everything before the colon

Page 2, line 10, delete "Departments" and insert "Department" and delete "and Health,"

Page 2, line 11, delete everything before the semicolon

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 re-referred

S.F. No. 2762: A bill for an act relating to human services; modifying the construction project rate for certain nursing facilities; amending Minnesota Statutes 2016, section 256B.434, by adding a subdivision.

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

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

S.F. No. 2685: A bill for an act relating to human services; exempting child care providers from the positive support strategies training rule; amending Minnesota Statutes 2016, section 245.8251, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Senator Hall from the Committee on Local Government, to which was referred

H.F. No. 1975: A bill for an act relating to municipal contracting; narrowing a bidding exception for certain water tank service contracts; amending Minnesota Statutes 2016, section 471.345, subdivision 5b.

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

Page 2, line 3, delete "exceed \$100,000" and insert "meet the costs specified under subdivisions 3 and 3a"

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 3297: A bill for an act relating to local government; authorizing the city of St. Paul to use a design-build process for a public works project.

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 1274: A bill for an act relating to local government; permitting city and town expenditures for city and town historical societies; amending Minnesota Statutes 2016, section 138.053.

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 3399: A bill for an act relating to local government; increasing the contract ranges in the Uniform Municipal Contracting Law; amending Minnesota Statutes 2016, section 471.345, subdivisions 3, 4.

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 3525: A bill for an act relating to local government; exempting the Metropolitan Airports Commission from political subdivision compensation limit; amending Minnesota Statutes 2016, section 473.606, subdivision 5.

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

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

S.F. No. 3658: A bill for an act relating to state government; modifying the effective date of certain provisions governing the preparation of fiscal notes; modifying provisions governing the Legislative Budget Office; amending Minnesota Statutes 2016, sections 10A.01, subdivision 35; 13.64, by adding a subdivision; Minnesota Statutes 2017 Supplement, sections 3.8853, subdivisions 1, 2, by adding subdivisions; 3.98, subdivision 1; 477A.03, subdivision 2b; Laws 2017, First Special Session chapter 4, article 2, sections 1; 3; 58; repealing Minnesota Statutes 2017 Supplement, section 3.98, subdivision 4.

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

Page 2, line 21, delete everything after the period

Page 2, delete lines 22 to 24

Page 2, line 31, delete everything after the period

Page 2, delete line 32

Page 3, line 3, delete "and" and insert a comma and after "guidelines" insert ", and procedures"

Page 3, line 6, after "standards" insert a comma

Page 3, line 7, delete the first "and" and after "guidelines" insert ", and procedures"

Page 3, line 8, after "uniform" insert "standards, guidelines, and"

Page 3, after line 27, insert:

"(c) Upon approval by the Legislative Budget Office, a completed fiscal note must be delivered to the legislative committee chair who made the request, and to the chief author of the legislation to which it relates. Within 24 hours of approval, a completed fiscal note must be posted on the

office's public Web site, unless data maintained by a government entity related to the fiscal note are classified as not public under section 13.64, subdivision 3."

Page 6, line 12, delete "government entity" and insert "head or chief administrative office of a department or agency of the state government, including the Supreme Court,"

Page 6, line 13, delete "for review,"

Page 6, line 16, after "standards" insert ", guidelines,"

Page 7, after line 28, insert:

"Sec. 13. LEGISLATIVE OVERSIGHT COMMISSION; FIRST APPOINTMENTS; FIRST CHAIR; FIRST MEETING.

Appointments to the Legislative Oversight Commission under Minnesota Statutes, section 3.8853, must be made by June 15, 2018. The chair of the Legislative Coordinating Commission must designate one appointee to convene the commission's first meeting. The designated appointee must convene the first meeting no later than July 1, 2018. The first chair of the Legislative Oversight Commission shall be a member of the senate and shall serve until the commission elects a chair at a meeting in January 2019."

Renumber the sections in sequence

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

S.F. No. 3143: A bill for an act relating to human services; postponing the expiration date of the Traumatic Brain Injury Advisory Committee; amending Minnesota Statutes 2016, section 256B.093, subdivision 1.

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

S.F. No. 2786: A bill for an act relating to health; establishing an advisory council on rare diseases to advise the commissioner of health on issues related to rare diseases; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Delete everything after the enacting clause and insert:

"Section 1. [137.68] ADVISORY COUNCIL ON RARE DISEASES.

Subdivision 1. **Establishment.** The Board of Regents of the University of Minnesota is requested to establish an advisory council on rare diseases to provide advice on research, diagnosis, treatment, and education related to rare diseases. For purposes of this section, "rare disease" has the meaning given in United States Code, title 21, section 360bb. The council shall be called the Chloe Barnes Advisory Council on Rare Diseases.

Subd. 2. **Membership.** (a) The advisory council may consist of public members appointed by the Board of Regents or a designee according to paragraph (b) and four members of the legislature appointed according to paragraph (c).

(b) The Board of Regents or a designee is requested to appoint the following public members:

(1) three physicians licensed and practicing in the state with experience researching, diagnosing, or treating rare diseases;

(2) one registered nurse or advanced practice registered nurse licensed and practicing in the state with experience treating rare diseases;

(3) at least two hospital administrators, or their designees, from hospitals in the state that provide care to persons diagnosed with a rare disease. One administrator or designee appointed under this clause must represent a hospital in which the scope of service focuses on rare diseases of pediatric patients;

(4) three persons age 18 or older who either have a rare disease or are a caregiver of a person with a rare disease;

(5) a representative of a rare disease patient organization that operates in the state;

(6) a social worker with experience providing services to persons diagnosed with a rare disease;

(7) a pharmacist with experience with drugs used to treat rare diseases;

(8) a representative of the biotechnology industry;

(9) a representative of health plan companies; and

(10) other public members, who may serve on an ad hoc basis.

(c) The advisory council shall include two members of the senate, one appointed by the majority leader and one appointed by the minority leader; and two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader.

(d) The commissioner of health or a designee, a representative of Mayo Medical School, and a representative of the University of Minnesota Medical School, shall serve as ex officio, nonvoting members of the advisory council.

(e) Initial appointments to the advisory council shall be made no later than July 1, 2018. Members appointed according to paragraph (b) shall serve for a term of three years, except that the initial members appointed according to paragraph (b) shall have an initial term of two, three, or four years

determined by lot by the chairperson. Members appointed according to paragraph (b) shall serve until their successors have been appointed.

Subd. 3. **Meetings.** The Board of Regents or a designee is requested to convene the first meeting of the advisory council no later than September 1, 2018. The advisory council shall meet at the call of the chairperson or at the request of a majority of advisory council members.

Subd. 4. **Duties.** The advisory council's duties may include, but are not limited to:

(1) developing, in conjunction with the state's medical schools, public health schools, and hospitals in the state that provide care to persons diagnosed with a rare disease, resources or recommendations relating to the quality of and access to treatment and services in the state for persons with rare disease, including, but not limited to:

(i) a list of existing publicly accessible resources on the research, diagnosis, treatment, and education relating to rare diseases;

(ii) identified best practices for rare disease care implemented in other states and at the national and international levels that will improve rare disease care in the state and seeking opportunities to partner with similar organizations in other states and counties;

(iii) identified problems faced by patients with a rare disease when changing health plans, including recommendations on how to remove obstacles faced by these patients to finding a new health plan and how to improve the ease and speed of finding a new health plan that meets the needs of patients with a rare disease; and

(iv) identified best practices to ensure health care providers are adequately informed of the most effective strategies for recognizing and treating rare diseases; and

(2) advising, consulting, and cooperating with the Department of Health, the Advisory Committee on Heritable and Congenital Disorders, and other agencies of state government in developing information and programs for the public and the health care community relating to the diagnosis, treatment, and awareness of rare diseases.

Subd. 5. **Conflict of interest.** Advisory council members are subject to the Board of Regents policy on conflicts of interest.

Subd. 6. **Annual report.** By January 1 of each year, beginning January 1, 2019, the advisory council shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education and health care policy on the advisory council's activities under subdivision 4 and other issues on which the advisory council may choose to report.

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

Amend the title numbers accordingly

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

S.F. No. 2973: A bill for an act relating to health care; requiring coverage for certain breast cancer screening procedures; amending Minnesota Statutes 2016, section 62A.30, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 62A.30, is amended by adding a subdivision to read:

Subd. 4. **Mammograms.** (a) For purposes of subdivision 2, coverage for a preventive mammogram screening shall include digital breast tomosynthesis for enrollees at risk for breast cancer, and shall be covered as a preventive item or service, as described under section 62Q.46.

(b) For purposes of this subdivision, "digital breast tomosynthesis" means a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital three-dimensional images of the breast. "At risk for breast cancer" means:

(1) having a family history with one or more first or second degree relatives with breast cancer;

(2) testing positive for BRCA1 or BRCA2 mutations;

(3) having heterogeneously dense breasts or extremely dense breasts based on the Breast Imaging Reporting and Data System established by the American College of Radiology; or

(4) having a previous diagnosis of breast cancer.

(c) This subdivision does not apply to coverage provided through a public health care program under chapter 256B or 256L.

EFFECTIVE DATE. This section is effective January 1, 2019, and applies to health plans issued, sold, or renewed on or after that date."

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. 3524, 2545, 3731, 2762, 2685, 3297, 3399, and 3525 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1975 was read the second time.

MEMBERS EXCUSED

Senators Dziezic, Eaton, Isaacson, and Pappas were excused from the Session of today.

ADJOURNMENT

Senator Benson moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 29, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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