

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

 TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 11, 2013

The House of Representatives convened at 3:00 p.m. and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by the Reverend Tom Pfothenhauer, Woodbury Lutheran Church, Woodbury, Minnesota.

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

The roll was called and the following members were present:

Abeler	Dill	Hausman	Liebling	Newberger	Scott
Albright	Dorholt	Hertaus	Lien	Newton	Selcer
Allen	Drazkowski	Hilstrom	Lillie	Nornes	Simon
Anderson, M.	Erhardt	Holberg	Loeffler	Norton	Simonson
Anderson, P.	Erickson, R.	Hoppe	Lohmer	O'Driscoll	Sundin
Anderson, S.	Erickson, S.	Hornstein	Loon	O'Neill	Swedzinski
Anzelc	Fabian	Hortman	Mack	Paymar	Theis
Atkins	Falk	Howe	Mahoney	Pelowski	Torkelson
Barrett	Faust	Huntley	Mariani	Peppin	Uglem
Benson, J.	Fischer	Isaacson	Marquart	Persell	Urdahl
Benson, M.	FitzSimmons	Johnson, B.	Masin	Petersburg	Wagenius
Bernardy	Franson	Johnson, C.	McDonald	Poppe	Ward, J.A.
Bly	Freiberg	Johnson, S.	McNamar	Pugh	Ward, J.E.
Brynaert	Fritz	Kahn	McNamara	Quam	Wills
Carlson	Garofalo	Kelly	Melin	Radinovich	Winkler
Clark	Green	Kieffer	Moran	Rosenthal	Woodard
Daudt	Gruenhagen	Kiel	Morgan	Runbeck	Yarusso
Davids	Gunther	Kresha	Mullery	Sanders	Zellers
Davnie	Hackbarth	Laine	Murphy, E.	Savick	Zerwas
Dean, M.	Halverson	Leidiger	Murphy, M.	Sawatzky	Spk.Thissen
Dehn, R.	Hamilton	Lenczewski	Myhra	Schoen	
Dettmer	Hansen	Lesch	Nelson	Schomacker	

A quorum was present.

Beard, Cornish, Metsa and Slocum were excused.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Mahoney from the Committee on Jobs and Economic Development Finance and Policy to which was referred:

H. F. No. 92, A bill for an act relating to employment; regulating the minimum wage; amending Minnesota Statutes 2012, section 177.24, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy.

The report was adopted.

Huntley from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 119, A bill for an act relating to human services; providing a property rate increase for certain nursing facilities; amending Minnesota Statutes 2012, section 256B.431, subdivision 44.

Reported the same back with the following amendments:

Page 1, line 14, delete "increased by" and insert "adjusted to allow"

Page 1, line 15, before the period, insert "of a completed construction project to increase the property payment rate"

With the recommendation that when so amended the bill pass.

The report was adopted.

Murphy, E., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 143, A bill for an act relating to veterans; authorizing placement of a plaque in the court of honor on the Capitol grounds to honor American Indian veterans from this state.

Reported the same back with the following amendments:

Page 1, line 10, delete "by"

Page 1, line 11, delete "Minnesota's American Indian veterans"

Page 1, line 13, delete "Minnesota's" and insert "the Minnesota Indian Affairs Council"

Page 1, line 14, delete "American Indian veterans"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 157, A bill for an act relating to commerce; regulating bullion coin dealers; requiring registration; prohibiting certain conduct; providing enforcement authority and criminal penalties; proposing coding for new law as Minnesota Statutes, chapter 80G.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[80G.01] DEFINITIONS.**

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

Subd. 2. **Bullion coin.** "Bullion coin" means any coin containing more than one percent by weight of silver, gold, platinum, or other precious metal.

Subd. 3. **Bullion coin dealer.** (a) Subject to the exceptions in paragraph (b), a "bullion coin dealer" means any person who buys, sells, solicits, or markets bullion coins or investments in bullion coins to consumers and is either incorporated, registered, domiciled, or otherwise located in this state, or who does business with a consumer domiciled, residing, or otherwise located in this state.

(b) A "bullion coin dealer" does not include any of the following persons:

(1) a person who engages only in wholesale bullion coin transactions with bullion coin dealers who sell at retail and are properly registered under this chapter;

(2) a person who engages only in transactions at occasional garage or yard sales held at the seller's residence, farm auctions held at the seller's residence, or estate sales held at the decedent's residence;

(3) a person who is properly registered pursuant to chapter 80A, or the federal Securities Exchange Act of 1934 and rules promulgated thereunder as a securities broker dealer or broker dealer agent; or

(4) an auctioneer who auctions coins at auction on behalf of an owner, if the auctioneer does not take title or ownership of the coins.

Subd. 4. **Coin dealer representative.** "Coin dealer representative" means any natural person acting as an employee, contractor, or agent of a bullion coin dealer and who has interactions with consumers in connection with the buying, selling, solicitation, or marketing of bullion coins or investments in bullion coins.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of commerce.

Subd. 6. **Owner.** "Owner" means any person who has an ownership interest in a bullion coin dealer, regardless of whether directly or indirectly, of more than one percent.

Subd. 7. **Person.** "Person" has the same meaning given in section 325F.68, subdivision 3.

Subd. 8. **Precious metal content.** "Precious metal content" means the quantity, measured in grams, of gold, silver, platinum, or other precious metal in a coin and the percentage that the precious metal constitutes of the total weight of the coin.

Sec. 2. **[80G.02] REGISTRATION.**

Subdivision 1. **Registration required.** Beginning July 1, 2014, it shall be unlawful for a bullion coin dealer or coin dealer representative to solicit, market, buy, sell, or deliver bullion coins or investments in bullion coins to a consumer without being registered by the commissioner as provided for in this chapter, if the bullion coin dealer has engaged in a bullion coin transaction or transactions with consumers during the 12-month period prior to July 1, 2014, that exceed \$5,000 in the aggregate, as determined by the transactions' sale prices. If a bullion coin dealer was not required to be registered beginning on July 1, 2014, the bullion coin dealer must submit an application to register itself and each of its coin dealer representatives within 30 days of reaching \$5,000 in the aggregate of bullion coin transactions with consumers in any 12-month period prior to July 1 of any calendar year, as determined by the transactions' sale prices. Once a bullion coin dealer is required to register itself and its coin dealer representatives, the coin dealer must thereafter renew its registration and the registration of each of its coin dealer representatives in accordance with this chapter, regardless of the aggregate amount of transactions, unless the person ceases to be a bullion coin dealer. A coin dealer representative may not buy, sell, solicit, or market bullion coins or investments in bullion coins on behalf of a bullion coin dealer unless the dealer is properly registered with the commissioner under this section.

Subd. 2. **Registration obligations.** If a bullion coin dealer must register itself and each of its coin dealer representatives with the commissioner, the bullion coin dealer shall certify in its application and the application for each of its coin dealer representatives that the bullion coin dealer and its coin dealer representatives satisfy the requirements of sections 80G.03 to 80G.07. Registrations issued or renewed by the commissioner under this chapter shall expire on June 30 and must be renewed.

Subd. 3. **Registration application and renewal.** The application and renewal forms shall include the following information, as applicable, which shall be considered by the commissioner in determining whether to issue a registration and whether to thereafter renew the registration:

(1) the name, assumed names, doing business as names, including caller identification names, and business addresses of the bullion coin dealer, the name of each owner and officer, and the name and primary work location of each coin dealer representative. A bullion coin dealer who desires to carry on business in more than one location shall identify each address where business is conducted;

(2) if a bullion coin dealer is doing business under any name other than the dealer's legal name, documentation that the assumed name has been properly filed with the secretary of state;

(3) the telephone numbers, including cellular phone numbers, electronic mail addresses, and Web site domain names used or intended to be used by the bullion coin dealer and its coin dealer representatives to buy, sell, solicit, market, or deliver to consumers bullion coin or investments in bullion coin;

(4) the disclosure of all criminal convictions by any court within the last ten years for the bullion coin dealer and each officer and owner of the bullion coin dealer and for each of its coin dealer representatives;

(5) the certification that the bullion coin dealer, its officers and owners, and its coin dealer representatives have not engaged in any conduct prohibited by this chapter since its effective date, or in any conduct prohibited by sections 45.027; 325D.43 to 325D.48; 325F.67; 325F.68 to 325F.69; 325F.694; and 325F.73 to 325F.744;

(6) the disclosure of any civil judgments or government agency orders, including but not limited to, conciliation court or equivalent judgments against the bullion coin dealer, its officers and owners, or its coin dealer representatives for violation of consumer protection laws or unfair trade practice laws or for failure to account to a customer for money or property received from the consumer;

(7) the disclosure of any settlement or other agreement with any person or any government entity resolving allegations by the person or government entity that the bullion coin dealer, its officers and owners, or its coin dealer representatives violated consumer protection or unfair trade practice laws, or for failure to account to a consumer for money or property received from the consumer; and

(8) the certification that the bullion coin dealer, its officers and owners, and its coin dealer representatives were not at any time permanently or temporarily prohibited by any court of competent jurisdiction or ordered to cease and desist as the result of a government agency action from engaging in buying, selling, soliciting, or marketing of bullion coin or investments in bullion coin.

Subd. 4. **Notice of change in registration information.** A bullion coin dealer must provide the commissioner written notice of a change in the dealer's name, assumed names, doing business as names, business addresses, including all business addresses at which it or its coin dealer representatives conduct business, ownership, electronic mail addresses, Web site domain names, or telephone numbers used by it or its coin dealer representatives to buy, sell, solicit, or market to consumers bullion coin or investments in bullion coin no later than ten days after the change occurs.

Subd. 5. **Registration fee.** (a) The fee for each registration under this chapter shall be as follows:

(1) bullion coin dealers, \$25; and

(2) coin dealer representatives, \$10.

(b) The commissioner, based on the cost of processing registrations, may adjust the registration fee on an annual basis as needed.

Sec. 3. [80G.03] REGISTRATION DENIAL, NONRENEWAL, REVOCATION AND SUSPENSION.

Subdivision 1. **Authority.** The commissioner may, by order, suspend, revoke, or refuse to issue or renew a bullion coin dealer or coin dealer representative registration for any one or more of the following causes:

(1) providing incorrect, false, misleading, or incomplete information to the commissioner or refusing to allow a reasonable inspection of information and documents in the possession of the bullion coin dealer, coin dealer representative, or a third party or to allow a reasonable inspection of premises;

(2) obtaining or attempting to obtain a registration through misrepresentation or fraud;

(3) having a bullion coin dealer or coin dealer representative registration or its equivalent, including licensure under section 325F.73, denied, suspended, or revoked, or having been the subject of a fine or any other discipline in any locality within the state or other state, province, district, or territory;

(4) being permanently or temporarily enjoined by any court of competent jurisdiction or being ordered to cease and desist by a government agency from engaging in or continuing any conduct or practice involving the buying, selling, soliciting, or marketing of bullion coins, investments in bullion coins, or precious metal to consumers;

(5) violating any federal, state, or local law or rule related to selling, purchasing, solicitation, or marketing of bullion coin, investments in bullion coin, or precious metal;

(6) violating the provisions of this chapter or of sections 45.027; 325D.43 to 325D.48; 325F.67; 325F.68 to 325F.69; 325F.694; and 325F.73 to 325F.744, or federal or state taxation or labor law; or

(7) violating a subpoena or order of the commissioner or a court issued pursuant to this chapter or sections 45.027; 325D.43 to 325D.48; 325F.67; 325F.68 to 325F.69; 325F.694; 325F.70; and 325F.73 to 325F.744.

Subd. 2. Bullion coin dealer responsibility for actions of coin dealer representatives. The commissioner may take action against a bullion coin dealer for any violations of this chapter by its coin dealer representatives. The commissioner may also take action against the coin dealer representative.

Subd. 3. Other authority of the commissioner. If a registration lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the commissioner may institute a proceeding under this subdivision within two years after the registration was last effective and enter a revocation order as of the last date on which the registration was in effect, and impose a civil penalty as provided for in section 45.027, subdivision 6.

Subd. 4. Effect of revocation. A revocation of a registration prohibits the bullion coin dealer or coin dealer representatives from making a new application for a registration for at least two years from the effective date of the revocation.

Sec. 4. [80G.04] CRIMINAL CONVICTIONS AND FALSE CERTIFICATIONS.

Subdivision 1. Registration precluded. The commissioner must deny an application for registration or renewal of a coin dealer representative or a bullion coin dealer, or revoke such registration if the coin dealer representative, the bullion coin dealer, or its owners or officers have:

(1) within the last ten years been convicted in any court of any financial crime or other crime involving fraud, theft, dishonesty, or moral turpitude;

(2) been unable to truthfully certify that they have no civil judgments or government agency orders, including but not limited to, conciliation court or equivalent judgments against them for violation of consumer protection or unfair trade practices laws or failure to account to a customer for money or property received from the customer; or

(3) been unable to truthfully certify that they have not entered into a settlement or other agreement with any person or with any government entity resolving concerns by the person or government entity that they had violated consumer protection or unfair trade practices laws.

Sec. 5. [80G.05] SCREENING.

Subdivision 1. Screening process required. Each bullion coin dealer must establish procedures to screen each of its owners and officers and each of its coin dealer representatives prior to submitting the application to the commissioner for initial registration and at each renewal. The results of such screenings shall be provided to the commissioner as part of the initial registration and all renewal registrations if requested by the commissioner.

Subd. 2. Initial screening. The screening process for initial registration must be done no more than 60 days before the submission of an application for registration. The process must include a national criminal history record search, a judgment search, and a county criminal history search for all counties where the owner, officer, or coin dealer representative has resided within the immediately preceding ten years. Each bullion coin dealer shall use a vendor that is a member of the National Association of Professional Background Screeners, or an equivalent vendor, to conduct the background screening process on its owners, officers, and coin dealer representatives.

Subd. 3. Renewal screening. The screening process for the renewal of a registration must include a national criminal history record search, a judgment search, and county criminal history search for all counties where the owner, officer, or coin dealer representative has resided since satisfactorily completing the last screening process conducted pursuant to this section. Screening for renewal of the owner, officer, and coin dealer representative registrations must take place no more than 60 days before the submission of an application for renewal of a registration.

Sec. 6. **[80G.06] SURETY BOND.**

Subdivision 1. **Surety bond requirement.** Every bullion coin dealer shall maintain a current, valid surety bond issued by a surety company admitted to do business in Minnesota in an amount no less than the transactions (purchases from and sales to consumers at retail) during the 12-month period prior to registration, or renewal, whichever is applicable. In no event shall the surety bond required under this subdivision be more than \$200,000.

Subd. 2. **Action on bond permitted.** A consumer injured in money or property by a bullion coin dealer's or coin dealer representative's failure to provide bullion coins that the consumer has paid for or failure to remit money or goods owed to the consumer in connection with the consumer's sale of bullion coins may file a claim with the surety and if the claim is not paid, is authorized to bring an action based on the bond and recover against the surety. The commissioner or attorney general may also file a claim and bring an action on the bond and recover against the surety on behalf of a consumer so injured.

Sec. 7. **[80G.07] PROHIBITED CONDUCT.**

Subdivision 1. **Sales practices.** No bullion coin dealer or coin dealer representative shall:

(1) prior to a transaction regarding bullion coins, fail to provide to the consumer in writing, in a clear and conspicuous manner, the sale or purchase price and the precious metal content of the bullion coins involved in the transaction. The written notice shall also include the bullion coin dealer's registration identification information issued by the commissioner, and the Department of Commerce's e-mail address and telephone number. A copy of the written notice shall be provided to the consumer and a copy retained by the bullion coin dealer;

(2) fail to deliver bullion coins to a consumer within the time agreed upon with the consumer or, if no such agreement exists, within 30 days after the consumer has paid for the coins;

(3) fail to pay a consumer for purchased bullion coins within the time agreed upon with the consumer or, if no such agreement exists, within 30 days after the consumer has provided the coins;

(4) fail to provide a written invoice at the time of the transaction specifically identifying and describing the bullion coins involved in the transaction, the quantity of bullion coins involved in the transaction, and the bullion coins' sale or purchase price and precious metal content. The written invoice shall include the bullion coin dealer registration identification information issued by the commissioner, and the Department of Commerce's e-mail address and telephone number. A copy of the transaction documentation shall be provided to the consumer and a copy retained by the bullion coin dealer;

(5) misrepresent the value of the bullion coins, the delivery date of bullion coins or payment for bullion coins, or the dealer or representative's professional qualifications, affiliations, or registration;

(6) misrepresent the manner in which any bullion coins a consumer provides will be stored or otherwise handled once received;

(7) renegotiate the terms of a sale or purchase after receiving a consumer's payment or bullion coins without first obtaining the consumer's agreement to renegotiate and offering the consumer the option to have the payment fully refunded or the entirety of the bullion coins returned;

(8) fail to respond within three business days to a consumer inquiry about the delivery status of bullion coins that the consumer has paid for but not yet received or the status of a payment for bullion coins that the consumer has already provided;

(9) telephone or solicit a consumer, or sell or provide the consumer's name to any other bullion coin dealer or coin dealer representative after the consumer requests to be contacted;

(10) violate a subpoena or order of the commissioner or a court;

(11) make any communication to a potential buyer or seller of bullion coins that gives the impression that the bullion coin dealer or coin dealer representative is acting on behalf of a government agency;

(12) improperly withhold, misappropriate, or convert any money or properties received in the course of buying, selling, soliciting, or marketing bullion coins or investments in bullion coins to consumers;

(13) misrepresent the terms of an actual or proposed purchase or sale of bullion coins or investment in bullion coins to a consumer; or

(14) violate any other federal, state, or local law or rule related to selling, purchasing, soliciting, or marketing of bullion coin, investments in bullion coin, or precious metals, or any federal, state, or local law related to fraudulent, coercive, or dishonest practices, or federal, state, or local law related to taxation or labor standards.

Subd. 2. **Application.** From August 1, 2013, to June 30, 2014, this section shall apply to any bullion coin dealer and its coin dealer representatives if the bullion coin dealer is engaged in a bullion coin transaction or transactions with consumers which exceed \$5,000 in the aggregate, as determined by the transaction sale prices, during the 12-month period prior to August 1, 2013. On or after July 1, 2014, this section shall apply to any bullion coin dealer and its coin dealer representatives which is or should be registered in accordance with the provisions of this chapter.

Sec. 8. **[80G.08] CONSUMER FRAUD.**

A violation of this chapter is a violation of section 325F.69, subdivision 1. The provisions of section 8.31 apply to this chapter.

Sec. 9. **[80G.09] CRIMINAL VIOLATION.**

A person who conducts business as a bullion coin dealer or as a coin dealer representative without having first registered with the commissioner, or who carries on such business after the revocation, suspension, or expiration of a registration, or who violates section 80G.07, subdivision 1, clause (2) or (3), is guilty of a misdemeanor.

Sec. 10. **[80G.10] OTHER ACTION; LOCAL AUTHORITY.**

Nothing in this chapter precludes an action under chapter 80A or preempts local government authority under section 325F.742.

Sec. 11. **[80G.11] INVESTIGATIONS AND ENFORCEMENT.**

In addition to authority granted under this chapter, the commissioner has all the authority provided under section 45.027 to ensure compliance with this chapter, including, but not limited to, the authority to issue an order to deny, suspend, or revoke the registration of any bullion coin dealer or coin dealer representative, or impose civil penalties for any violation of this chapter, section 45.027, or any other Minnesota law.

Sec. 12. **EFFECTIVE DATE.**

This act shall be effective August 1, 2013."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy.

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 290, A bill for an act relating to state government; modifying false claims provisions; amending Minnesota Statutes 2012, sections 15C.01; 15C.02; 15C.05; 15C.08; 15C.12; 15C.13; proposing coding for new law in Minnesota Statutes, chapter 15C; repealing Minnesota Statutes 2012, section 15C.14.

Reported the same back with the following amendments:

Page 4, line 6, after "(b)" insert "Notwithstanding paragraph (a),"

Page 6, lines 1, 3, 9, and 10, after "action" insert "or claim"

Page 6, line 19, after the comma, insert "the court, without limiting the status and rights of the person initiating the action, may nevertheless permit"

Page 6, line 20, strike "may" and insert "to" and strike "subsequently" and insert "at a later date" and before "good" insert "a showing of"

Page 6, line 21, strike "shown"

Page 6, line 25, delete the new language

Page 6, line 26, delete "or rights," and after the period, insert:

"(d)"

Page 6, line 27, after the comma, insert "either at the outset or subsequently,"

Page 7, line 1, strike "(d)" and insert "(e)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 291, A bill for an act relating to assisted reproduction; modifying certain provisions related to determinations of paternity and maternity; amending Minnesota Statutes 2012, sections 257.54; 257.541, subdivision 1; 257.55, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Atkins from the Committee on Commerce and Consumer Protection Finance and Policy to which was referred:

H. F. No. 389, A bill for an act relating to public safety; 911 telephone service; providing for collection of 911 fees from prepaid wireless telecommunications services and prepaid wireless E911 services; amending Minnesota Statutes 2012, sections 237.52, subdivision 3, by adding a subdivision; 270B.01, subdivision 8; 270B.12, subdivision 4; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 403.

Reported the same back with the following amendments:

Page 1, after line 25, insert:

"Sec. 3. **[237.88] BROADBAND DEVELOPMENT ACCOUNT.**

Subdivision 1. **Establishment.** A broadband development account is established as a separate account in the special revenue fund in the state treasury. The commissioner of management and budget shall credit to the account credits and transfers to the account made by the commissioner of public safety of revenues collected from the surcharge imposed under section 403.161, subdivision 8. Any earnings arising from account assets must be credited to the account. Funds remaining in the account at the end of the fiscal year do not cancel to the general fund, but remain in the account. The commissioner of commerce shall manage the account.

Subd. 2. **Purpose.** The purpose of the account is to fund the broadband development grant program under section 237.89 to provide financial assistance to broadband providers to help achieve the state's broadband goals under section 237.012 with respect to access and speed.

Sec. 4. **[237.89] BROADBAND DEVELOPMENT GRANT PROGRAM.**

Subdivision 1. **Establishment; purpose.** A broadband development grant program is established in the Office of Broadband Development. The purpose of the account is to establish a grant program to provide financial assistance to broadband providers to help achieve the state's broadband goals under section 237.012, with respect to access and speed. The commissioner of commerce shall administer the program.

Subd. 2. **Program requirements.** (a) The broadband development grant program must only award grants to:

(1) a provider of retail broadband services;

(2) support the capital cost of equipment and facilities used to provide broadband Internet access;

(3) extend a broadband service provider's network to an area that has no broadband access from any broadband service provider or whose service is below the level of the state broadband goals in section 237.012, subdivision 1;

(4) support a level of broadband service that meets or exceeds the minimum upload and download speeds enumerated in the state broadband goals in section 237.012, subdivision 1; and

(5) projects for which state funds are necessary in order to provide broadband service to unserved and underserved areas.

(b) For the purposes of this section:

(1) "unserved" means areas of the state without access to broadband services; and

(2) "underserved" means areas of the state in which the average broadband speed is below that of the state's broadband speed goals enumerated in section 237.012, subdivision 1.

Subd. 3. **Application.** An applicant must file an application for a grant under this section with the commissioner of commerce, on a form prescribed by the commissioner. The application must contain evidence that the proposed use of grant funds meets all the requirements of subdivision 2, and any other information requested by the commissioner of commerce.

Subd. 4. **Limitations.** No grant award may be made under this section in excess of \$.....

Subd. 5. **Geographic balance.** The commissioner of commerce shall endeavor to equally distribute grant awards under this section to provide broadband service to unserved and underserved areas located in all parts of the state, as determined by the Office of Broadband Development.

Subd. 6. **Allocation of funds.** (a) If federal funding of at least \$150,000 annually is not awarded to a contractor to continue efforts to collect and verify data from broadband providers, broadband users, and citizens without broadband service that is used to map the level of broadband service and service gaps in this state at a detailed geographic level, prior to awarding any competitive grant to broadband providers under this section, the commissioner of commerce must award a grant to a contractor to perform those data collection and mapping activities in an amount that is sufficient to ensure that the contractor has \$150,000 annually to complete those tasks.

(b) After any award made under paragraph (a), the funds remaining in the broadband development account must be allocated as follows:

(1) at least 25 percent of remaining funds must be used to expand broadband service on a wireless platform to areas of Minnesota in which wireless broadband service is unavailable; and

(2) during the first two years of the grant program, grants may only be awarded to establish or upgrade broadband service in unserved areas and areas in which average download speeds are below three megabits per second and average upload speeds are below 768 kilobits per second."

Page 2, lines 25 and 26, delete "telephone" and insert "telecommunications"

Page 5, line 19, delete "data" and insert "information"

Page 6, line 9, before the period, insert "; SURCHARGE"

Page 6, lines 12 and 16, delete "6" and insert "7"

Page 7, after line 18, insert:

"Subd. 8. **Surcharge.** Beginning July 1, 2013, a surcharge of four cents per retail transaction is added to the fee imposed under this section. The surcharge must be assessed and collected in the same manner as the fee imposed under this section, but section 403.162, subdivisions 2 and 5, paragraph (b), do not apply to the surcharge. The commissioner must deposit receipts of the surcharge in the state treasury and credit them to the broadband development account in the special revenue fund established under section 237.88."

Page 7, delete lines 29 and 30 and insert:

"Subd. 3. **Department of Revenue provisions.** The audit, assessment, appeal, collection, refund, penalty, interest, enforcement, and administrative provisions of chapters 270C and 289A that are applicable to the taxes imposed by chapter 297A apply to any fee imposed under section 403.161."

Page 9, after line 16, insert:

"Sec. 19. **APPROPRIATION.**

\$...... is annually appropriated from the broadband development account established under Minnesota Statutes, section 237.88, to the commissioner of commerce for the purposes of Minnesota Statutes, section 237.89."

Page 9, line 18, delete "10 and 16" and insert "3, 12, 18, and 19" and delete "1 to 9"

Page 9, line 19, delete "and 11 to 15" and insert "1, 2, 4 to 11, and 13 to 17"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "establishing a broadband development grant program; appropriating money;"

Correct the title numbers accordingly

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

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 450, A bill for an act relating to civil actions; modifying the limitations of actions for damages based on services or construction to improve real property; amending Minnesota Statutes 2012, section 541.051.

Reported the same back with the following amendments:

Page 2, line 1, delete "shall such a cause of" and insert "may an"

Page 2, line 33, delete "but" and insert "provided that"

Page 2, after line 35, insert:

"EFFECTIVE DATE. This section is effective August 1, 2013, and applies to actions commenced on or after that date."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 458, A bill for an act relating to public health; banning formaldehyde in certain children's products; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 1, line 13, before the period, insert ", as amended through February 15, 2013"

Page 1, line 16, after "may" insert "knowingly"

Page 2, line 3, after "chemical" insert "known to the manufacturer to have been"

Page 2, delete line 12 and insert:

"EFFECTIVE DATE. This section is effective August 1, 2013, and applies to crimes committed on or after that date."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy.

The report was adopted.

Hilstrom from the Committee on Judiciary Finance and Policy to which was referred:

H. F. No. 459, A bill for an act relating to children's health; prohibiting sale of children's food containers containing bisphenol-A; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 1, lines 8 and 10, after "may" insert "knowingly"

Page 1, line 22, after the first "chemical" insert "known to the manufacturer to have been"

Page 2, delete line 1 and insert:

"EFFECTIVE DATE. This section is effective August 1, 2013, and applies to crimes committed on or after that date."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy.

The report was adopted.

Clark from the Committee on Housing Finance and Policy to which was referred:

H. F. No. 485, A bill for an act relating to sexually exploited youth; establishing a director of child sex trafficking prevention; modifying provisions relating to sexually exploited youth; establishing and amending grant programs relating to combatting sexual exploitation of youth; providing related services and housing to victims; appropriating money; amending Minnesota Statutes 2012, sections 260B.007, subdivisions 6, 16; 260C.007, subdivisions 6, 31; 260C.176, subdivisions 1, 3, 5; 260C.178, subdivision 1; 260C.181, subdivision 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2012, section 609.093.

Reported the same back with the following amendments:

Page 7, delete article 3

Renumber the articles in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

Johnson, S., from the Committee on Labor, Workplace and Regulated Industries to which was referred:

H. F. No. 572, A bill for an act relating to labor and industry; allowing the commissioner of labor and industry to issue compliance orders for violations of misrepresentations of employment relationships; amending Minnesota Statutes 2012, section 177.27, subdivision 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance and Policy.

The report was adopted.

Atkins from the Committee on Commerce and Consumer Protection Finance and Policy to which was referred:

H. F. No. 573, A bill for an act relating to insurance; regulating the public employees insurance program; requiring participation by certain school employers; amending Minnesota Statutes 2012, section 43A.316, subdivisions 2, 4, 5, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 32, delete "four" and insert "seven"

Page 2, line 33, delete everything after "Association"

Page 2, delete line 34

Page 2, line 35, delete everything before the period

Page 3, line 3, delete ", Local"

Page 3, line 4, delete "Council 5"

Page 5, after line 33, insert:

"Sec. 6. Minnesota Statutes 2012, section 43A.316, is amended by adding a subdivision to read:

Subd. 13. **Startup funding; administration of ongoing revenues and expenses.** (a) The commissioner of management and budget shall use funds available in the insurance trust fund under subdivision 9 in the form of temporary funding to pay for the administrative startup costs and reserves necessary under this act. In addition to the amounts of temporary funding, the commissioner shall determine the amount of interest lost to the insurance trust fund as a result of the temporary funding.

(b) The commissioner of management and budget shall impose an enrollment fee upon the premium charged for the first three months of coverage under the school employee insurance program created in this act sufficient to repay to the insurance trust fund the loans provided to cover the startup costs incurred by the commissioner under paragraph (a), plus foregone interest to the insurance trust fund, as determined under paragraph (a). The commissioner shall deposit the enrollment fees in the insurance trust fund.

(c) All costs incurred and revenue received by the commissioner of management and budget under this act in addition to those dealt with in paragraphs (a) and (b), shall on an ongoing basis be deposited into and paid out of the insurance trust fund."

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Johnson, S., from the Committee on Labor, Workplace and Regulated Industries to which was referred:

H. F. No. 602, A bill for an act relating to unemployment insurance; modifying eligibility for additional benefits; amending Minnesota Statutes 2012, sections 268.125, subdivisions 1, 3, 4, 5, by adding a subdivision; 268.184, subdivision 1.

Reported the same back with the following amendments:

Page 4, after line 32, insert:

"Sec. 7. **PUBLIC SUBSIDIES FOR ORGANIZATIONS ENGAGED IN EMPLOYEE LOCKOUTS; PENALTIES.**

Subdivision 1. Definitions. (a) The terms defined in this section have the meanings given.

(b) "Lockout" has the meaning given under Minnesota Statutes, section 179.01, subdivision 9.

(c) "Local government agency" includes a statutory or home rule charter city, housing and redevelopment authority, town, county, port authority, economic development authority, community development agency, nonprofit entity created by a local government agency, or any other entity created by or authorized by a local government with authority to provide public subsidies.

(d) "Organization" means any nonprofit or for-profit business entity that receives a public subsidy.

(e) "Public subsidy" means a state or local government agency grant, contribution of personal property, real property, infrastructure, the principal amount of a loan at rates below those commercially available to the recipient, any reduction or deferral of any tax or any fee, any guarantee of any payment under any loan, lease, or other obligation, or any preferential use of government facilities given to an organization. To qualify as a public subsidy, the value must be \$150,000 or greater.

Subd. 2. Subsidies prohibited during a lockout. An organization that institutes, causes, or declares a lockout may be issued a penalty under subdivision 4 by the state or local government agency that provided the public subsidy.

Subd. 3. Market analysis. In the event of a lockout, the state or local government agency shall contact the Minnesota State Board of Investment and request a valuation of the public subsidy that was given to the organization. The board shall perform a market analysis to determine the value of the public subsidy to the organization for the period of time the organization is engaged in a lockout.

Subd. 4. Penalty. The state or local government agency is authorized to impose a penalty on the organization equal to the value of the public subsidy determined by the board under subdivision 3."

Amend the title as follows:

Page 1, line 2, after "benefits;" insert "providing penalties for organizations involved in lockouts;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance and Policy.

The report was adopted.

Mullery from the Committee on Early Childhood and Youth Development Policy to which was referred:

H. F. No. 631, A bill for an act relating to higher education; requiring the Board of Trustees of the Minnesota State Colleges and Universities and the commissioner of human services to convene a summit related to mental health and workforce development issues; requiring a report to the legislature.

Reported the same back with the following amendments:

Page 1, lines 12 and 13, delete "children's"

Page 1, line 15, delete "working in"

Page 1, line 16, delete everything before the semicolon

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

The report was adopted.

Liebling from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 662, A bill for an act relating to health; requiring radon education disclosure for residential real property; changing provisions for tuberculosis standards; changing adverse health events reporting requirements; modifying a poison control provision; providing liability coverage for certain volunteer medical personnel and permitting agreements to conduct criminal background studies; defining occupational therapy practitioners; changing provisions for occupational therapy; amending prescribing authority for legend drugs; amending Minnesota Statutes 2012, sections 144.50, by adding a subdivision; 144.55, subdivision 3; 144.56, by adding a subdivision; 144.7065, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 144A.04, by adding a subdivision; 144A.45, by adding a subdivision; 144A.752, by adding a subdivision; 144D.08; 145.93, subdivision 3; 145A.04, by adding a subdivision; 145A.06, subdivision 7; 148.6402, by adding a subdivision; 148.6440; 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; 145A; repealing Minnesota Statutes 2012, section 146B.03, subdivision 10; Minnesota Rules, parts 4655.3000, subparts 2, 3, 4; 4658.0810, subparts 1, 2; 4658.0815, subparts 1, 2, 3, 4; 4664.0290, subparts 1, 2, 3, 4; 4668.0065, subparts 1, 2.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Section 1. Minnesota Statutes 2012, section 144.1501, subdivision 4, is amended to read:

Subd. 4. **Loan forgiveness.** The commissioner of health may select applicants each year for participation in the loan forgiveness program, within the limits of available funding. The commissioner shall distribute available funds for loan forgiveness proportionally among the eligible professions according to the vacancy rate for each profession in the required geographic area, facility type, teaching area, patient group, or specialty type specified in subdivision 2. The commissioner shall allocate funds for physician loan forgiveness so that 75 percent of the funds available are used for rural physician loan forgiveness and 25 percent of the funds available are used for underserved urban communities and pediatric psychiatry loan forgiveness. If the commissioner does not receive enough qualified applicants each year to use the entire allocation of funds for any eligible profession, the remaining funds may be allocated proportionally among the other eligible professions according to the vacancy rate for each profession in the

required geographic area, patient group, or facility type specified in subdivision 2. Applicants are responsible for securing their own qualified educational loans. The commissioner shall select participants based on their suitability for practice serving the required geographic area or facility type specified in subdivision 2, as indicated by experience or training. The commissioner shall give preference to applicants closest to completing their training. For each year that a participant meets the service obligation required under subdivision 3, up to a maximum of four years, the commissioner shall make annual disbursements directly to the participant equivalent to 15 percent of the average educational debt for indebted graduates in their profession in the year closest to the applicant's selection for which information is available, not to exceed the balance of the participant's qualifying educational loans. Before receiving loan repayment disbursements and as requested, the participant must complete and return to the commissioner ~~an affidavit~~ a confirmation of practice form provided by the commissioner verifying that the participant is practicing as required under subdivisions 2 and 3. The participant must provide the commissioner with verification that the full amount of loan repayment disbursement received by the participant has been applied toward the designated loans. After each disbursement, verification must be received by the commissioner and approved before the next loan repayment disbursement is made. Participants who move their practice remain eligible for loan repayment as long as they practice as required under subdivision 2."

Page 16, line 6, reinstate the stricken "a" and delete "an occupational therapy" and strike "practitioner" and insert "licensed occupational therapist"

Page 22, delete section 23 and insert:

"Sec. 24. **REPEALER.**

Minnesota Statutes 2012, sections 144.1487; 144.1488, subdivisions 1, 3, and 4; 144.1489; 144.1490; and 144.1491, are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "modifying a provision in the health professional education loan forgiveness program;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary Finance and Policy.

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 664, A bill for an act relating to campaign finance; making various changes to campaign finance and public disclosure law; expanding definition of public official; amending Minnesota Statutes 2012, sections 10A.01, subdivision 35; 10A.025, subdivision 4; 10A.04, subdivision 5; 10A.15, subdivision 1; 10A.16; 10A.20, subdivisions 4, 12; 10A.242, subdivision 1; 10A.27, subdivision 9; 10A.273, subdivisions 1, 4; 10A.30; 10A.31, subdivisions 1, 4, 7; 10A.315; 10A.321, subdivision 1; 10A.322, subdivision 4; 10A.324, subdivision 1; 211B.37.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Johnson, S., from the Committee on Labor, Workplace and Regulated Industries to which was referred:

H. F. No. 690, A bill for an act relating to employment; limiting reliance on criminal history for employment purposes; providing for remedies; amending Minnesota Statutes 2012, sections 181.981, subdivision 1; 364.021; 364.06; 364.09; 364.10.

Reported the same back with the following amendments:

Page 2, delete subdivision 2 and insert:

"Subd. 2. **Private employers.** (a) The commissioner of human rights shall investigate violations of section 364.021 by a private employer. If the commissioner finds that a violation has occurred, the commissioner may impose penalties as provided in paragraphs (b) and (c).

(b) For violations that occur prior to January 1, 2015, the penalties are as follows:

(1) for the first violation, the commissioner shall issue a written warning to the employer that includes notice regarding penalties for subsequent violations;

(2) if a first violation is not remedied within 30 days of the issuance of a warning under clause (1) the commissioner may impose a \$500 fine; and

(3) any subsequent violations prior to January 1, 2015, are subject to a fine of \$500 per violation, not to exceed \$500 in a calendar month.

(c) For violations that occur after December 31, 2014, the penalties are as follows:

(1) for employers that employ fewer than 21 persons at at least one site, the penalty is \$500 for each violation, not to exceed \$500 in a calendar month; and

(2) for employers that employ at least 21 persons at at least one site, the penalty is \$500 for each violation, not to exceed \$2,000 in a calendar month."

Page 3, after line 22, insert:

"Sec. 6. **EFFECTIVE DATE.**

This act is effective January 1, 2014."

Amend the title as follows:

Page 1, line 3, after "remedies;" insert "imposing penalties;"

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

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 708, A bill for an act relating to transportation; amending local option taxes for transportation; broadening authority for county wheelage tax; making technical changes; amending Minnesota Statutes 2012, section 163.051.

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

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 709, A bill for an act relating to transportation; amending local option taxes for transportation; broadening authority for county wheelage tax; amending authority for greater Minnesota transportation sales tax; making technical changes; amending Minnesota Statutes 2012, sections 163.051; 297A.993, subdivision 1.

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

A roll call was requested and properly seconded on the adoption of the report from the Committee on Transportation Policy relating to H. F. No. 709.

The question was taken on the adoption of the report from the Committee on Transportation Policy relating to H. F. No. 709 and the roll was called. There were 71 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Lillie	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Loeffler	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mahoney	Newton	Simon
Benson, J.	Falk	Isaacson	Mariani	Norton	Simonson
Bernardy	Faust	Johnson, C.	Marquart	Paymar	Sundin
Bly	Fischer	Johnson, S.	Masin	Pelowski	Wagenius
Brynaert	Freiberg	Kahn	McNamar	Persell	Ward, J.A.
Carlson	Fritz	Laine	Melin	Poppe	Ward, J.E.
Clark	Halverson	Lenczewski	Moran	Radinovich	Winkler
Davnie	Hansen	Lesch	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Liebling	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lien	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Daudt	FitzSimmons	Hamilton	Kieffer	McDonald
Albright	Dauids	Franson	Hertaus	Kiel	McNamara
Anderson, M.	Dean, M.	Garofalo	Holberg	Kresha	Myhra
Anderson, P.	Dettmer	Green	Hoppe	Leidiger	Newberger
Anderson, S.	Drazkowski	Gruenhagen	Howe	Lohmer	Nornes
Barrett	Erickson, S.	Gunther	Johnson, B.	Loon	O'Driscoll
Benson, M.	Fabian	Hackbarth	Kelly	Mack	O'Neill

Peppin
Petersburg
Pugh

Quam
Runbeck
Sanders

Schomacker
Scott
Swedzinski

Theis
Torkelson
Uglen

Urdahl
Wills
Woodard

Zellers
Zerwas

The motion prevailed and the report from the Committee on Transportation Policy relating to H. F. No. 709 was adopted.

Liebling from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 739, A bill for an act relating to human services; modifying provisions related to children and family services; changing data practices provisions; changing provisions related to contractual agreements with tribes, child care programs, community action agencies, the Minnesota family investment program, general assistance, group residential housing, and reporting maltreatment; amending Minnesota Statutes 2012, sections 13.46, subdivision 2; 119B.02, subdivision 2; 119B.09, subdivisions 6, 13; 256D.05, by adding a subdivision; 256D.405, subdivision 1; 256E.30, by adding a subdivision; 256I.04, subdivision 1a; 256J.09, subdivision 3; 256J.20, subdivision 3; 256J.21, subdivision 2; 256J.24, subdivision 3; 256J.30, subdivisions 4, 12; 256J.32, subdivisions 6, 8; 256J.38, subdivision 6; 256J.49, subdivision 13; 256J.521, subdivisions 1, 2; 256J.53, subdivisions 2, 5; 256J.621; 256J.626, subdivisions 5, 6, 7, 8; 256J.67; 256J.68, subdivisions 1, 2, 4, 7, 8; 256J.751, subdivision 2; 256K.26, subdivision 4; 260C.503, subdivision 2; 260C.615; 626.556, subdivisions 2, 7, 11c; 626.5561, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 260D.

Reported the same back with the following amendments:

Page 33, after line 14, insert:

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

Page 34, after line 27, insert:

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

Page 40, after line 31, insert:

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

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

The report was adopted.

Dill from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 740, A bill for an act relating to state lands; modifying landowners' bill of rights; modifying land acquisition account; adding to and deleting from state parks and forests; authorizing certain exchanges and sales of state lands; amending Minnesota Statutes 2012, sections 84.0274, subdivision 6; 94.165.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 84.0274, subdivision 6, is amended to read:

Subd. 6. **State's responsibilities.** When the state proposes to purchase land for natural resources purposes, the commissioner of natural resources and, where applicable, the commissioner of administration shall have the following responsibilities:

(a) The responsibility to deal fairly and openly with the landowner in the purchase of property;

(b) The responsibility to refrain from discussing price with the landowner before an appraisal has been made. In addition, the same person shall not both appraise and negotiate for purchase of a tract of land. This paragraph does not apply to the state when discussing with a landowner the trout stream easement payment determined under section 84.0272, subdivision 2, the native prairie bank easement payment determined under section 84.96, subdivision 5, or the Camp Ripley's Army compatible use buffer easement payment determined under section 84.0277, subdivision 2;

(c) The responsibility to use private fee appraisers to lower the state's acquisition costs to the greatest extent practicable; and

(d) The responsibility to acquire land in as expeditious a manner as possible. No option shall be made for a period of greater than two months if no survey is required or for nine months if a survey is required, unless the landowner, in writing, expressly requests a longer period of time. Provided that, if county board approval of the transaction is required pursuant to section 97A.145, no time limits shall apply. If the state elects not to purchase property upon which it has an option, it shall pay the landowner \$500 after the expiration of the option period. If the state elects to purchase the property, unless the landowner elects otherwise, payment to the landowner shall be made no later than 90 days following the state's election to purchase the property provided that the title is marketable and the owner acts expeditiously to complete the transaction.

Sec. 2. Minnesota Statutes 2012, section 89.41, is amended to read:

89.41 EDUCATIONAL UNITS MAY ESTABLISH AND MAINTAIN SCHOOL FORESTS.

Subdivision 1. **Establishment and maintenance of school forests.** Any school district in the state, however organized, the University of Minnesota, or any branch thereof, any state university, community college, or other public educational institution or agency of the state, all herein referred to as agencies, may establish and maintain school forests ~~as herein provided according to this section,~~ subject to the approval of the commissioner of natural resources. ~~Any such agency may use for the purpose of such a forest any land belonging to it, or may acquire land therefor by gift or with contributed funds. For the purpose of a school forest, an agency may use land the agency owns or uses under an agreement or may acquire land by gift or with contributed funds.~~

Subd. 2. **Conveyance of tax-forfeited land for school forest use.** For the purposes of ~~such forest~~ school forests established under this section, any tax-forfeited lands may be sold by the county board to ~~any such an~~ agency or may be conveyed by the commissioner of revenue to ~~any such an~~ agency in like manner as provided for the sale or conveyance of ~~such tax-forfeited~~ lands to governmental subdivisions under section 282.01 ~~and amendments thereof.~~ A conveyance under this subdivision is made without monetary compensation or consideration for the conveyance, but the conveyance is subject to the conditional use and reversion provisions under section 282.01, subdivisions 1c and 1d, paragraph (e).

Subd. 3. **Monitoring and reporting.** The commissioner shall annually monitor tax-forfeited lands conveyed according to subdivision 2 to determine whether the lands continue to be used as school forests. The commissioner shall submit an annual monitoring report to the commissioner of revenue that identifies any lands no longer used as school forests.

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

Sec. 3. Minnesota Statutes 2012, section 94.165, is amended to read:

94.165 LAND ACQUISITION ACCOUNT.

Subdivision 1. Creation of account. There is created in the state treasury a land acquisition account.

Subd. 2. Appropriation. Money in the account is appropriated to the commissioner of natural resources for:

(1) the acquisition of natural resource lands or interests in lands within the outdoor recreation system established in chapter 86A;

(2) payment of expenses incurred by the commissioner in rendering saleable any state-owned property administered by the commissioner; and

(3) payment of expenses incurred by the commissioner in exchanging any state-owned property administered by the commissioner.

Subd. 3. Report. The commissioner must file a report to the house of representatives Ways and Means and the senate Finance committees and the Environment and Natural Resources committees of the senate and house of representatives by October 1 of each year indicating all purchases and sales from this account.

Sec. 4. Minnesota Statutes 2012, section 282.01, subdivision 1a, is amended to read:

Subd. 1a. Conveyance to public entities. (a) Upon written request from a state agency or a governmental subdivision of the state, a parcel of unsold tax-forfeited land must be withheld from sale or lease to others for a maximum of six months. The request must be submitted to the county auditor. Upon receipt, the county auditor must withhold the parcel from sale or lease to any other party for six months, and must confirm the starting date of the six-month withholding period to the requesting agency or subdivision. If the request is from a governmental subdivision of the state, the governmental subdivision must pay the maintenance costs incurred by the county during the period the parcel is withheld. The county board may approve a sale or conveyance to the requesting party during the withholding period. A conveyance of the property to the requesting party terminates the withholding period.

A governmental subdivision of the state must not make, and a county auditor must not act upon, a second request to withhold a parcel from sale or lease within 18 months of a previous request for that parcel. A county may reject a request made under this paragraph if the request is made more than 30 days after the county has given notice to the requesting state agency or governmental subdivision of the state that the county intends to sell or otherwise dispose of the property.

(b) Nonconservation tax-forfeited lands may be sold by the county board, for their market value as determined by the county board, to an organized or incorporated governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property. When the term "market value" is used in this section, it means an estimate of the full and actual market value of the parcel as determined by the county board, but in making this determination, the board and the persons employed by or under contract with the board in order to perform, conduct, or assist in the determination, are exempt from the licensure requirements of chapter 82B.

(c) Nonconservation tax-forfeited lands may be released from the trust in favor of the taxing districts on application to the county board by a state agency for an authorized use at not less than their market value as determined by the county board.

(d) Nonconservation tax-forfeited lands may be sold by the county board to an organized or incorporated governmental subdivision of the state or state agency for less than their market value if:

(1) the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market, or the reduced price will lead to the development of affordable housing; and

(2) the governmental subdivision or state agency has documented its specific plans for correcting the blighted conditions or developing affordable housing, and the specific law or laws that empower it to acquire real property in furtherance of the plans.

If the sale under this paragraph is to a governmental subdivision of the state, the commissioner of revenue must convey the property on behalf of the state by quit claim deed. If the sale under this paragraph is to a state agency, the commissioner must issue a conveyance document that releases the property from the trust in favor of the taxing districts.

(e) Nonconservation tax-forfeited land held in trust in favor of the taxing districts may be conveyed by the commissioner of revenue in the name of the state to a governmental subdivision for an authorized public use, if an application is submitted to the commissioner which includes a statement of facts as to the use to be made of the tract and the favorable recommendation of the county board. For the purposes of this paragraph, "authorized public use" means a use that allows an indefinite segment of the public to physically use and enjoy the property in numbers appropriate to its size and use, or is for a public service facility. Authorized public uses as defined in this paragraph are limited to:

(1) a road, or right-of-way for a road;

(2) a park that is both available to, and accessible by, the public that contains improvements such as campgrounds, playgrounds, athletic fields, trails, or shelters;

(3) trails for walking, bicycling, snowmobiling, or other recreational purposes, along with a reasonable amount of surrounding land maintained in its natural state;

(4) transit facilities for buses, light rail transit, commuter rail or passenger rail, including transit ways, park-and-ride lots, transit stations, maintenance and garage facilities, and other facilities related to a public transit system;

(5) public beaches or boat launches;

(6) public parking;

(7) civic recreation or conference facilities; and

(8) public service facilities such as fire halls, police stations, lift stations, water towers, sanitation facilities, water treatment facilities, and administrative offices.

No monetary compensation or consideration is required for the conveyance, except as provided in subdivision 1g, but the conveyance is subject to the conditions provided in law, including, but not limited to, the reversion provisions of subdivisions 1c and 1d.

(f) The commissioner of revenue shall convey a parcel of nonconservation tax-forfeited land to a local governmental subdivision of the state by quit claim deed on behalf of the state upon the favorable recommendation of the county board if the governmental subdivision has certified to the board that prior to forfeiture the subdivision was entitled to the parcel under a written development agreement or instrument, but the conveyance failed to occur prior to forfeiture. No compensation or consideration is required for, and no conditions attach to, the conveyance.

(g) The commissioner of revenue shall convey a parcel of nonconservation tax-forfeited land to the association of a common interest community by quit claim deed upon the favorable recommendation of the county board if the association certifies to the board that prior to forfeiture the association was entitled to the parcel under a written agreement, but the conveyance failed to occur prior to forfeiture. No compensation or consideration is required for, and no conditions attach to, the conveyance.

(h) Conservation tax-forfeited land may be sold to a governmental subdivision of the state for less than its market value for either: (1) creation or preservation of wetlands; (2) drainage or storage of storm water under a storm water management plan; or (3) preservation, or restoration and preservation, of the land in its natural state. The deed must contain a restrictive covenant limiting the use of the land to one of these purposes for 30 years or until the property is reconveyed back to the state in trust. At any time, the governmental subdivision may reconvey the property to the state in trust for the taxing districts. The deed of reconveyance is subject to approval by the commissioner of revenue. No part of a purchase price determined under this paragraph shall be refunded upon a reconveyance, but the amount paid for a conveyance under this paragraph may be taken into account by the county board when setting the terms of a future sale of the same property to the same governmental subdivision under paragraph (b) or (d). If the lands are unplatted and located outside of an incorporated municipality and the commissioner of natural resources determines there is a mineral use potential, the sale is subject to the approval of the commissioner of natural resources.

(i) A park and recreation board in a city of the first class is a governmental subdivision for the purposes of this section.

(j) Tax-forfeited land held in trust in favor of the taxing districts may be conveyed by the commissioner of revenue in the name of the state to a governmental subdivision for a school forest under section 89.41. An application that includes a statement of facts as to the use to be made of the tract and the favorable recommendation of the county board and the commissioner of natural resources must be submitted to the commissioner of revenue. No monetary compensation or consideration is required for the conveyance, but the conveyance is subject to the conditional use and reversion provisions of subdivisions 1c and 1d, paragraph (e). At any time, the governmental subdivision may reconvey the property back to the state in trust for the taxing districts. The deed of reconveyance is subject to approval by the commissioner of revenue.

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

Sec. 5. Minnesota Statutes 2012, section 282.01, subdivision 1d, is amended to read:

Subd. 1d. **Reverter for failure to use; conveyance to state.** (a) After three years from the date of any conveyance of tax-forfeited land to a governmental subdivision for an authorized public use as provided in this section, regardless of when the deed for the authorized public use was executed, if the governmental subdivision has failed to put the land to that use, or abandons that use, the governing body of the subdivision must: (1) with the approval of the county board, purchase the property for an authorized public purpose at the present market value as determined by the county board, or (2) authorize the proper officers to convey the land, or the part of the land not required for an authorized public use, to the state of Minnesota in trust for the taxing districts. If the governing body purchases the property under clause (1), the commissioner of revenue shall, upon proper application submitted by the county auditor, convey the property on behalf of the state by quit claim deed to the subdivision free of a use restriction and the possibility of reversion or defeasement. If the governing body decides to reconvey the property to the state under this clause, the officers shall execute a deed of conveyance immediately. The conveyance is subject to the approval of the commissioner and its form must be approved by the attorney general. For 15 years from the date of the conveyance, there is no failure to put the land to the authorized public use and no abandonment of that use if a formal plan of the governmental subdivision, including, but not limited to, a comprehensive plan or land use plan, shows an intended future use of the land for the authorized public use.

(b) Property held by a governmental subdivision of the state under a conditional use deed executed under this section by the commissioner of revenue on or after January 1, 2007, may be acquired by that governmental subdivision after 15 years from the date of the conveyance if the commissioner determines upon written application from the subdivision that the subdivision has in fact put the property to the authorized public use for which it was conveyed, and the subdivision has made a finding that it has no current plans to change the use of the lands. Prior to conveying the property, the commissioner shall inquire whether the county board where the land is located objects to a conveyance of the property to the subdivision without conditions and without further act by or obligation of the subdivision. If the county does not object within 60 days, and the commissioner makes a favorable determination, the commissioner shall issue a quit claim deed on behalf of the state unconditionally conveying the property to the governmental subdivision. For purposes of this paragraph, demonstration of an intended future use for the authorized public use in a formal plan of the governmental subdivision does not constitute use for that authorized public use.

(c) Property held by a governmental subdivision of the state under a conditional use deed executed under this section by the commissioner of revenue before January 1, 2007, is released from the use restriction and possibility of reversion on January 1, 2022, if the county board records a resolution describing the land and citing this paragraph. The county board may authorize the county treasurer to deduct the amount of the recording fees from future settlements of property taxes to the subdivision.

(d) Except for tax-forfeited land conveyed to establish a school forest under section 89.41, property conveyed under a conditional use deed executed under this section by the commissioner of revenue, regardless of when the deed for the authorized public use was executed, is released from the use restriction and reverter, and any use restriction or reverter for which no declaration of reversion has been recorded with the county recorder or registrar of titles, as appropriate, is nullified on the later of: (1) January 1, 2015; (2) 30 years from the date the deed was acknowledged; or (3) final resolution of an appeal to district court under subdivision 1e, if a lis pendens related to the appeal is recorded in the office of the county recorder or registrar of titles, as appropriate, prior to January 1, 2015.

(e) Notwithstanding paragraphs (a) to (d), tax-forfeited land conveyed to establish a school forest under section 89.41 is subject to a perpetual conditional use deed and reverter. The property reverts to the state in trust for the taxing districts by operation of law if the commissioner of natural resources determines and reports to the commissioner of revenue under section 89.41, subdivision 3, that the governmental subdivision has failed to use the land for school forest purposes for three consecutive years. The commissioner of revenue shall record a declaration of reversion for land that has reverted under this paragraph.

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

Sec. 6. **ADDITIONS TO STATE PARKS.**

Subdivision 1. [85.012][Subd. 16.] Flandrau State Park, Brown County. The following area is added to Flandrau State Park: West 130 feet by 272.25 feet of Lot B of Outlot 304, City of New Ulm.

Subd. 2. [85.012][Subd. 38a.] Lake Vermilion State Park, St. Louis County. The following areas are added to Lake Vermilion State Park:

(1) that part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, that lies southeasterly of Miettunen Plat Road and northeasterly of McKinley Park Road;

(2) that part of the Northwest Quarter of the Southwest Quarter of Section 28, Township 62, Range 15, that lies easterly of McKinley Park Road;

(3) Government Lot 7, Section 14, Township 62, Range 15;

(4) Government Lot 5, Section 23, Township 62, Range 15;

(5) those islands in Lake Vermilion located south of the westerly extension of the south line of Government Lot 6, west of the northerly extension of the east line of Government Lot 8, and east of the northerly extension of the west line of Government Lot 8, all in Section 13, Township 62, Range 15;

(6) that part of the Southeast Quarter of the Southwest Quarter of Section 26, Township 62, Range 15, that lies south of the south right-of-way line of State Highway 169; and

(7) the East 845 feet of the Southwest Quarter of the Southwest Quarter of Section 26, Township 62, Range 15, lying south of the south right-of-way line of State Highway 169.

Subd. 3. [85.012][Subd. 53.] Sibley State Park, Kandiyohi County. The following area is added to Sibley State Park: the Southeast Quarter of Section 12, Township 121, Range 35, except a square area of land containing two acres located in the southeast corner of the Northeast Quarter of the Southeast Quarter of Section 12, Township 121, Range 35.

Sec. 7. **DELETIONS FROM STATE PARKS.**

Subdivision 1. [85.012][Subd. 38a.] Lake Vermilion State Park, St. Louis County. The following areas are deleted from Lake Vermilion State Park:

(1) that part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, that lies southwesterly of McKinley Park Road; and

(2) that part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, that lies northwesterly of Miettunen Plat Road.

Subd. 2. [85.012][Subd. 59.] Whitewater State Park, Winona County. The following area is deleted from Whitewater State Park: that part of the Southeast Quarter of the Northwest Quarter of Section 21, Township 107, Range 10, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Northwest Quarter; thence on an assumed bearing of North 00 degrees 29 minutes 31 seconds West, along the east line of said Southeast Quarter of the Northwest Quarter, 1,146.55 feet to the point of beginning of the parcel to be described; thence continuing North 00 degrees 29 minutes 31 seconds West, along said east line, 254.93 feet to the northeast corner of said Southeast Quarter of the Northwest Quarter; thence South 88 degrees 26 minutes 03 seconds West, along the north line of said Southeast Quarter of the Northwest Quarter, 643.06 feet; thence South 18 degrees 36 minutes 33 seconds East, 31.00 feet; thence South 84 degrees 32 minutes 47 seconds East, 229.91 feet; thence South 65 degrees 23 minutes 08 seconds East, 446.86 feet, to the point of beginning.

Sec. 8. **ADDITION TO STATE FOREST.**

[89.021][Subd. 48a.] Snake River State Forest. The following area is added to the Snake River State Forest: Section 23, Township 42 North, Range 23 West.

Sec. 9. **CONVEYANCE OF TAX-FORFEITED LANDS; ANOKA COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 282.01, subdivision 1a, Anoka County shall convey to the Lino Lakes Economic Development Authority the tax-forfeited lands described in paragraph (d) according to this section.

(b) No monetary compensation or consideration is required for, and no conditions attach to, the conveyance except as provided in this paragraph. The deed for the lands described in paragraph (d) must contain a restrictive covenant providing that upon resale by the Lino Lakes Economic Development Authority of all or any portion of those parcels to a nongovernmental entity, the Lino Lakes Economic Development Authority shall pay to the county ten percent of the gross sale proceeds from the sale. "Gross sale proceeds" means the purchase price negotiated between the Lino Lakes Economic Development Authority and the buyer, excluding the amount of special assessments reinstated by the city of Lino Lakes and payable by the buyer upon or after closing and excluding any other closing costs payable by the buyer. Anoka County shall apply the proceeds received from the Lino Lakes Economic Development Authority according to Minnesota Statutes, section 282.08, clause (4). The restrictive covenant for any parcel expires 30 years after the date of the deed.

(c) The commissioner of revenue must release the tax-forfeited lands from the trust in favor of the taxing district and convey the property on behalf of the state by quit claim deed. The commissioner shall deliver the deeds for conveyance of the property described in paragraph (d) to Anoka County for recording no later than 90 days after the effective date of this act.

(d) The lands to be conveyed are located in Anoka County and are described as:

(1) parcel 17-31-22-11-0002;

(2) parcel 17-31-22-12-0051;

(3) parcel 17-31-22-12-0053;

(4) parcel 17-31-22-12-0059;

(5) parcel 17-31-22-12-0060;

(6) parcel 17-31-22-12-0063;

(7) parcel 17-31-22-13-0049;

(8) parcel 17-31-22-13-0053;

(9) parcel 17-31-22-13-0054;

(10) parcel 17-31-22-13-0055;

(11) parcel 17-31-22-13-0056;

(12) parcel 17-31-22-13-0057;

(13) parcel 17-31-22-24-0062;

(14) parcel 17-31-22-24-0063; and

(15) parcel 17-31-22-24-0064.

EFFECTIVE DATE. This section is effective the day after the governing bodies of Anoka County and the Lino Lakes Economic Development Authority and their chief clerical officers timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 10. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CARLTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Carlton County may sell the tax-forfeited lands bordering public water that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Carlton County and are described as:

(1) Government Lot 1, Section 6, Township 49 North, Range 18 West (parcel ID number 92-010-0900);

(2) Government Lot 3, Section 6, Township 49 North, Range 18 West (parcel ID number 92-010-0960);

(3) the Northeast Quarter of the Northwest Quarter or Government Lot 3, Section 31, Township 49 North, Range 18 West (parcel ID number 92-034-5790);

(4) that part of the Northeast Quarter of the Southwest Quarter, Section 3, Township 48 North, Range 21 West, described as: commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter; thence South 800 feet; thence East 150 feet; thence North 800 feet; thence West 150 feet to the point of beginning, subject to Highway 210 easement, Section 3, Township 48 North, Range 21 West (parcel ID number 29-140-0240); and

(5) Lots 1 to 4, Block 1, Tamarack Acres, Section 10, Township 48 North, Range 21 West (parcel ID numbers 57-230-0020, 57-230-0040, 57-230-0060, and 57-230-0080).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 11. **FOND DU LAC RESERVATION LANDS; CARLTON COUNTY.**

If a parcel of land subject to sale under Minnesota Statutes, sections 282.01 to 282.13, includes land within the Fond du Lac Indian Reservation, the Carlton County auditor shall first offer the land to the Fond du Lac band of Chippewa Indians for sale at the appraised value. The cost of any survey or appraisal must be added to and made a part of the appraised value. To determine whether the band wants to buy the land, the Carlton County auditor shall give written notice to the band. If the band wants to buy the land, the band shall submit a written offer to the Carlton County auditor within two weeks after receiving the notice. If the offer is for at least the appraised value, the Carlton County auditor shall accept it.

EFFECTIVE DATE. This section is effective the day after the governing body of Carlton County and its chief clerical officer timely comply with Minnesota Statutes, section 645.021.

Sec. 12. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Cass County may sell the tax-forfeited land bordering public waters that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is in Cass County and is described as: Lot 3, Block 1, Jack Pine Shores in Section 28, Township 140 North, Range 31 West (Parcel ID No. 16-470-0130).

(d) The county has determined that the county's land management interests would be best served if the land was returned to private ownership.

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

Sec. 13. PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CROW WING COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by public or private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Crow Wing County and is described as:

(1) that part of Government Lot 1 of Section 12, Township 44 North, Range 28 West, lying and being south of that certain stream or creek running from Borden Lake into Mille Lacs Lake; subject to the right-of-way of existing highway, excepting therefrom that part of said parcel lying easterly of said existing highway;

(2) that portion of Government Lots 2 and 3 of Section 12, Township 44 North, Range 28 West, which lies between a line parallel to and 700 feet distant northwesterly from the following described line:

From a point on the east line of said Section 12, distant 1,385.9 feet South of the northeast corner thereof, run southwesterly at an angle of 36 degrees 10 minutes with said east section line for a distance of 244 feet; thence deflect to the left at an angle of 2 degrees 27 minutes for a distance of 1,522.8 feet; thence deflect to the left at an angle of 16 degrees 19 minutes for a distance of 550 feet to the point of beginning of line to be described; thence continue southwesterly along the last above-described course for a distance of 35.7 feet; thence deflect to the right on a 3 degree 00 minute curve, delta angle 17 degrees 10 minutes for a distance of 572.2 feet; thence on tangent to said curve for a distance of 907.1 feet and there terminating. Subject to the easement on that portion taken by the Department of Highways, State of Minnesota, for highway purposes; and

(3) that portion of Government Lots 2 and 3 of Section 12, Township 44 North, Range 28 West, which lies between two lines parallel with and distant 700 feet and 775 feet northwesterly of the following described line:

From a point on the east line of said Section 12, distant 1,385.9 feet South of the northeast corner thereof, run southwesterly at an angle of 36 degrees 10 minutes with said east section line for a distance of 244 feet; thence deflect to the left at an angle of 2 degrees 27 minutes for a distance of 1,522.8 feet; thence deflect to the left at an angle of 16 degrees 19 minutes for a distance of 550 feet to the point of beginning of line to be described; thence continue southwesterly along the last above-described course for a distance of 35.7 feet; thence deflect to the right on a 3 degree 00 minute curve, delta angle 17 degrees 10 minutes for a distance of 572.2 feet; thence on tangent to said curve for a distance of 907.1 feet and there terminating.

Containing 24.7 acres, more or less.

(d) The land borders the Garrison Creek diversion channel that drains into Mille Lacs Lake. The Department of Natural Resources has determined that the land is no longer needed for fisheries production and that the state's land management interests would best be served if the land were sold. The strip of land east of Highway 169 and bordering Mille Lacs Lake will be retained for natural resources purposes.

Sec. 14. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; CROW WING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Crow Wing County may sell by private sale to the adjoining landowner the tax-forfeited lands bordering public waters that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are in Crow Wing County and are described as:

(1) parcel ID No. 060354202B00009;

(2) parcel ID No. 060354303A00009;

(3) parcel ID No. 060354304CA0009; and

(4) parcel ID No. 1010300100AA009.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

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

Sec. 15. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; CROW WING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Crow Wing County may sell the tax-forfeited land bordering public waters that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is in Crow Wing County and is described as: parcel ID No. 840063205I00009.

(d) The county has determined that the county's land management interests would be best served if the land was returned to private ownership.

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

Sec. 16. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; DAKOTA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Dakota County and is described as: all that part of Government Lot One, Section 25, Township 114 North, Range 21 West of the 5th Principal Meridian and Sullivan's First Addition to Marion Heights as surveyed and platted by J. E. Hill, September 23, 1910, and on file with the Register of Deeds Office, Dakota County, Minnesota, bounded by the following described lines: beginning on the north quarter line of said section, 433.0 feet South of the north quarter corner thereof; thence North 57 degrees 00 minutes East, 291.2 feet; thence North 63 degrees 05 minutes East, 404.9 feet; thence South 78 degrees 30 minutes East, 329.9 feet; thence South 73 degrees 50 minutes East, 227.3 feet; thence South 24 degrees 54 minutes West, 193.3 feet; thence South 08 degrees 57 minutes West, 134.0 feet; thence South 09 degrees 25 minutes East, 161.1 feet; thence North 89 degrees 30 minutes West, 292.9 feet; thence North 50 degrees 13 minutes West, 209.8 feet; thence North 87 degrees 31 minutes West, 87.5 feet; thence South 45 degrees 35 minutes West, 189.6 feet; thence South 83 degrees 11 minutes West, 261.7 feet; thence North 68 degrees 06 minutes West, 146.8 feet to the north quarter line of said Section 25; thence North 00 degrees 32 minutes East, 222.3 feet along the north quarter line of said section to the point of beginning. Including all riparian rights to the contained 11.21 acres more or less and subject to existing road easements.

(d) The land borders Marion Lake, with a portion of the land flooded due to control of lake elevation. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government for inclusion in a city park.

Sec. 17. **PRIVATE SALE OF SURPLUS STATE LAND; DAKOTA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Dakota County and is described as: Block 9, Lots 6, 7, and 8; Block 10, Lots 4, 5, 6, 7, and 8; Block 11, Lots 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, and 27; Block 12, Lots 1, 2, and 3; Block 13, Lots 1, 2, 3, 4, 10, 11, 12, and 14; Block 15, Lots 14, 15, 16, and 17; Block 18, Lots 1, 2, 3, 4, 5, 6, and 7; Block 7, Lots 5 and 10, all lying in Lyndale Lakes Club Second Addition, Section 11, Township 114, Range 21, containing approximately 4.4 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resources purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government for public use.

Sec. 18. **EXCHANGE OF STATE LAND WITHIN RICHARD J. DORER MEMORIAL HARDWOOD STATE FOREST; FILLMORE COUNTY.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (b).

(b) The state land that may be exchanged is located in Fillmore County and is described as:

(1) that part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 104 North, Range 11 West, lying southerly of the Root River; and

(2) that part of the Southwest Quarter of the Southwest Quarter of Section 7, Township 104 North, Range 10 West, lying southerly of the Root River. Containing a total of 21.3 acres, more or less.

(c) The state land borders the Root River, but there is no land access to the state land. The land to be acquired in the exchange will improve access to adjacent state forest lands.

Sec. 19. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; FREEBORN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Freeborn County may sell the tax-forfeited land bordering public waters that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is in Freeborn County and is described as: Parcel ID No. 25.040.0040 in Section 34, Township 104 North, Range 23 West.

(d) The county has determined that the county's land management interests would be best served if the land was returned to private ownership.

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

Sec. 20. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca County may sell the tax-forfeited land bordering public waters that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is in Itasca County and is described as: the East Half of Lot 2, Section 23, Township 60 North, Range 27 West (property number 38.123.1301).

(d) The county has determined that the county's land management interests would be best served if the land was returned to private ownership.

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

Sec. 21. **PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

(a) Notwithstanding the public sale and the timber value appraisal provisions of Minnesota Statutes, chapter 282, Itasca County may sell by private sale to the adjoining landowner the tax-forfeited lands that were reserved in a previous tax-forfeited land sale and that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282. Notwithstanding Minnesota Statutes, section 282.01, subdivision 3, paragraph (b), the land may be sold for the appraised value without an appraisal of the timber value.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The lands to be sold are lands reserved from previous tax-forfeited land sales that are within 50 feet of the centerline of any legal highway or any legal roadway with public use.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership. The lands to be sold have not been treated as separate parcels and have been taxed as private land since they were reserved from sale.

Sec. 22. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; KOOCHICHING COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Koochiching County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. Prior to the sale, the commissioner of revenue shall grant a permanent conservation easement according to Minnesota Statutes, section 282.37. The easement shall be 75 feet in width lying easterly to the centerline of the stream, to provide riparian protection and angler access.

(c) The land to be sold is located in Koochiching County and is described as:

Beginning at the southeast corner of the Southeast Quarter of the Southwest Quarter, Section 3, Township 154 North, Range 25 West; thence about ten rods to the bank of Billy Creek; thence, in a northeasterly direction along Billy Creek to a point where Billy Creek intersects the east line of the Southeast Quarter of the Southwest Quarter, Section 3, Township 154 North, Range 25 West; thence South 35 rods to the point of beginning (approximately 2.5 acres). Also known as part of the Southeast Quarter of the Southwest Quarter lying east of Billy Creek, Section 3, Township 154 North, Range 25 West (approximately 2.5 acres).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 23. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; LAC QUI PARLE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Lac Qui Parle County and is described as: that part of the Southwest Quarter of the Northeast Quarter of Section 30, Township 118, Range 42, described as follows: commencing at the southeast corner of the Northeast Quarter of said Section 30; thence on an assumed bearing of South 89 degrees 52 minutes 06 seconds West, along the south line of said Northeast Quarter, a distance of 1,323.46 feet to the point of beginning of the land to be described; thence continue South 89 degrees 52 minutes 06 seconds West, along said

south line, a distance of 627.00 feet (38 rods); thence North 35 degrees 12 minutes 45 seconds West, a distance of 346.50 feet; thence North 05 degrees 00 minutes 14 seconds East, a distance of 239.25 feet; thence North 14 degrees 01 minutes 33 seconds East, a distance of 198.00 feet; thence North 88 degrees 11 minutes 39 seconds East, a distance of 34 feet, to the centerline of the Lac Qui Parle River; thence northeasterly and southeasterly, along the centerline of said river to intersect a line that bears North 00 degrees 48 minutes 00 seconds West from the point of beginning; thence South 00 degrees 48 minutes 00 seconds East, a distance of 762 feet, to the point of beginning. Containing a total of 15.66 acres, more or less.

(d) The land borders the Lac Qui Parle River. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government for inclusion in a county park.

Sec. 24. **PRIVATE SALE OF TAX-FORFEITED LAND; LAKE COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Lake County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as:

(1) an 1/2 undivided interest in the Southeast Quarter of the Southeast Quarter, Section 19, Township 63 North, Range 11 West; and

(2) the West 330 feet of the Southwest Quarter of the Northeast Quarter, Section 4, Township 57 North, Range 7 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 25. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Lake County may sell the tax-forfeited lands bordering public water that are described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Lake County and are described as:

(1) part of the Southwest Quarter of the Southeast Quarter, Section 2, Township 58 North, Range 6 West;

(2) the Northwest Quarter of the Southwest Quarter, Section 5, Township 63 North, Range 9 West; and

(3) the Northeast Quarter of the Southwest Quarter, Section 5, Township 63 North, Range 9 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 26. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Lake County may sell by public or private sale the tax-forfeited lands bordering public water that are described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. If land described under paragraph (c) is sold by private sale, the land may be sold for less than the appraised value if the conveyance provides that the land reverts to the state if the land is not used as a data center or for another economic development purpose approved by the county. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37, for the lands described in paragraph (c). The easements shall serve to provide riparian protection and access for anglers and for future restoration work. The easement for the land described in paragraph (c), clause (1), shall be lying easterly of the centerline of the Little West Branch Knife River and lying 75 feet in width westerly of the centerline of the river. The easements for the lands described in paragraph (c), clauses (2) and (3), shall be lying 75 feet in width on each side of the centerline of the unnamed creek and a 33-foot strip across the easement is allowed for road access and utilities at a location agreed upon by the county and the state.

(c) The lands to be sold are located in Lake County and are described as:

(1) the Northwest Quarter of the Northeast Quarter, Section 6, Township 52 North, Range 11 West;

(2) the Northeast Quarter of the Northwest Quarter, Section 6, Township 52 North, Range 11 West; and

(3) the Northwest Quarter of the Northwest Quarter, Section 6, Township 52 North, Range 11 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership for economic development.

Sec. 27. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited lands bordering public water that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements, according to Minnesota Statutes, section 282.37, for the lands described in paragraph (c), clauses (3), (4), and (5). The easements shall serve to provide riparian protection and access for anglers and for future restoration work. The easements for the lands described in paragraph (c), clauses (3) and (4), shall be 75 feet in width, lying southerly of the centerline of the stream. The easement for the land described in paragraph (c), clause (5), shall be 75 feet in width, lying northerly of the centerline of the stream.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) Lots 377 through 399, odd-numbered lots, Lower Duluth Minnesota Avenue, Section 12, Township 49 North, Range 14 West (parcel 010-3110-01950);

(2) part of Lot 2 beginning at the northwest corner; thence southerly 628.4 feet; thence southeasterly at an angle of 102 degrees 17 minutes, 693 feet; thence southerly at an angle of 90 degrees, 12 feet to the point of beginning; thence northerly 112 feet; thence easterly 300 feet to the shore of Stone Lake; thence southwesterly along the lakeshore to the point of beginning, except that part north of the road, Section 27, Township 55 North, Range 12 West (parcel 230-0010-04549);

(3) Lot 440, Homecroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-00460);

(4) Lot 493, Homecroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01020); and

(5) Lot 533, Homecroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01430).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 28. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited lands bordering public water that are described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements, according to Minnesota Statutes, section 282.37, for the lands described in paragraph (c), clauses (8) to (13). The easements shall serve to provide riparian protection and access for anglers and for future restoration work. The easement for the land described in paragraph (c), clause (8), shall lie southerly of the centerline of the stream and 75 feet in width lying northerly of the centerline of the stream. The easements for the lands described in paragraph (c), clauses (10) and (13), shall be 75 feet in width, lying northerly of the centerline of the stream. The easement for the land described in paragraph (c), clause (9), shall be 150 feet in width, lying 75 feet on each side of the centerline of the stream. The easement for the lands described in paragraph (c), clauses (11) and (12), shall be 75 feet in width, lying southerly of the centerline of the stream.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) Lots 32 through 44, even-numbered lots, Upper Duluth St. Louis Avenue, Section 35, Township 50 North, Range 14 West (parcel 010-4400-01330);

(2) Lot 4, Block 2, Rearrangement of Part of Stony Brook Park, Section 13, Township 58 North, Range 18 West (parcel 175-0062-00090);

(3) the Southwest Quarter of the Southeast Quarter, Section 19, Township 52 North, Range 18 West (parcel 205-0010-03430);

(4) Lots 1 and 2, Michaels Beach, Town of Ellsburg, Section 6, Township 55 North, Range 17 West (parcel 320-0100-00010);

(5) Lots 1 to 12, Block 6; Lots 1 to 7 and 15 to 24, Block 7; and Block 12, Ellsburg, Section 18, Township 55 North, Range 16 West;

(6) Lots 1 to 24, Block 8; Lots 1 to 6 and 17 to 24, Block 9; and Block 10, Ellsburg, Section 18, Township 55 North, Range 16 West;

(7) part of Lot 18, lying North of the intersection of the easterly right-of-way of the county road and the west line of the river and South of a line beginning on the easterly road right-of-way 450 feet northerly of said intersection; thence easterly to a point on the westerly line of the river 450 feet northerly of said intersection, McDavitt, Section 19, Township 56 North, Range 18 West (parcel 435-0010-03392);

(8) the northerly 435.6 feet of the Northeast Quarter of the Northeast Quarter, except the westerly 400 feet, Section 12, Township 51 North, Range 14 West (parcel 520-0012-00555);

(9) the North Half of the North Half of the Southwest Quarter of the Northwest Quarter, Section 15, Township 51 North, Range 14 West (parcel 520-0012-01460);

(10) Lots 477 to 479, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-00840);

(11) Lot 534, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01440);

(12) Lot 543, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01530);

(13) Lot 544, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01540); and

(14) the easterly 330 feet of the westerly 660 feet of the northerly 265 feet of the Southeast Quarter of the Southwest Quarter and the easterly 330 feet of the westerly 660 feet of the southerly 395 feet of the Northeast Quarter of the Southwest Quarter, Section 34, Township 57 North, Range 15 West (parcel 570-0012-04792).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 29. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) part of Lot 37, Block 4, except the Southwest Half and except the East 7.5 feet, Grant Park Division of Duluth, Section 30, Township 50 North, Range 14 West (parcel 010-1960-00670);

(2) beginning 1,088.74 feet North of an iron monument marking the east side of Vermilion Road 455.34 feet East of the southwest corner of Section 10 and extending easterly 231.49 feet; thence southerly 100.46 feet; thence westerly 238.82 feet to the east side of Vermilion Road; thence northerly 100 feet to the point of beginning, also called Lot 2, Block 3, private plat, Aurora Lands In The City, Section 10, Township 58 North, Range 15 West (parcel 100-0080-00980); and

(3) the Southwest Quarter of the Southeast Quarter, Section 24, Township 65 North, Range 20 West, except:

(i) the railroad right-of-way, 2.90 acres;

(ii) two acres for the state highway;

(iii) that part northeasterly of the highway;

(iv) that part of the North 400 feet lying westerly of the highway;

(v) the South 320 feet of the North 720 feet; and

(vi) that part lying South of the North 1,020 feet (parcel 425-0040-04030).

(d) The county has determined that the county's land management interest would best be served if the lands were returned to private ownership.

Sec. 30. **EXCHANGE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; WINONA COUNTY.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, Winona County may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be exchanged is located in Winona County and is described as: Lot 5, Section 16, Township 107 North, Range 9 West, containing ten acres, more or less.

(d) The county has determined that the county's land management interests would best be served if the land was exchanged for a private parcel."

Delete the title and insert:

"A bill for an act relating to state lands; modifying landowners' bill of rights; modifying land acquisition account; providing for school forests; providing for sale of certain tax-forfeited land within Fond du Lac Indian Reservation; adding to and deleting from state parks and forests; authorizing certain exchanges and sales of state lands; amending Minnesota Statutes 2012, sections 84.0274, subdivision 6; 89.41; 94.165; 282.01, subdivisions 1a, 1d."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment, Natural Resources and Agriculture Finance.

The report was adopted.

Johnson, S., from the Committee on Labor, Workplace and Regulated Industries to which was referred:

H. F. No. 748, A bill for an act relating to employment; modifying prompt payment of wages requirements; modifying penalties; amending Minnesota Statutes 2012, sections 181.13; 181.14.

Reported the same back with the following amendments:

Page 1, line 15, after the period, insert "In addition to recovering the wages and commissions actually earned and unpaid."

Page 1, lines 20 and 21, delete the new language

Page 2, line 1, delete "need not" and insert "must" and delete "or" and insert "but need not"

Page 3, line 9, delete "an additional amount as compensatory damages in"

Page 3, line 10, delete "and" and insert "but remain" and delete "need not" and insert "must"

Page 3, line 11, delete the first "or" and insert "but need not"

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

The report was adopted.

Liebling from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 767, A bill for an act relating to human services; making changes to continuing care provisions; modifying provisions related to advisory task forces, nursing homes, resident relocation, medical assistance, long-term care consultation services, assessments, and reporting of maltreatment; amending Minnesota Statutes 2012, sections 15.014, subdivision 2; 144A.071, subdivision 4d; 144A.161; 256B.057, subdivision 9; 256B.0652, subdivision 5; 256B.0911, subdivisions 2b, 3, 3a, 6; 256B.092, subdivision 7; 256B.441, subdivisions 1, 43, 63; 256B.49, subdivision 14; 256B.492; 626.557, subdivision 10; repealing Minnesota Statutes 2012, section 256B.437, subdivision 8; Laws 2012, chapter 216, article 11, section 31.

Reported the same back with the following amendments:

Page 1, after line 26, insert:

"Sec. 2. Minnesota Statutes 2012, section 144.0724, subdivision 12, is amended to read:

Subd. 12. **Appeal of nursing facility level of care determination.** A resident or prospective resident whose level of care determination results in a denial of long-term care services can appeal the determination as outlined in section 256B.0911, subdivision 3a, paragraph (h), clause (~~7~~) 9."

Page 14, after line 8, insert:

"Sec. 5. Minnesota Statutes 2012, section 256B.056, subdivision 3, is amended to read:

Subd. 3. **Asset limitations for individuals and families.** (a) To be eligible for medical assistance, a person must not individually own more than \$3,000 in assets, or if a member of a household with two family members, husband and wife, or parent and child, the household must not own more than \$6,000 in assets, plus \$200 for each

additional legal dependent. In addition to these maximum amounts, an eligible individual or family may accrue interest on these amounts, but they must be reduced to the maximum at the time of an eligibility redetermination. The accumulation of the clothing and personal needs allowance according to section 256B.35 must also be reduced to the maximum at the time of the eligibility redetermination. The value of assets that are not considered in determining eligibility for medical assistance is the value of those assets excluded under the supplemental security income program for aged, blind, and disabled persons, with the following exceptions:

- (1) household goods and personal effects are not considered;
- (2) capital and operating assets of a trade or business that the local agency determines are necessary to the person's ability to earn an income are not considered;
- (3) motor vehicles are excluded to the same extent excluded by the supplemental security income program;
- (4) assets designated as burial expenses are excluded to the same extent excluded by the supplemental security income program. Burial expenses funded by annuity contracts or life insurance policies must irrevocably designate the individual's estate as contingent beneficiary to the extent proceeds are not used for payment of selected burial expenses;
- (5) for a person who no longer qualifies as an employed person with a disability due to loss of earnings, assets allowed while eligible for medical assistance under section 256B.057, subdivision 9, are not considered for 12 months, beginning with the first month of ineligibility as an employed person with a disability, to the extent that the person's total assets remain within the allowed limits of section 256B.057, subdivision 9, paragraph (d);
- (6) when a person enrolled in medical assistance under section 256B.057, subdivision 9, is age 65 or older and has been enrolled during each of the 24 consecutive months before the person's 65th birthday, the assets owned by the person and the person's spouse must be disregarded, up to the limits of section 256B.057, subdivision 9, paragraph (d), when determining eligibility for medical assistance under section 256B.055, subdivision 7. The income of a spouse of a person enrolled in medical assistance under section 256B.057, subdivision 9, during each of the 24 consecutive months before the person's 65th birthday must be disregarded when determining eligibility for medical assistance under section 256B.055, subdivision 7. Persons eligible under this clause are not subject to the provisions in section 256B.059. ~~A person whose 65th birthday occurs in 2012 or 2013 is required to have qualified for medical assistance under section 256B.057, subdivision 9, prior to age 65 for at least 20 months in the 24 months prior to reaching age 65; and~~
- (7) effective July 1, 2009, certain assets owned by American Indians are excluded as required by section 5006 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. For purposes of this clause, an American Indian is any person who meets the definition of Indian according to Code of Federal Regulations, title 42, section 447.50.

(b) No asset limit shall apply to persons eligible under section 256B.055, subdivision 15.

EFFECTIVE DATE. This section is effective January 1, 2014."

Page 16, line 29, after "under" insert "this subdivision and" and delete "subdivisions 5 and" and insert "subdivision"

Page 17, after line 11, insert:

"Sec. 8. Minnesota Statutes 2012, section 256B.0659, subdivision 7, is amended to read:

Subd. 7. **Personal care assistance care plan.** (a) Each recipient must have a current personal care assistance care plan based on the service plan in subdivision 6 that is developed by the qualified professional with the recipient and responsible party. A copy of the most current personal care assistance care plan is required to be in the recipient's home and in the recipient's file at the provider agency.

(b) The personal care assistance care plan must have the following components:

- (1) start and end date of the care plan;
- (2) recipient demographic information, including name and telephone number;
- (3) emergency numbers, procedures, and a description of measures to address identified safety and vulnerability issues, including a backup staffing plan;
- (4) name of responsible party and instructions for contact;
- (5) description of the recipient's individualized needs for assistance with activities of daily living, instrumental activities of daily living, health-related tasks, and behaviors; and
- (6) dated signatures of recipient or responsible party and qualified professional.

(c) The personal care assistance care plan must have instructions and comments about the recipient's needs for assistance and any special instructions or procedures required, including whether or not the recipient has requested a personal care assistant of the same gender. The month-to-month plan for the use of personal care assistance services is part of the personal care assistance care plan. The personal care assistance care plan must be completed within the first week after start of services with a personal care provider agency and must be updated as needed when there is a change in need for personal care assistance services. A new personal care assistance care plan is required annually at the time of the reassessment.

Sec. 9. Minnesota Statutes 2012, section 256B.0659, is amended by adding a subdivision to read:

Subd. 7a. **Special instructions; gender.** If a recipient requests a personal care assistant of the same gender as the recipient, the personal care assistance agency must make a reasonable effort to fulfill the request."

Page 17, delete sections 6 and 7

Page 20, line 32, strike "clause" and insert "clauses" and after "(7)" insert ", (8), and (9)"

Page 21, delete section 9

Page 29, line 11, delete "do this using" and insert "use"

Page 29, line 12, delete "this" and insert "the"

Page 29, line 13, delete "for its use"

Page 30, after line 18, insert:

"Sec. 18. **THIRD-PARTY REIMBURSEMENT FOR LONG-TERM CARE CONSULTATION SERVICES.**

The commissioner of human services shall submit a request within 60 days of final enactment to the federal government to amend the Medicaid cost allocation plan to allow county or tribal agencies to contract with nongovernmental organizations to conduct assessments under Minnesota Statutes, section 256B.0911, and be reimbursed for assessments conducted under contract. Upon federal approval, this shall be incorporated into the alternative payment methodology under Minnesota Statutes, section 256B.0911, subdivision 6, paragraph (h).

Sec. 19. **RECOMMENDATIONS FOR FURTHER CASE MANAGEMENT REDESIGN.**

(a) By February 1, 2014, the commissioner of human services shall develop a legislative report with specific recommendations and language for proposed legislation to:

(1) increase opportunities for choice of case management service provider;

(2) define the service of case management to include the identification of roles and activities of a case manager to avoid duplication of services;

(3) provide guidance on caseload size to reduce variation across the state;

(4) develop a statewide system to standardize case management provider standards, which may include establishing a licensure or certification process;

(5) develop reporting measures to determine outcomes for case management services to increase continuous quality improvement;

(6) establish rates for the service of case management that are transparent and consistent for all medical assistance-paid case management;

(7) develop information for case management recipients to make an informed choice of case management service provider; and

(8) provide waiver case management recipients with an itemized list of case management services provided on a monthly basis.

(b) The commissioner shall consult with existing stakeholder groups which include representatives of counties, tribes, disability and senior advocacy groups including mental health stakeholders, managed care organizations, and service providers in preparing the recommendations and language for proposed legislation. The commissioner shall present findings, recommendations, and proposed legislation to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance by February 1, 2014."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring a report;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary Finance and Policy.

The report was adopted.

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

H. F. No. 771, A bill for an act relating to education; clarifying use of restrictive procedures; appropriating money; amending Minnesota Statutes 2012, sections 125A.0941; 125A.0942.

Reported the same back with the following amendments:

Page 2, line 16, after "accessible" insert "in an electronic format on a school or district Web site or make a paper copy available upon request describing"

Page 5, line 11, delete "2017" and insert "2015"

Page 7, line 2, after "procedures" insert ", including highly qualified paraprofessionals."

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

The report was adopted.

Atkins from the Committee on Commerce and Consumer Protection Finance and Policy to which was referred:

H. F. No. 779, A bill for an act relating to health plan regulation; regulating policy and contract coverages; conforming state law to federal requirements; establishing health plan market rules; amending Minnesota Statutes 2012, sections 13.7191, subdivision 12; 43A.23, subdivision 1; 43A.317, subdivision 6; 60A.08, subdivision 15; 62A.011, subdivision 3, by adding subdivisions; 62A.02, by adding a subdivision; 62A.03, subdivision 1; 62A.04, subdivision 2; 62A.047; 62A.049; 62A.136; 62A.149, subdivision 1; 62A.17, subdivisions 2, 6; 62A.21, subdivision 2b; 62A.28, subdivision 2; 62A.302; 62A.615; 62A.65, subdivisions 3, 5, 6, 7; 62C.14, subdivision 5; 62C.142, subdivision 2; 62D.02, by adding a subdivision; 62D.07, subdivision 3; 62D.095; 62D.12, by adding a subdivision; 62D.181, subdivision 7; 62D.30, subdivision 8; 62E.02, by adding a subdivision; 62E.04, subdivision 4; 62E.06, subdivision 1; 62E.09; 62E.10, subdivision 7; 62H.04; 62L.02, subdivisions 11, 14a, 26, by adding a subdivision; 62L.03, subdivisions 1, 3, 4, 6; 62L.045, subdivisions 2, 4; 62L.05, subdivision 10; 62L.06; 62L.08; 62L.12, subdivision 2; 62M.05, subdivision 3a; 62M.06, subdivision 1; 62Q.01, by adding subdivisions; 62Q.021; 62Q.17, subdivision 6; 62Q.18, by adding a subdivision; 62Q.19, by adding a subdivision; 62Q.23; 62Q.43, subdivision 2; 62Q.47; 62Q.52; 62Q.55; 62Q.68, subdivision 1; 62Q.69, subdivision 3; 62Q.70, subdivisions 1, 2; 62Q.71; 62Q.73; 62Q.75, subdivision 1; 62Q.80, subdivision 2; 72A.20, subdivision 35; 471.61, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 62A; 62Q; 72A; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 2012, sections 62A.65, subdivision 6; 62E.02, subdivision 7; 62E.16; 62E.20; 62L.02, subdivisions 4, 18, 19, 23; 62L.05, subdivisions 1, 2, 3, 4, 4a, 5, 6, 7, 11, 12, 13; 62L.081; 62L.10; 62Q.37, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[62K.01] TITLE.**

This chapter may be cited as the "Minnesota Health Plan Market Rules."

Sec. 2. **[62K.02] PURPOSE AND SCOPE.**

Subdivision 1. **Purpose.** The market rules set forth in this chapter serve to clarify and provide guidance on the application of state law and certain requirements of the Affordable Care Act on all health carriers offering health plans in Minnesota, whether or not through the Minnesota Insurance Marketplace, to ensure fair competition for all health carriers in Minnesota, to minimize adverse selection, and to ensure that health plans are offered in a manner that protects consumers and promotes the provision of high-quality affordable health care, and improved health outcomes. This chapter contains the regulatory requirements as specified in Minnesota Statutes, section 62V.05, subdivision 5, paragraph (b), if enacted in 2013 H. F. No. 5/S. F. No. 1 and, upon enactment, shall fully satisfy the requirements of Minnesota Statutes, section 62V.05, subdivision 5, paragraph (b), if enacted in 2013 H. F. No. 5/S. F. No. 1.

Subd. 2. **Scope.** (a) This chapter applies only to health plans offered in the individual market or the small group market, except short-term coverage as defined in section 62A.65, subdivision 7.

(b) This chapter applies to health carriers with respect to individual health plans and small group health plans, unless otherwise specified.

(c) If a health carrier issues or renews individual or small group health plans in other states, this chapter applies only to health plans issued or renewed in this state to a Minnesota resident, or to cover a resident of the state, or issued or renewed to a small employer that is actively engaged in business in this state, unless otherwise specified.

(d) This chapter does not apply to short-term coverage as defined in section 62A.65, subdivision 7.

Sec. 3. **[62K.03] DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of this chapter, the terms defined in this section have the meanings given.

Subd. 2. **Affordable Care Act.** "Affordable Care Act" means the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended, including the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments to it, or guidance and regulations issued under those acts.

Subd. 3. **Dental plan.** "Dental plan" means a dental plan as defined in section 62Q.76, subdivision 3.

Subd. 4. **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. 5. **Health carrier.** "Health carrier" means a health carrier as defined in section 62A.011, subdivision 2.

Subd. 6. **Health plan.** "Health plan" means a health plan as defined in section 62A.011, subdivision 3.

Subd. 7. **Individual health plan.** "Individual health plan" means an individual health plan as defined in section 62A.011, subdivision 4.

Subd. 8. **Minnesota Insurance Marketplace.** "Minnesota Insurance Marketplace" means the Minnesota Insurance Marketplace as defined in Minnesota Statutes, section 62V.02, if enacted in 2013 H. F. No. 5/S. F. No. 1.

Subd. 9. **Preferred provider organization.** "Preferred provider organization" means a health plan that provides discounts to enrollees or subscribers for services they receive from certain health care providers.

Subd. 10. **Small group health plan.** "Small group health plan" means a health plan issued by a health carrier to a small employer as defined in section 62L.02, subdivision 26.

Subd. 11. **Qualified health plan.** "Qualified health plan" means a health plan that meets the definition in section 1301(a) of the Affordable Care Act and has been certified by the board of the Minnesota Insurance Marketplace in accordance with Minnesota Statutes, chapter 62V, if enacted in 2013 H. F. No. 5/S. F. No. 1 to be offered through the Minnesota Insurance Marketplace.

Sec. 4. [62K.04] MARKET RULES; VIOLATION.

Subdivision 1. **Compliance.** (a) A health carrier issuing an individual health plan issued to a Minnesota resident or a small group health plan issued to provide coverage to a small employer that is actively engaged in business in Minnesota shall meet all of the requirements set forth in this chapter. The failure to meet any of the requirements under this chapter constitutes a violation of section 72A.20.

(b) The requirements of this chapter do not apply to individual or small group health plans issued before January 1, 2015.

(c) The requirements of this chapter do not apply to short-term coverage as defined in section 62A.65.

Subd. 2. **Penalties.** In addition to any other penalties provided by the laws of this state or by federal law, a health carrier or any other person found to have violated any requirement of this chapter may be subject to the administrative procedures, enforcement actions, and penalties provided under section 45.027 and chapters 62D and 72A.

Sec. 5. [62K.05] FEDERAL ACT; COMPLIANCE REQUIRED.

A health carrier shall comply with all provisions of the Affordable Care Act to the extent that it imposes a requirement that applies in this state. Compliance with any provision of the Affordable Care Act is required as of the effective date established for that provision in the federal act, except as otherwise specifically stated earlier in state law.

Sec. 6. [62K.06] METAL LEVEL MANDATORY OFFERINGS.

Subdivision 1. **Identification.** A health carrier that offers individual or small group health plans in Minnesota must provide documentation to the commissioner of commerce to justify actuarial value levels as specified in section 1302 of the Affordable Care Act for all individual and small group health plans offered inside and outside of the Minnesota Insurance Marketplace.

Subd. 2. **Minimum levels.** (a) A health carrier that offers any individual or small group health plan, either inside or outside of the Minnesota Insurance Marketplace, must offer at a minimum a silver level and a gold level health plan to Minnesota residents, as well as for each health plan offered, a health plan in which the only enrollees are children, who, as of the beginning of a policy year, have not attained the age of 21 years.

(b) A health carrier with less than five percent market share in either the individual or small group market in Minnesota is exempt from paragraph (a), until January 1, 2020, unless the health carrier offers a qualified health plan through the Minnesota Insurance Marketplace. If the health carrier offers a qualified health plan through the Minnesota Insurance Marketplace, the health carrier must comply with paragraph (a).

Subd. 3. **Minnesota Insurance Marketplace restriction.** The Minnesota Insurance Marketplace may not, by contract or otherwise, mandate the types of health plans to be offered by a health carrier to individuals or small employers purchasing health plans outside of the Minnesota Insurance Marketplace. For purposes of this section, "health plan" includes coverage that is excluded under section 62A.011, subdivision 3, clause (6).

Subd. 4. **Metal level defined.** For purposes of this section, the metal levels are defined in section 62Q.81, subdivision 1, paragraph (c).

Subd. 5. **Enforcement.** The commissioner of commerce shall enforce this section.

Sec. 7. **[62K.07] INFORMATION DISCLOSURES.**

(a) A health carrier offering individual or small group health plans must submit the following information in a format determined by the commissioner of commerce:

(1) claims payment policies and practices;

(2) periodic financial disclosures;

(3) data on enrollment;

(4) data on disenrollment;

(5) data on the number of claims that are denied;

(6) data on rating practices;

(7) information on cost-sharing and payments with respect to out-of-network coverage; and

(8) other information required by the secretary of the United States Department of Health and Human Services under the Affordable Care Act.

(b) A health carrier offering an individual or small group health plan must comply with all information disclosure requirements of all applicable state and federal law, including the Affordable Care Act. To the extent that both state and federal law impose information disclosures or standards with respect to a health plan, the health carrier must comply with the disclosure requirement that provides the greater consumer protection to Minnesota residents.

(c) The commissioner of commerce shall enforce this section.

Sec. 8. **[62K.08] MARKETING STANDARDS.**

Subdivision 1. **General.** A health carrier offering individual or small group health plans must comply with all applicable provisions of the Affordable Care Act, including, but not limited to, the following:

(1) compliance with all state laws pertaining to the marketing of individual or small group health plans; and

(2) establishing marketing practices and benefit designs that will not have the effect of discouraging the enrollment of individuals with significant health needs in the health plan.

Subd. 2. **Specific requirements.** (a) Any written marketing materials must include a statement of enrollee information and rights as described in chapter 62D.

(b) Detailed marketing materials must affirmatively disclose all exclusions and limitations on the services offered.

(c) No market materials may lead consumers to believe that all health care needs will be covered.

(d) All marketing materials must contain the following language in bold print: **This health care plan may not cover all your health care expenses, read your contract carefully to determine which expenses are covered.**

Subd. 3. **Enforcement.** The commissioner of commerce shall enforce this section.

Sec. 9. **[62K.09] ACCREDITATION STANDARDS.**

Subdivision 1. **Accreditation; general.** (a) A health carrier that offers any individual or small group health plans in Minnesota outside of the Minnesota Insurance Marketplace must be accredited in accordance with this subdivision. A health carrier must obtain accreditation through URAC, the National Committee for Quality Assurance (NCQA), or any entity recognized by the United States Department of Health and Human Services for accreditation of health insurance issuers or health plans by January 1, 2018. Proof of accreditation must be submitted to the commissioner of health in a form prescribed by the commissioner of health.

(b) A health carrier with less than five percent market share in either the individual or small group market in Minnesota is exempt from this subdivision until January 1, 2020.

Subd. 2. **Accreditation; Minnesota Insurance Marketplace.** (a) The Minnesota Insurance Marketplace shall require all health carriers offering a qualified health plan through the Minnesota Insurance Marketplace to obtain the appropriate level of accreditation no later than the third year after the first year the health carrier offers a qualified health plan through the Minnesota Insurance Marketplace. A health carrier must take the first step of the accreditation process during the first year in which it offers a qualified health plan. A health carrier that offers a qualified health plan on January 1, 2014, must obtain accreditation by the end of the 2016 plan year.

(b) To the extent a health carrier cannot obtain accreditation due to low volume of enrollees, an exception to this accreditation criterion may be granted by the Minnesota Insurance Marketplace until such time as the health carrier has a sufficient volume of enrollees.

Subd. 3. **Enforcement.** The commissioner of health shall enforce this section.

Sec. 10. **[62K.10] GEOGRAPHIC ACCESSIBILITY; PROVIDER NETWORK ADEQUACY.**

Subdivision 1. **Applicability.** This section applies to all health carriers offering an individual and small group health plan that designates a network or networks of contracted providers, or is a preferred provider organization.

Subd. 2. **Primary care; mental health services; general hospital services.** Primary care, mental health, and general hospital services must be available to enrollees within 30 miles or 30 minutes' travel time to the nearest participating or preferred provider.

Subd. 3. **Other health services.** Specialty physician services, ancillary services, specialized hospital services, and all other covered health services must be available to enrollees within 60 miles or 60 minutes' travel time to the nearest participating or preferred provider.

Subd. 4. **Network adequacy.** Each designated provider network must include a sufficient number and type of providers to ensure that covered services are available to all enrollees without unreasonable delay. In determining network adequacy, the commissioner of health shall consider availability of services, including the following:

(1) primary care physician services are available and accessible 24 hours per day, seven days per week, within the network area;

(2) a sufficient number of primary care physicians have hospital admitting privileges at one or more participating hospitals within the network area so that necessary admissions are made on a timely basis consistent with generally accepted practice parameters;

(3) specialty physician service is available through the network or contract arrangement;

(4) to the extent that primary care services are provided through primary care providers other than physicians, and to the extent permitted under applicable scope of practice in state law for a given provider, these services shall be available and accessible; and

(5) the network has available, either directly or through arrangements, appropriate and sufficient personnel, physical resources, and equipment to meet the projected needs of enrollees for covered health care services.

Subd. 5. **Waiver.** A health carrier or preferred provider organization may apply to the commissioner of health for a waiver of the requirements in subdivision 2 or 3 if it is unable to meet the statutory requirements. A waiver application must be made on a form provided by the commissioner and must demonstrate with specific data that the requirement of subdivision 2 or 3 is not feasible in a particular service area or part of a service area.

Subd. 6. **Referral centers.** Subdivisions 2 and 3 shall not apply if an enrollee is referred to a referral center for health care services. A referral center is a medical facility that provides highly specialized medical care, including but not limited to organ transplants and bariatric surgery. A health carrier or preferred provider organization may consider the volume of services provided annually, case mix, and severity adjusted mortality and morbidity rates in designating a referral center.

Subd. 7. **Essential community providers.** Each health carrier must comply with section 62Q.19 to ensure reasonable and timely access to covered services for low-income, high-risk, special-needs individuals or those living in a medical shortage area.

Subd. 8. **Enforcement.** The commissioner of health shall enforce this section.

Sec. 11. [62K.11] BALANCE BILLING PROHIBITED.

(a) A network provider is prohibited from billing an enrollee for any amount in excess of the allowable amount the health carrier has contracted for with the provider as total payment for the health care service. A network provider is permitted to bill an enrollee the approved co-payment deductible or coinsurance.

(b) A network provider is permitted to bill an enrollee for services not covered by the enrollee's health plan as long as the enrollee agrees in writing in advance before the service if performed to pay for the noncovered service.

Sec. 12. [62K.12] QUALITY ASSURANCE AND IMPROVEMENT.

(a) All health carriers offering an individual health plan or small group health plan must have a written internal quality assurance and improvement program that, at a minimum:

(1) provides for ongoing evaluation of the quality of health care provided to its enrollees;

(2) periodically reports the evaluation of the quality of health care to the health carrier's governing body;

(3) follows policies and procedures for the selection and credentialing of network providers that is consistent with community standards;

(4) conducts focused studies directed at problems, potential problems, or areas with potential for improvements in care;

(5) conducts enrollee satisfaction surveys and monitors oral and written complaints submitted by enrollees or members; and

(6) collects and reports Health Effectiveness Data and Information Set (HEDIS) measures and conducts other quality assessment and improvement activities as directed by the commissioner of health.

(b) The commissioner of health shall submit a report to the chairs and ranking minority members of senate and house of representatives committees with primary jurisdiction over commerce and health policy by February 15, 2015, with recommendations for specific quality assurance and improvement standards for all Minnesota health carriers.

(c) The commissioner of health shall enforce this section.

Sec. 13. **[62K.13] SERVICE AREA REQUIREMENTS.**

(a) Health carriers must offer individual and small group health plans in service areas that are at least the entire geographic area of a county unless serving a smaller geographic area is necessary, nondiscriminatory, and in the best interest of enrollees. The service area for any individual or small group health plan must be established without regard to racial, ethnic, language, or health status-related factors, or other factors that exclude specific high-utilizing, high-cost, or medically underserved populations.

(b) If a health carrier requests to serve less than the entire county, the request must be made to the commissioner of health on a form and manner determined by the commissioner and must provide specific data demonstrating that the service area is not discriminatory, is necessary, and is in the best interest of enrollees.

Sec. 14. **[62K.14] NETWORK PROVIDER DIRECTORIES.**

Health carriers offering qualified health plans through the Minnesota Insurance Marketplace must submit information on network providers to the Minnesota Insurance Marketplace. The Minnesota Insurance Marketplace and the commissioner of health must collaborate to determine the form and manner in which this information shall be provided to the Minnesota Insurance Marketplace and the commissioner of health. Health carriers must provide this information at least quarterly and more frequently as determined by the Minnesota Insurance Marketplace or the commissioner of health.

Sec. 15. **[62K.15] LIMITED SCOPE DENTAL PLANS.**

(a) Limited scope dental plans must be offered on a guaranteed issue basis with premiums rated on allowable rating factors used for health plans. The commissioner of commerce shall enforce this paragraph.

(b) Limited scope dental plans must ensure dental services are available within 30 miles or 30 minutes' travel time. The commissioner of health shall enforce this paragraph.

(c) Health carriers offering limited scope dental plans must comply with this section and sections 62K.07, 62K.08, 62K.13, and 62K.14.

Sec. 16. Minnesota Statutes 2012, section 62Q.19, subdivision 1, is amended to read:

Subdivision 1. **Designation.** (a) The commissioner shall designate essential community providers. The criteria for essential community provider designation shall be the following:

(1) a demonstrated ability to integrate applicable supportive and stabilizing services with medical care for uninsured persons and high-risk and special needs populations, underserved, and other special needs populations; and

(2) a commitment to serve low-income and underserved populations by meeting the following requirements:

(i) has nonprofit status in accordance with chapter 317A;

(ii) has tax-exempt status in accordance with the Internal Revenue Service Code, section 501(c)(3);

(iii) charges for services on a sliding fee schedule based on current poverty income guidelines; and

(iv) does not restrict access or services because of a client's financial limitation;

(3) status as a local government unit as defined in section 62D.02, subdivision 11, a hospital district created or reorganized under sections 447.31 to 447.37, an Indian tribal government, an Indian health service unit, or a community health board as defined in chapter 145A;

(4) a former state hospital that specializes in the treatment of cerebral palsy, spina bifida, epilepsy, closed head injuries, specialized orthopedic problems, and other disabling conditions;

(5) a sole community hospital. For these rural hospitals, the essential community provider designation applies to all health services provided, including both inpatient and outpatient services. For purposes of this section, "sole community hospital" means a rural hospital that:

(i) is eligible to be classified as a sole community hospital according to Code of Federal Regulations, title 42, section 412.92, or is located in a community with a population of less than 5,000 and located more than 25 miles from a like hospital currently providing acute short-term services;

(ii) has experienced net operating income losses in two of the previous three most recent consecutive hospital fiscal years for which audited financial information is available; and

(iii) consists of 40 or fewer licensed beds; ~~or~~

(6) a birth center licensed under section 144.615; or

(7) a hospital or hospital system whose inpatients are predominantly under 21 years of age.

(b) Prior to designation, the commissioner shall publish the names of all applicants in the State Register. The public shall have 30 days from the date of publication to submit written comments to the commissioner on the application. No designation shall be made by the commissioner until the 30-day period has expired.

(c) The commissioner may designate an eligible provider as an essential community provider for all the services offered by that provider or for specific services designated by the commissioner.

(d) For the purpose of this subdivision, supportive and stabilizing services include at a minimum, transportation, child care, cultural, and linguistic services where appropriate."

Delete the title and insert:

"A bill for an act relating to health plan regulation; establishing health plan market rules; modifying the designation of essential community providers; amending Minnesota Statutes 2012, section 62Q.19, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 62K."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Clark from the Committee on Housing Finance and Policy to which was referred:

H. F. No. 829, A bill for an act relating to housing; landlord and tenant; changing motion requirements related to eviction expungements; changing penalty and filing requirements for wrongful entry by a landlord; changing notice requirements after conveyance of real property; creating new emergency tenant remedies actions; repealing requirements for section 8 eviction actions in foreclosed residential properties; amending Minnesota Statutes 2012, sections 484.014, by adding a subdivision; 504B.161, by adding a subdivision; 504B.177; 504B.181, subdivision 1, by adding a subdivision; 504B.211, subdivisions 2, 6; 504B.215, subdivision 1; 504B.285, subdivisions 1a, 1b; 504B.291, subdivision 1; 504B.371, subdivision 2; 504B.381, subdivision 1; 504B.385, subdivisions 1, 5; repealing Minnesota Statutes 2012, section 504B.285, subdivision 1c.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 504B.285, subdivision 1a, is amended to read:

Subd. 1a. **Grounds when the person holding over is a tenant in a foreclosed residential property.** (a) ~~For any eviction action commenced on or before December 31, 2014,~~ With respect to residential real property or a dwelling where the person holding the residential real property or dwelling after the expiration of the time for redemption on foreclosure of a mortgage was a tenant during the redemption period under a lease of any duration, and the lease began after the date the mortgage was executed, but prior to the expiration of the time for redemption, the immediate successor in interest must provide at least 90 days' written notice to vacate, given no sooner than the date of the expiration of the time for redemption, and effective no sooner than 90 days after the date of the expiration of the time for redemption, provided that the tenant pays the rent and abides by all terms of the lease.

(b) ~~For any eviction action commenced on or before December 31, 2014,~~ With respect to residential real property or a dwelling where the term of a bona fide lease extends more than 90 days beyond the date of the expiration of the time for redemption, the immediate successor in interest must allow the tenant to occupy the premises until the end of the remaining term of the lease, and provide at least 90 days' written notice to vacate, effective no sooner than the date the lease expires, provided that the tenant pays the rent and abides by all terms of the lease, except if the immediate successor in interest or an immediate subsequent bona fide purchaser will occupy the unit as the primary residence, the immediate successor in interest must provide at least 90 days' written notice to vacate, given no sooner than the date of the expiration of the time for redemption, effective no sooner than 90 days after the date of the expiration of the time for redemption, provided that the tenant pays the rent and abides by all terms of the lease.

For purposes of this section, a "bona fide lease" means:

- (1) the mortgagor or the child, spouse, or parent of the mortgagor is not the tenant;
 - (2) the lease or tenancy was the result of an arm's-length transaction; and
 - (3) the lease or tenancy requires the receipt of rent that is not substantially less than fair market rent for the property or the unit's rent is reduced or subsidized by a federal, state, or local subsidy.
- (c) ~~For any eviction action commenced on or before December 31, 2014,~~ With respect to residential real property or a dwelling involving a tenancy subject to section 8 of the United States Housing Act of 1937, as amended, where the term of the lease extends more than 90 days beyond the date of the expiration of the time for redemption, the immediate successor in interest must allow the tenant to occupy the premises until the end of the remaining term of the lease and provide at least 90 days' written notice to vacate, effective no sooner than the date the lease expires, provided that the tenant pays the rent and abides by all terms of the lease, except if the immediate successor in interest will occupy the unit as the primary residence, the immediate successor in interest must provide at least 90 days' written notice to vacate, given no sooner than the date of the expiration of the time for redemption, effective no sooner than 90 days after the date of the expiration of the time for redemption, provided that the tenant pays the rent and abides by all terms of the lease.

Sec. 2. Minnesota Statutes 2012, section 504B.285, subdivision 1b, is amended to read:

Subd. 1b. **Grounds when the person holding over is a tenant in a property subject to a contract for deed.** ~~For any eviction action commenced on or before December 31, 2014,~~ The person entitled to the premises may recover possession by eviction when any person holds over real property after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for termination was a tenant during the termination period under a lease of any duration and the lease began after the date the contract for deed was executed but prior to the expiration of the time for termination, and the person has received:

- (1) at least two months' written notice to vacate no sooner than one month after the expiration of the time for termination, provided that the tenant pays the rent and abides by all terms of the lease; or
- (2) at least two months' written notice to vacate no later than the date of the expiration of the time for termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the contract is reinstated.

Sec. 3. Minnesota Statutes 2012, section 504B.371, subdivision 2, is amended to read:

Subd. 2. **Time for appeal.** A party who feels aggrieved by the judgment may appeal within ~~ten~~ 15 days as provided for civil actions in district court.

Sec. 4. Minnesota Statutes 2012, section 504B.385, subdivision 5, is amended to read:

Subd. 5. **Notice of hearing.** (a) A hearing must be held within ten to 14 days from the day a residential tenant:

- (1) deposits rent with the court administrator; or
- (2) files the notice required under subdivision 1, paragraph (b) or (c), if the tenant is not required to deposit rent with the court administrator under subdivision 1, paragraph (d).

Nothing in this subdivision relieves the tenant of the obligation to deposit rent that becomes due to the landlord after the filing but before the hearing with the court administrator.

(b) If the cost of remedying the violation, as estimated by the residential tenant, is within the jurisdictional limit for conciliation court, the court administrator shall notify the landlord and the residential tenant of the time and place of the hearing by first class mail.

(c) The residential tenant must provide the court administrator with the landlord's name and address. If the landlord has disclosed a post office box as the landlord's address under section 504B.181, notice of the hearing may be mailed to the post office box.

(d) If the cost of remedying the violation, as estimated by the tenant, is above the jurisdictional limit for conciliation court, the tenant must serve the notice of hearing according to the Minnesota Rules of Civil Procedure.

(e) The notice of hearing must specify the amount the residential tenant has deposited with the court administrator and must inform the landlord that possession of the premises will not be in issue at the hearing unless the landlord files a counterclaim for possession or an eviction action.

Sec. 5. **REPEALER.**

Minnesota Statutes 2012, section 504B.285, subdivision 1c, is repealed.

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

Delete the title and insert:

"A bill for an act relating to housing; landlord and tenant; amending certain provisions relating to tenants holding over; modifying certain time for appeal and notice of hearing; making technical, clarifying, and conforming changes; amending Minnesota Statutes 2012, sections 504B.285, subdivisions 1a, 1b; 504B.371, subdivision 2; 504B.385, subdivision 5; repealing Minnesota Statutes 2012, section 504B.285, subdivision 1c."

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

The report was adopted.

Liebling from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 844, A bill for an act relating to home and community-based long-term care services; creating the Quality Self-Directed Services Workforce Council; proposing coding for new law in Minnesota Statutes, chapter 256B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[179A.54] INDIVIDUAL PROVIDERS OF DIRECT SUPPORT SERVICES.**

Subdivision 1. **Definitions.** (a) For the purposes of this section:

(b) "Direct support services" has the meaning given to it under section 256B.0711, subdivision 2, paragraph (d).

(c) "Individual provider" has the meaning given to it under section 256B.0711, subdivision 2, paragraph (e).

(d) "Participant" has the meaning given to it under section 256B.0711, subdivision 2, paragraph (f).

(e) "Participant's representative" has the meaning given to it under section 256B.0711, subdivision 2, paragraph (g).

Subd. 2. Rights of individual providers and participants. (a) Only for the purposes of meeting and negotiating on topics specified in paragraph (c) individual providers shall be considered, by virtue of this section, executive branch state employees employed by the commissioner of management and budget or the commissioner's representative. This section does not require the treatment of individual providers as public employees for any other purpose. Chapter 179A shall apply to individual providers except as otherwise provided in this section. Notwithstanding section 179A.03, subdivision 14, paragraph (a), clause (5), chapter 179A shall apply to individual providers regardless of part-time or full-time employment status.

(b) With regard to the application of chapter 179A to individual providers:

(1) if an exclusive representative is certified pursuant to this subdivision, the mutual rights and obligations of the state and an exclusive representative of individual providers to meet and negotiate regarding terms and conditions shall extend only to the subjects covered under paragraph (c);

(2) no provision of any agreement reached between the state and any exclusive representative of individual providers, nor any arbitration award, shall interfere with the rights of participants or participants' representatives to select, hire, direct, supervise, and terminate the employment of their individual providers; to manage an individual service budget regarding the amounts and types of authorized goods or services received; or to receive direct support services from individual providers not referred to them through a state registry;

(3) any interest arbitration award or agreement reached between the state and the exclusive representative of individual providers under chapter 179A shall be submitted to the legislature to be accepted or rejected in accordance with sections 3.855 and 179A.22, and is subject to section 179A.20, subdivisions 2 and 5;

(4) individual providers shall be subject to the prohibition on strikes applied to essential employees under section 179A.18, and to the interest arbitration procedures applied to essential employees under section 179A.16;

(5) the only appropriate unit for individual providers shall be a statewide unit of all individual providers. Individual providers who are related to their participant or their participant's representative shall not for such reason be excluded from the appropriate unit;

(6) beginning July 1, 2013, upon a showing made to the commissioner of the Bureau of Mediation Services by any employee organization wishing to represent the appropriate unit of individual providers that at least 500 individual providers support such representation, the commissioner of human services shall provide to such organization within seven days the most recent list of individual providers compiled under section 256B.0711, subdivision 6, paragraph (g), and subsequent monthly lists upon request for an additional three months;

(7) beginning August 1, 2013, any employee organization wishing to represent the appropriate unit of individual providers may seek exclusive representative status pursuant to section 179A.12. Representation elections for individual providers shall be conducted by mail ballot, and such election shall be conducted upon an appropriate petition stating that at least ten percent of the unit wishes to be represented by the petitioner. The individual providers eligible to vote in any such election shall be those individual providers on the monthly list of individual providers compiled under section 256B.0711, subdivision 6, paragraph (g), most recently preceding the filing of the election petition. Except as otherwise provided, elections under this clause shall be conducted in accordance with section 179A.12; and

(8) any fees otherwise required under section 179A.06, subdivision 3, shall not commence prior to ratification of an agreement under section 179A.22. This clause does not limit the availability of voluntary dues checkoff under section 179A.06, subdivision 6.

(c) The state shall meet and negotiate with the exclusive representative on the following issues:

(1) compensation rates and payment terms and practices;

(2) fringe benefits, including severance payments, but not retirement contributions or benefits and not other benefits to be paid by the state when a person no longer intends to be an individual provider;

(3) grievance procedures regarding matters in clauses (1) and (2);

(4) establishing a system for funding training; and

(5) required orientation programs for all newly hired individual providers regarding their employment within the covered programs through which they provide services.

Sec. 2. **[256B.0711] QUALITY SELF-DIRECTED SERVICES WORKFORCE.**

Subdivision 1. **Findings and purpose.** (a) The state of Minnesota has long been a leader in providing cost-effective and participant-preferred home and community-based services as an alternative to skilled nursing facility care for seniors and people with disabilities, and has a history of making improvements to strengthen this system. The state faces increasing demand for such services and a workforce able to provide them, due to changing demographics.

(b) The state of Minnesota faces numerous obstacles to meeting this demand, namely the staffing shortages and high turnover rates that characterize the workforce available to provide such services, a growing issue throughout the country. For these reasons, expanding access to such services, including opportunities for participants to select and direct individual providers of such services, will require the state to develop the infrastructure for recruiting and retaining a workforce of qualified individual service providers sufficient to meet the growing demand for such participant-directed services.

(c) The legislature enacts this section to address these issues by ensuring the development and maintenance of a stable, reliable, and experienced workforce of sufficient size to provide high-quality services to all seniors and people with disabilities who are authorized to receive such in-home services within state-financed programs, and by ensuring that such persons have the opportunity to select and direct members of that workforce as individual providers of such services.

Subd. 2. **Definitions.** (a) For purposes of this section:

(b) "Commissioner" means the commissioner of human services unless the context indicates otherwise.

(c) "Covered program" means a program to provide direct support services funded in whole or in part by the state of Minnesota, including the Community First Services and Supports program; Consumer Directed Community Supports services and extended state plan personal care assistance services available under programs established pursuant to home and community-based service waivers authorized under section 1915(c) of the Social Security Act, and under the alternative care program, as offered pursuant to section 256B.0913, as modified by subdivision 5; the personal care assistance choice program, as established pursuant to section 256B.0659, subdivisions 18 to 20, and as modified by this section; and any similar program that may provide such services.

(d) "Direct support services" means personal care assistance services covered by medical assistance under section 256B.0625, subdivisions 19a and 19c; assistance with activities of daily living as defined in section 256B.0659, subdivision 1, paragraph (b), and instrumental activities of daily living as defined in section 256B.0659, subdivision 1, paragraph (i); and other similar, in-home, nonprofessional long-term services and supports provided to an elderly person or person with a disability to meet such person's daily living needs and ensure that such person may adequately function in the person's home and have safe access to the community.

(e) "Individual provider" means an individual selected by and working under the direction of a participant in a covered program, or a participant's representative, to provide direct support services to the participant, and does not include an individual from an employee workforce assembled, directed, and controlled by a provider agency.

(f) "Participant" means a person who receives direct support services through a covered program.

(g) "Participant's representative" means a participant's legal guardian or an individual having the authority and responsibility to act on behalf of a participant with respect to the provision of direct support services through a covered program.

Subd. 3. Quality Self-Directed Services Workforce Council established. (a) There is established the Quality Self-Directed Services Workforce Council to ensure the quality and availability of individual providers to be selected by and work under the direction of participants to provide direct support services.

(b) The council shall be composed of the commissioner of human services or designee, who shall serve as chair, and the following members, who shall be appointed by the governor:

(1) six current or former recipients of direct support services;

(2) one legal guardian or legal representative of a current or former recipient of direct support services; and

(3) one member of the State Council on Disability, under section 256.482, one member of the Governor's Council on Developmental Disabilities, and one member of the Minnesota Board on Aging, under section 256.975.

(c) All appointments to the council shall be made as provided in section 15.0597. Membership terms, compensation and removal of members, and filling of vacancies are as provided in section 15.0575. A majority of the members appointed and serving shall constitute a quorum for the transaction of any business.

Subd. 4. Duties of council. The council, in consultation with the commissioner, has the following ongoing advisory duties and responsibilities relating to ensuring the quality, stability, and availability of the individual provider workforce:

(1) assess the size, quality, and stability of the individual provider workforce in Minnesota and the ability of the existing workforce to meet the growing and changing needs of both elderly participants and participants with disabilities;

(2) assess and propose strategies to identify, recruit, and retain prospective individual providers to be available for employment by participants or participants' representatives;

(3) advise the commissioner regarding the development of orientation programs, training and educational opportunities, and the maintenance of one or more public registries as described in subdivision 6;

(4) advise the commissioner and other relevant state agencies in assessing existing mechanisms for preventing abuse and neglect of participants and recommending improvements to those protections;

(5) advise the commissioner in determining standards for compensation, including benefits, and other conditions of employment for individual providers sufficient to attract and maintain a qualified workforce; and

(6) otherwise advise and advocate regarding appropriate means of expanding access to quality, self-directed direct support services.

Subd. 5. Operation of covered programs. (a) All covered programs shall operate consistent with this section, including by providing such services through individual providers as defined in subdivision 2, paragraph (e), notwithstanding any inconsistent provisions of section 256B.0659 or section 256B.04, subdivision 16.

(b) This requirement shall not restrict the state's ability to offer to those participants who choose not to self-direct a direct support worker or are unable to do so the alternative of receiving similar services from the employee workforce assembled, directed, and controlled by a provider agency.

Subd. 6. Duties of the Department of Human Services. (a) The commissioner shall afford to all participants within a covered program the option of employing an individual provider to provide direct support services.

(b) The commissioner shall ensure that all employment of individual providers is in conformity with this section.

(c) The commissioner shall, in consultation with the council:

(1) establish compensation rates, payment terms and practices, and any benefit terms, for all individual providers;

(2) provide for required orientation programs for all newly hired individual providers regarding their employment within the covered programs through which they provide services;

(3) provide for relevant training and educational opportunities for individual providers, as well as for participants and participants' representatives who receive services from individual providers, including opportunities for individual providers to obtain certification documenting additional training and experience in areas of specialization;

(4) provide for the maintenance of one or more public registries to:

(i) provide routine, emergency, and respite referrals of qualified individual providers to participants and participants' representatives;

(ii) enable participants and participants' representatives to gain improved access to, and choice among, prospective individual providers, including by having access to information about individual providers' training, educational background, work experience, and availability for hire; and

(iii) provide for appropriate employment opportunities for individual providers and a means by which they may more easily remain available to provide services to participants within covered programs; and

(5) establish other appropriate terms and conditions of employment governing the workforce of individual providers.

(d) The commissioner shall ensure that appropriate background checks are performed on all individual providers included on any registry as described in paragraph (c), clause (4).

(e) The commissioner's authority regarding topics specified in section 179A.54, subdivision 2, paragraph (c), is subject to the duty to meet and negotiate with an exclusive representative over those topics, and is subject to any contracts entered into covering topics specified in section 179A.54, subdivision 2, paragraph (c).

(f) The commissioner shall cooperate in the implementation of this act with the commissioner of management and budget in the same manner as would be required of an appointing authority under section 179A.22 with respect to any negotiations between the executive branch of the state and the exclusive representative of individual providers, as authorized under sections 179A.22 and 179A.54, regarding topics specified in section 179A.54, subdivision 2, paragraph (c). Any entity, including financial management entities, contracting with the state to provide support to participants or participants' representatives with regard to the employment of individual providers, shall assist and cooperate with the council and commissioner of human services in the operations of this section, including with respect to the commissioner's compiling and maintaining the list of individual providers required under paragraph (g).

(g) The commissioner shall, not later than July 1, 2013, and then monthly thereafter, compile and maintain a list of the names and addresses of all individual providers who have been paid for providing direct support services to participants within the previous six months. The list shall not include the name of any participant, or indicate that an individual provider is a relative of a participant or has the same address as a participant. The commissioner shall share the lists with the Quality Self-Directed Services Workforce Council and with others as needed for the state to meet its obligations under chapter 179A as modified and made applicable to individual providers under section 179A.54, and to facilitate the representational processes under section 179A.54, subdivision 2, paragraph (b), clauses (6) and (7).

(h) The commissioner shall immediately commence all necessary steps to ensure that services offered under all covered programs are offered in conformity with this section to complete any required modifications to currently operating covered programs by September 1, 2013.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to home and community-based long-term care services; creating the Quality Self-Directed Services Workforce Council; regulating individual providers of direct support services; proposing coding for new law in Minnesota Statutes, chapters 179A; 256B."

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 863, A bill for an act relating to campaign finance; providing for additional disclosure; making various changes to campaign finance and public disclosure law; providing penalties; amending Minnesota Statutes 2012, sections 10A.01, subdivisions 10, 11, 27, 28, by adding subdivisions; 10A.02, subdivisions 9, 10, 11, 12, by adding

a subdivision; 10A.025, subdivisions 2, 3; 10A.105, subdivision 1; 10A.12, subdivisions 1, 1a, 2; 10A.121, subdivision 1; 10A.14, subdivision 1, by adding a subdivision; 10A.15, subdivisions 1, 2, 3; 10A.20, subdivisions 1, 2, 3, 5, 6, 7, by adding a subdivision; 10A.25, subdivisions 2, 2a, 3, 3a; 10A.257, subdivision 1; 10A.27, subdivisions 1, 10, 11, 13, 14, 15; 10A.323; 13.607, subdivisions 3, 5a; 211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 2012, sections 10A.24; 10A.241; 10A.242; 10A.25, subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Dill from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 876, A bill for an act relating to state lands; providing for school forests; amending Minnesota Statutes 2012, sections 89.41; 282.01, subdivisions 1a, 1d.

Reported the same back with the following amendments:

Page 6, line 14, before "Property" insert "Except for tax-forfeited land conveyed to establish a school forest under section 89.41,"

Page 6, line 27, after the period, insert "The commissioner of revenue shall record a declaration of reversion for land that has reverted under this paragraph."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment, Natural Resources and Agriculture Finance.

The report was adopted.

Marquart from the Committee on Education Finance to which was referred:

H. F. No. 895, A bill for an act relating to education finance; removing obsolete language from the calculation of referendum equalization revenue; amending Minnesota Statutes 2012, section 126C.17, subdivision 5.

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

The report was adopted.

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

H. F. No. 925, A bill for an act relating to education; clarifying school districts' ability to request department assistance; amending Minnesota Statutes 2012, section 127A.18.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mullery from the Committee on Early Childhood and Youth Development Policy to which was referred:

H. F. No. 950, A bill for an act relating to collective bargaining; authorizing collective bargaining for family child care providers; proposing coding for new law in Minnesota Statutes, chapter 179A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[179A.50] REPRESENTATION OF FAMILY CHILD CARE PROVIDERS.**

Sections 179A.50 to 179A.52 shall be known as the Family Child Care Providers Representation Act.

Sec. 2. **[179A.51] DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of sections 179A.50 to 179A.52, the terms in this section have the meanings given them.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of mediation services.

Subd. 3. **Exclusive representative.** "Exclusive representative" means a labor organization that has been elected and certified under section 179A.52, thereby maintaining the right to represent family child care providers in their relations with the state.

Subd. 4. **Family child care provider.** "Family child care provider" means an individual, either licensed or unlicensed, who provides legal child care services as defined under section 245A.03, except for providers licensed under Minnesota Rules, chapter 9503, or excluded from licensure under section 245A.03, subdivision 2, paragraph (a), clause (5), and who provides child care assistance services under chapter 119B.

Subd. 5. **Labor organization.** "Labor organization" means an organization that has as its primary purpose the representation of public service providers in their relations with the state and other public entities.

Subd. 6. **State.** "State" means the state of Minnesota.

Sec. 3. **[179A.52] RIGHT TO ORGANIZE.**

Subdivision 1. **Right to organize; limitations.** Family child care providers shall have the right to form, join, and participate in the activities of labor organizations of their own choosing for the purpose of representation and meeting and negotiating with the state. Section 179A.22 applies to family child care providers except as otherwise provided in this section. Family child care providers have the rights and obligations of public employees solely for purposes related to meeting and negotiating on issues specifically set forth in subdivision 4, paragraph (c), and purposes related to meeting and conferring as provided in this section. This section does not grant family child care providers status as public employees for any purpose other than use of chapter 179A procedures for the right to organize, mediate, and negotiate related to the issues in subdivision 4, paragraph (c), and to meet and confer as set forth in this section. This chapter applies to the relations between the state, the exclusive representative, and family child care providers only for purposes described in this section. Family child care providers have the same rights to interest arbitration provided under section 179A.16, subdivision 2, to essential employees. Family child care providers do not have the right to strike.

Subd. 2. **Statewide unit.** Notwithstanding any other law to the contrary, the only bargaining unit under this section shall be a statewide unit of all family child care providers.

Subd. 3. **Certification; process.** For the purposes of determining certification under section 179A.12, the commissioner shall utilize a list of family child care providers compiled by the commissioner of human services over the most recent 12-month period. The commissioner shall conduct a certification election by mail ballot pursuant to the procedures in this chapter.

Subd. 4. **Meet and negotiate; meet and confer.** (a) If the commissioner certifies a labor organization as the majority exclusive representative, the state, through the commissioner of management and budget, shall meet and negotiate in good faith with the exclusive representative of the family child care unit regarding issues set forth in paragraph (c), but this obligation does not compel the state or its representatives to agree to a proposal or require the making of a concession. The commissioner of management and budget is authorized to enter into agreements with the exclusive representative on issues specified in paragraph (c). Negotiated agreements and arbitration decisions must be submitted to the legislature to be accepted or rejected in accordance with sections 3.855 and 179A.22.

(b) The state has an obligation to meet and confer under chapter 179A with family child care providers to discuss policies and other matters relating to their working conditions.

(c) The commissioner of management and budget shall meet and negotiate with the exclusive representative on the following issues:

(1) child care assistance reimbursement rates under chapter 119B;

(2) fringe benefits, but not retirement contributions or benefits, and not other benefits to be paid when a person is no longer a family child care provider; and

(3) grievance procedures regarding matters in clauses (1) and (2).

(d) Any portion of a negotiated or arbitrated agreement that would require a change in statute or rule may not take effect until the statute or rule is changed in a manner that would make the agreement comply with the statute or rule.

Subd. 5. **Exemption; federal law.** In affording family child care providers the right to engage in collective action, select a representative, and jointly engage in discussions with the state under the terms of this section, the state intends that the "state action" exemption from federal antitrust laws be fully available to the state, based on the state's active supervision of family child care providers to improve the quality, accessibility, and affordability of early childhood education services in the state.

Subd. 6. **Rights.** Nothing in this section shall be construed to interfere with:

(1) parental rights to select and deselect family child care providers or the ability of family child care providers to establish the rates they charge to parents;

(2) the right or obligation of any state agency to communicate or meet with any citizen, including another family child care provider, or organization concerning family child care legislation, regulation, or policy on any issue that is not specified in subdivision 4, paragraph (c); or

(3) the rights and responsibilities of family child care providers under federal law.

Subd. 7. **Severability.** Should any part of this act be declared invalid or unenforceable, or the enforcement or compliance with it is suspended, restrained, or barred, either by the state or by the final judgment of a court of competent jurisdiction, the remainder of this act shall remain in full force and effect.

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

Delete the title and insert:

"A bill for an act relating to collective bargaining; authorizing collective bargaining for family child care providers; proposing coding for new law in Minnesota Statutes, chapter 179A."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Labor, Workplace and Regulated Industries.

A roll call was requested and properly seconded on the adoption of the report from the Committee on Early Childhood and Youth Development Policy relating to H. F. No. 950.

The question was taken on the adoption of the report from the Committee on Early Childhood and Youth Development Policy relating to H. F. No. 950 and the roll was called. There were 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Lillie	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Loeffler	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mahoney	Newton	Simon
Benson, J.	Falk	Isaacson	Mariani	Norton	Simonson
Bernardy	Faust	Johnson, C.	Marquart	Paymar	Sundin
Bly	Fischer	Johnson, S.	Masin	Pelowski	Wagenius
Brynaert	Freiberg	Kahn	McNamar	Persell	Ward, J.A.
Carlson	Fritz	Laine	Melin	Poppe	Ward, J.E.
Clark	Halverson	Lenczewski	Moran	Radinovich	Winkler
Davnie	Hansen	Lesch	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Liebling	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lien	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Dettmer	Hamilton	Leidiger	O'Neill	Theis
Albright	Drazkowski	Hertaus	Lohmer	Peppin	Torkelson
Anderson, M.	Erickson, S.	Holberg	Loon	Petersburg	Uglen
Anderson, P.	Fabian	Hoppe	Mack	Pugh	Urdahl
Anderson, S.	FitzSimmons	Howe	McDonald	Quam	Wills
Barrett	Franson	Johnson, B.	McNamara	Runbeck	Woodard
Benson, M.	Garofalo	Kelly	Myhra	Sanders	Zellers
Daudt	Green	Kieffer	Newberger	Schomacker	Zerwas
Davids	Gunther	Kiel	Nornes	Scott	
Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski	

The motion prevailed and the report from the Committee on Early Childhood and Youth Development Policy relating to H. F. No. 950 was adopted.

Liebling from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 975, A bill for an act relating to human services; modifying provisions related to fair hearings and internal audits; creating the Cultural and Ethnic Leadership Communities Council; removing obsolete language; making technical changes; amending Minnesota Statutes 2012, sections 245.4661, subdivisions 2, 6; 245.482,

subdivision 5; 256.01, subdivision 2; 256.017, subdivision 1; 256.045, subdivisions 1, 3, 4; 256.0451, subdivisions 5, 13, 22, 24; 256B.055, subdivision 12; 256B.057, subdivision 3b; 256D.02, subdivision 12a; 256J.30, subdivisions 8, 9; 256J.37, subdivision 3a; 256J.395, subdivision 1; 256J.575, subdivision 3; 256J.626, subdivisions 6, 7, 8; 256J.72, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 2012, sections 245.461, subdivision 3; 245.463, subdivisions 1, 3, 4; 256.01, subdivisions 2a, 13, 23a; 256B.0185; 256D.02, subdivision 4a; 256J.575, subdivision 4; 256J.74, subdivision 4; 256L.04, subdivision 9.

Reported the same back with the following amendments:

Page 4, line 22, delete "60" and insert "90"

Page 4, line 23, after "cause" insert ", as defined in section 256.0451, subdivision 13."

Page 4, line 24, delete everything after the period

Page 4, delete lines 25 to 27

Page 4, line 28, delete "the notice of action."

Page 5, line 9, delete everything after the period and insert "Human services judges may grant a request for a hearing in person by holding the hearing by interactive video technology or in person. The human services judge must hear the case in person if the person asserts that either the person or a witness has a physical or mental disability that would impair their ability to fully participate in a hearing held by interactive video technology."

Page 5, delete lines 10 and 11

Page 7, line 18, delete "and are otherwise only" and insert ". These rulings and orders are"

Page 9, line 16, reinstate the stricken "30" and delete "ten"

Page 9, line 17, delete "working"

Page 25, after line 36, insert:

"Sec. 6. Minnesota Statutes 2012, section 256B.056, subdivision 11, is amended to read:

Subd. 11. **Treatment of annuities.** (a) Any person requesting medical assistance payment of long-term care services shall provide a complete description of any interest either the person or the person's spouse has in annuities on a form designated by the department. The form shall include a statement that the state becomes a preferred remainder beneficiary of annuities or similar financial instruments by virtue of the receipt of medical assistance payment of long-term care services. The person and the person's spouse shall furnish the agency responsible for determining eligibility with complete current copies of their annuities and related documents and complete the form designating the state as the preferred remainder beneficiary for each annuity in which the person or the person's spouse has an interest.

(b) The department shall provide notice to the issuer of the department's right under this section as a preferred remainder beneficiary under the annuity or similar financial instrument for medical assistance furnished to the person or the person's spouse, and provide notice of the issuer's responsibilities as provided in paragraph (c).

(c) An issuer of an annuity or similar financial instrument who receives notice of the state's right to be named a preferred remainder beneficiary as described in paragraph (b) shall provide confirmation to the requesting agency that the state has been made a preferred remainder beneficiary. The issuer shall also notify the county agency when

a change in the amount of income or principal being withdrawn from the annuity or other similar financial instrument or a change in the state's preferred remainder beneficiary designation under the annuity or other similar financial instrument occurs. The county agency shall provide the issuer with the name, address, and telephone number of a unit within the department that the issuer can contact to comply with this paragraph.

(d) "Preferred remainder beneficiary" for purposes of this subdivision and sections 256B.0594 and 256B.0595 means the state is a remainder beneficiary in the first position in an amount equal to the amount of medical assistance paid on behalf of the institutionalized person, or is a remainder beneficiary in the second position if the institutionalized person designates and is survived by a remainder beneficiary who is (1) a spouse who does not reside in a medical institution, (2) a minor child, or (3) a child of any age who is blind or permanently and totally disabled as defined in the Supplemental Security Income program. Notwithstanding this paragraph, the state is the remainder beneficiary in the first position if the spouse or child disposes of the remainder for less than fair market value.

(e) For purposes of this subdivision, "institutionalized person" and "long-term care services" have the meanings given in section 256B.0595, subdivision 1, paragraph ~~(h)~~ (g).

(f) For purposes of this subdivision, "medical institution" means a skilled nursing facility, intermediate care facility, intermediate care facility for persons with developmental disabilities, nursing facility, or inpatient hospital."

Page 26, delete section 7 and insert:

"Sec. 8. Minnesota Statutes 2012, section 256B.0595, subdivision 1, is amended to read:

Subdivision 1. **Prohibited transfers.** ~~(a) For transfers of assets made on or before August 10, 1993, if an institutionalized person or the institutionalized person's spouse has given away, sold, or disposed of, for less than fair market value, any asset or interest therein, except assets other than the homestead that are excluded under the supplemental security program, within 30 months before or any time after the date of institutionalization if the person has been determined eligible for medical assistance, or within 30 months before or any time after the date of the first approved application for medical assistance if the person has not yet been determined eligible for medical assistance, the person is ineligible for long-term care services for the period of time determined under subdivision 2.~~

~~(b)~~ (a) Effective for transfers made after August 10, 1993, an institutionalized person, an institutionalized person's spouse, or any person, court, or administrative body with legal authority to act in place of, on behalf of, at the direction of, or upon the request of the institutionalized person or institutionalized person's spouse, may not give away, sell, or dispose of, for less than fair market value, any asset or interest therein, except assets other than the homestead that are excluded under the Supplemental Security Income program, for the purpose of establishing or maintaining medical assistance eligibility. This applies to all transfers, including those made by a community spouse after the month in which the institutionalized spouse is determined eligible for medical assistance. For purposes of determining eligibility for long-term care services, any transfer of such assets within 36 months before or any time after an institutionalized person requests medical assistance payment of long-term care services, or 36 months before or any time after a medical assistance recipient becomes an institutionalized person, for less than fair market value may be considered. Any such transfer is presumed to have been made for the purpose of establishing or maintaining medical assistance eligibility and the institutionalized person is ineligible for long-term care services for the period of time determined under subdivision 2, unless the institutionalized person furnishes convincing evidence to establish that the transaction was exclusively for another purpose, or unless the transfer is permitted under subdivision 3 or 4. In the case of payments from a trust or portions of a trust that are considered transfers of assets under federal law, or in the case of any other disposal of assets made on or after February 8, 2006, any transfers made within 60 months before or any time after an institutionalized person requests medical assistance payment of long-term care services and within 60 months before or any time after a medical assistance recipient becomes an institutionalized person, may be considered.

~~(e)~~ (b) This section applies to transfers, for less than fair market value, of income or assets, including assets that are considered income in the month received, such as inheritances, court settlements, and retroactive benefit payments or income to which the institutionalized person or the institutionalized person's spouse is entitled but does not receive due to action by the institutionalized person, the institutionalized person's spouse, or any person, court, or administrative body with legal authority to act in place of, on behalf of, at the direction of, or upon the request of the institutionalized person or the institutionalized person's spouse.

~~(d)~~ (c) This section applies to payments for care or personal services provided by a relative, unless the compensation was stipulated in a notarized, written agreement which was in existence when the service was performed, the care or services directly benefited the person, and the payments made represented reasonable compensation for the care or services provided. A notarized written agreement is not required if payment for the services was made within 60 days after the service was provided.

~~(e)~~ (d) This section applies to the portion of any asset or interest that an institutionalized person, an institutionalized person's spouse, or any person, court, or administrative body with legal authority to act in place of, on behalf of, at the direction of, or upon the request of the institutionalized person or the institutionalized person's spouse, transfers to any annuity that exceeds the value of the benefit likely to be returned to the institutionalized person or institutionalized person's spouse while alive, based on estimated life expectancy as determined according to the current actuarial tables published by the Office of the Chief Actuary of the Social Security Administration. The commissioner may adopt rules reducing life expectancies based on the need for long-term care. This section applies to an annuity purchased on or after March 1, 2002, that:

(1) is not purchased from an insurance company or financial institution that is subject to licensing or regulation by the Minnesota Department of Commerce or a similar regulatory agency of another state;

(2) does not pay out principal and interest in equal monthly installments; or

(3) does not begin payment at the earliest possible date after annuitization.

~~(f)~~ (e) Effective for transactions, including the purchase of an annuity, occurring on or after February 8, 2006, by or on behalf of an institutionalized person who has applied for or is receiving long-term care services or the institutionalized person's spouse shall be treated as the disposal of an asset for less than fair market value unless the department is named a preferred remainder beneficiary as described in section 256B.056, subdivision 11. Any subsequent change to the designation of the department as a preferred remainder beneficiary shall result in the annuity being treated as a disposal of assets for less than fair market value. The amount of such transfer shall be the maximum amount the institutionalized person or the institutionalized person's spouse could receive from the annuity or similar financial instrument. Any change in the amount of the income or principal being withdrawn from the annuity or other similar financial instrument at the time of the most recent disclosure shall be deemed to be a transfer of assets for less than fair market value unless the institutionalized person or the institutionalized person's spouse demonstrates that the transaction was for fair market value. In the event a distribution of income or principal has been improperly distributed or disbursed from an annuity or other retirement planning instrument of an institutionalized person or the institutionalized person's spouse, a cause of action exists against the individual receiving the improper distribution for the cost of medical assistance services provided or the amount of the improper distribution, whichever is less.

~~(g)~~ (f) Effective for transactions, including the purchase of an annuity, occurring on or after February 8, 2006, by or on behalf of an institutionalized person applying for or receiving long-term care services shall be treated as a disposal of assets for less than fair market value unless it is:

(i) an annuity described in subsection (b) or (q) of section 408 of the Internal Revenue Code of 1986; or

(ii) purchased with proceeds from:

(A) an account or trust described in subsection (a), (c), or (p) of section 408 of the Internal Revenue Code;

(B) a simplified employee pension within the meaning of section 408(k) of the Internal Revenue Code; or

(C) a Roth IRA described in section 408A of the Internal Revenue Code; or

(iii) an annuity that is irrevocable and nonassignable; is actuarially sound as determined in accordance with actuarial publications of the Office of the Chief Actuary of the Social Security Administration; and provides for payments in equal amounts during the term of the annuity, with no deferral and no balloon payments made.

~~(h)~~ (g) For purposes of this section, long-term care services include services in a nursing facility, services that are eligible for payment according to section 256B.0625, subdivision 2, because they are provided in a swing bed, intermediate care facility for persons with developmental disabilities, and home and community-based services provided pursuant to sections 256B.0915, 256B.092, and 256B.49. For purposes of this subdivision and subdivisions 2, 3, and 4, "institutionalized person" includes a person who is an inpatient in a nursing facility or in a swing bed, or intermediate care facility for persons with developmental disabilities or who is receiving home and community-based services under sections 256B.0915, 256B.092, and 256B.49.

~~(h)~~ (h) This section applies to funds used to purchase a promissory note, loan, or mortgage unless the note, loan, or mortgage:

(1) has a repayment term that is actuarially sound;

(2) provides for payments to be made in equal amounts during the term of the loan, with no deferral and no balloon payments made; and

(3) prohibits the cancellation of the balance upon the death of the lender.

In the case of a promissory note, loan, or mortgage that does not meet an exception in clauses (1) to (3), the value of such note, loan, or mortgage shall be the outstanding balance due as of the date of the institutionalized person's request for medical assistance payment of long-term care services.

~~(i)~~ (i) This section applies to the purchase of a life estate interest in another person's home unless the purchaser resides in the home for a period of at least one year after the date of purchase.

~~(j)~~ (j) This section applies to transfers into a pooled trust that qualifies under United States Code, title 42, section 1396p(d)(4)(C), by:

(1) a person age 65 or older or the person's spouse; or

(2) any person, court, or administrative body with legal authority to act in place of, on behalf of, at the direction of, or upon the request of a person age 65 or older or the person's spouse.

Sec. 9. Minnesota Statutes 2012, section 256B.0595, subdivision 2, is amended to read:

Subd. 2. **Period of ineligibility for long-term care services.** ~~(a) For any uncompensated transfer occurring on or before August 10, 1993, the number of months of ineligibility for long term care services shall be the lesser of 30 months, or the uncompensated transfer amount divided by the average medical assistance rate for nursing facility services in the state in effect on the date of application. The amount used to calculate the average medical assistance~~

~~payment rate shall be adjusted each July 1 to reflect payment rates for the previous calendar year. The period of ineligibility begins with the month in which the assets were transferred. If the transfer was not reported to the local agency at the time of application, and the applicant received long-term care services during what would have been the period of ineligibility if the transfer had been reported, a cause of action exists against the transferee for the cost of long-term care services provided during the period of ineligibility, or for the uncompensated amount of the transfer, whichever is less. The uncompensated transfer amount is the fair market value of the asset at the time it was given away, sold, or disposed of, less the amount of compensation received.~~

~~(b)~~ (a) For uncompensated transfers made after August 10, 1993, the number of months of ineligibility for long-term care services shall be the total uncompensated value of the resources transferred divided by the average medical assistance rate for nursing facility services in the state in effect on the date of application. The amount used to calculate the average medical assistance payment rate shall be adjusted each July 1 to reflect payment rates for the previous calendar year. The period of ineligibility begins with the first day of the month after the month in which the assets were transferred except that if one or more uncompensated transfers are made during a period of ineligibility, the total assets transferred during the ineligibility period shall be combined and a penalty period calculated to begin on the first day of the month after the month in which the first uncompensated transfer was made. If the transfer was reported to the local agency after the date that advance notice of a period of ineligibility that affects the next month could be provided to the recipient and the recipient received medical assistance services or the transfer was not reported to the local agency, and the applicant or recipient received medical assistance services during what would have been the period of ineligibility if the transfer had been reported, a cause of action exists against the transferee for that portion of long-term care services provided during the period of ineligibility, or for the uncompensated amount of the transfer, whichever is less. The uncompensated transfer amount is the fair market value of the asset at the time it was given away, sold, or disposed of, less the amount of compensation received. Effective for transfers made on or after March 1, 1996, involving persons who apply for medical assistance on or after April 13, 1996, no cause of action exists for a transfer unless:

(1) the transferee knew or should have known that the transfer was being made by a person who was a resident of a long-term care facility or was receiving that level of care in the community at the time of the transfer;

(2) the transferee knew or should have known that the transfer was being made to assist the person to qualify for or retain medical assistance eligibility; or

(3) the transferee actively solicited the transfer with intent to assist the person to qualify for or retain eligibility for medical assistance.

~~(c)~~ (b) For uncompensated transfers made on or after February 8, 2006, the period of ineligibility:

(1) for uncompensated transfers by or on behalf of individuals receiving medical assistance payment of long-term care services, begins the first day of the month following advance notice of the period of ineligibility, but no later than the first day of the month that follows three full calendar months from the date of the report or discovery of the transfer; or

(2) for uncompensated transfers by individuals requesting medical assistance payment of long-term care services, begins the date on which the individual is eligible for medical assistance under the Medicaid state plan and would otherwise be receiving long-term care services based on an approved application for such care but for the period of ineligibility resulting from the uncompensated transfer; and

(3) cannot begin during any other period of ineligibility.

~~(d)~~ (c) If a calculation of a period of ineligibility results in a partial month, payments for long-term care services shall be reduced in an amount equal to the fraction.

~~(e)~~ (d) In the case of multiple fractional transfers of assets in more than one month for less than fair market value on or after February 8, 2006, the period of ineligibility is calculated by treating the total, cumulative, uncompensated value of all assets transferred during all months on or after February 8, 2006, as one transfer.

~~(f)~~ (e) A period of ineligibility established under paragraph ~~(e)~~ (b) may be eliminated if all of the assets transferred for less than fair market value used to calculate the period of ineligibility, or cash equal to the value of the assets at the time of the transfer, are returned. A period of ineligibility must not be adjusted if less than the full amount of the transferred assets or the full cash value of the transferred assets are returned.

Sec. 10. Minnesota Statutes 2012, section 256B.0595, subdivision 4, is amended to read:

Subd. 4. **Other exceptions to transfer prohibition.** (a) An institutionalized person, as defined in subdivision 1, paragraph ~~(h)~~ (g), who has made, or whose spouse has made a transfer prohibited by subdivision 1, is not ineligible for long-term care services if one of the following conditions applies:

(1) the assets were transferred to the individual's spouse or to another for the sole benefit of the spouse; or

(2) the institutionalized spouse, prior to being institutionalized, transferred assets to a spouse, provided that the spouse to whom the assets were transferred does not then transfer those assets to another person for less than fair market value. (At the time when one spouse is institutionalized, assets must be allocated between the spouses as provided under section 256B.059); or

(3) the assets were transferred to the individual's child who is blind or permanently and totally disabled as determined in the supplemental security income program; or

(4) a satisfactory showing is made that the individual intended to dispose of the assets either at fair market value or for other valuable consideration; or

(5) the local agency determines that denial of eligibility for long-term care services would work an undue hardship and grants a waiver of a period of ineligibility resulting from a transfer for less than fair market value based on an imminent threat to the individual's health and well-being. Imminent threat to the individual's health and well-being means that imposing a period of ineligibility would endanger the individual's health or life or cause serious deprivation of food, clothing, or shelter. Whenever an applicant or recipient is denied eligibility because of a transfer for less than fair market value, the local agency shall notify the applicant or recipient that the applicant or recipient may request a waiver of the period of ineligibility if the denial of eligibility will cause undue hardship. With the written consent of the individual or the personal representative of the individual, a long-term care facility in which an individual is residing may file an undue hardship waiver request, on behalf of the individual who is denied eligibility for long-term care services on or after July 1, 2006, due to a period of ineligibility resulting from a transfer on or after February 8, 2006.

(b) Subject to paragraph (c), when evaluating a hardship waiver, the local agency shall take into account whether the individual was the victim of financial exploitation, whether the individual has made reasonable efforts to recover the transferred property or resource, whether the individual has taken any action to prevent the designation of the department as a remainder beneficiary on an annuity as described in section 256B.056, subdivision 11, and other factors relevant to a determination of hardship.

(c) In the case of an imminent threat to the individual's health and well-being, the local agency shall approve a hardship waiver of the portion of an individual's period of ineligibility resulting from a transfer of assets for less than fair market value by or to a person:

(1) convicted of financial exploitation, fraud, or theft upon the individual for the transfer of assets; or

(2) against whom a report of financial exploitation upon the individual has been substantiated. For purposes of this paragraph, "financial exploitation" and "substantiated" have the meanings given in section 626.5572.

(d) The local agency shall make a determination within 30 days of the receipt of all necessary information needed to make such a determination. If the local agency does not approve a hardship waiver, the local agency shall issue a written notice to the individual stating the reasons for the denial and the process for appealing the local agency's decision. When a waiver is granted, a cause of action exists against the person to whom the assets were transferred for that portion of long-term care services provided within:

(1) 30 months of a transfer made on or before August 10, 1993;

(2) 60 months of a transfer if the assets were transferred after August 30, 1993, to a trust or portion of a trust that is considered a transfer of assets under federal law;

(3) 36 months of a transfer if transferred in any other manner after August 10, 1993, but prior to February 8, 2006; or

(4) 60 months of any transfer made on or after February 8, 2006,

or the amount of the uncompensated transfer, whichever is less, together with the costs incurred due to the action; or

(5) for transfers occurring after August 10, 1993, the assets were transferred by the person or person's spouse: (i) into a trust established for the sole benefit of a son or daughter of any age who is blind or disabled as defined by the Supplemental Security Income program; or (ii) into a trust established for the sole benefit of an individual who is under 65 years of age who is disabled as defined by the Supplemental Security Income program.

"For the sole benefit of" has the meaning found in section 256B.059, subdivision 1.

Sec. 11. Minnesota Statutes 2012, section 256B.0595, subdivision 9, is amended to read:

Subd. 9. **Filing cause of action; limitation.** (a) The county of financial responsibility under chapter 256G may bring a cause of action under any or all of the following:

(1) subdivision 1, paragraph ~~(e)~~ (e);

(2) subdivision 2, ~~paragraphs~~ paragraph (a) ~~and (b)~~;

(3) subdivision 3, paragraph (b);

(4) subdivision 4, paragraph (d); and

(5) subdivision 8

on behalf of the claimant who must be the commissioner.

(b) Notwithstanding any other law to the contrary, a cause of action under subdivision 2, paragraph (a) or (b), or 8, must be commenced within six years of the date the local agency determines that a transfer was made for less than fair market value. Notwithstanding any other law to the contrary, a cause of action under subdivision 3, paragraph (b), or 4, clause (5), must be commenced within six years of the date of approval of a waiver of the penalty period for a transfer for less than fair market value based on undue hardship.

Sec. 12. Minnesota Statutes 2012, section 256D.02, subdivision 12a, is amended to read:

Subd. 12a. **Resident.** (a) For purposes of eligibility for general assistance and general assistance medical care, a person must be a resident of this state.

(b) A "resident" is a person living in the state for at least 30 days with the intention of making the person's home here and not for any temporary purpose. Time spent in a shelter for battered women shall count toward satisfying the 30-day residency requirement. All applicants for these programs are required to demonstrate the requisite intent and can do so in any of the following ways:

(1) by showing that the applicant maintains a residence at a verified address, other than a place of public accommodation. An applicant may verify a residence address by presenting a valid state driver's license, a state identification card, a voter registration card, a rent receipt, a statement by the landlord, apartment manager, or homeowner verifying that the individual is residing at the address, or other form of verification approved by the commissioner; or

(2) by verifying residence according to Minnesota Rules, part 9500.1219, subpart 3, item C.

(c) ~~For general assistance medical care, a county agency shall waive the 30-day residency requirement in cases of medical emergencies.~~ For general assistance, a county shall waive the 30-day residency requirement where unusual hardship would result from denial of general assistance. For purposes of this subdivision, "unusual hardship" means the applicant is without shelter or is without available resources for food.

The county agency must report to the commissioner within 30 days on any waiver granted under this section. The county shall not deny an application solely because the applicant does not meet at least one of the criteria in this subdivision, but shall continue to process the application and leave the application pending until the residency requirement is met or until eligibility or ineligibility is established.

(d) For purposes of paragraph (c), the following definitions apply (1) "metropolitan statistical area" is as defined by the United States Census Bureau; (2) "shelter" includes any shelter that is located within the metropolitan statistical area containing the county and for which the applicant is eligible, provided the applicant does not have to travel more than 20 miles to reach the shelter and has access to transportation to the shelter. Clause (2) does not apply to counties in the Minneapolis-St. Paul metropolitan statistical area.

(e) Migrant workers as defined in section 256J.08 and, until March 31, 1998, their immediate families are exempt from the residency requirements of this section, provided the migrant worker provides verification that the migrant family worked in this state within the last 12 months and earned at least \$1,000 in gross wages during the time the migrant worker worked in this state.

(f) For purposes of eligibility for emergency general assistance, the 30-day residency requirement under this section shall not be waived.

(g) If any provision of this subdivision is enjoined from implementation or found unconstitutional by any court of competent jurisdiction, the remaining provisions shall remain valid and shall be given full effect."

Page 35, delete section 15

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 979, A bill for an act relating to elections; modifying election procedures; modifying election administration; modifying ballot formatting; adjusting timelines; amending Minnesota Statutes 2012, sections 103C.225, subdivision 3; 103C.305, subdivision 3; 201.071, subdivision 2; 201.091, subdivision 8; 201.12, subdivision 3; 201.13, subdivision 1a; 201.14; 202A.14, subdivision 1; 203B.05, subdivision 1; 203B.08, subdivision 3; 203B.081; 203B.121, subdivisions 2, 5; 203B.227; 203B.28; 204B.04, by adding a subdivision; 204B.14, subdivision 4; 204B.18, subdivision 2; 204B.22, subdivisions 1, 2; 204B.28, subdivision 1; 204B.32, subdivision 1; 204B.33; 204B.34, by adding a subdivision; 204B.35, subdivision 4; 204B.36, subdivision 1; 204B.45, subdivision 2; 204B.46; 204C.14; 204C.15, subdivision 1; 204C.19, subdivision 2; 204C.25; 204C.27; 204D.08, subdivision 6; 204D.09, subdivision 2; 204D.11, subdivisions 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions 1, 3; 204D.15, subdivision 3; 204D.16; 204D.165; 204D.19, subdivision 2; 205.02, subdivision 2; 205.10, subdivision 3; 205.13, subdivision 1a, by adding a subdivision; 205.16, subdivisions 1, 4, 5; 205.17, subdivisions 1, 3; 205A.04, by adding a subdivision; 205A.05, subdivisions 1, 2; 205A.06, by adding a subdivision; 205A.07, subdivisions 1, 3, 3a, 3b; 205A.08, subdivision 1; 206.61, subdivision 4; 206.89, subdivisions 2, 3; 206.895; 206.90, subdivision 6; 208.04, subdivisions 1, 2; 211B.045; 211B.37; 340A.416, subdivisions 2, 3; 340A.602; 375.20; 447.32, subdivisions 2, 3, 4; Laws 1963, chapter 276, section 2, subdivision 2, as amended; repealing Minnesota Statutes 2012, sections 204B.42; 204D.11, subdivisions 2, 3; 205.16, subdivision 2; 205.17, subdivisions 2, 4; 205A.08, subdivision 4.

Reported the same back with the following amendments:

Page 10, delete section 17

Page 13, delete section 24

Page 18, lines 27 to 29, reinstate the stricken language

Page 18, delete lines 30 to 33

Page 21, delete section 44 and insert:

"Sec. 42. Minnesota Statutes 2012, section 204D.16, is amended to read:

204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING; PUBLICATION.

~~Two weeks before the state general election the county auditor shall prepare sample copies of the white and canary ballots and~~ At least 46 days before the state general election, the county auditor shall post copies of these sample ballots and a sample of the pink ballot for each precinct in the auditor's office for public inspection and transmit an electronic copy of these sample ballots to the secretary of state. No earlier than 15 days and no later than two days before the state general election the county auditor shall cause ~~the a sample white and canary ballots state general election ballot~~ to be published in at least one newspaper of general circulation in the county."

Page 22, delete section 51

Page 25, delete section 60

Page 35, line 27, delete "205.16."

Page 35, line 28, delete "subdivision 2."

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Early Childhood and Youth Development Policy to which was referred:

H. F. No. 1141, A bill for an act relating to education; qualifying certain homeless children for early educational services; requiring a report; amending Minnesota Statutes 2012, sections 125A.02, subdivision 1a; 125A.30.

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

The report was adopted.

Mullery from the Committee on Early Childhood and Youth Development Policy to which was referred:

H. F. No. 1142, A bill for an act relating to human services; creating the Minnesota Families and Children Assistance Program Act; modifying the MFIP and child care assistance programs; providing directions to commissioner; instructing the revisor to change certain terminology; appropriating money; amending Minnesota Statutes 2012, sections 16A.152, subdivision 2; 119B.05, subdivision 1; 256J.08, by adding a subdivision; 256J.24, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 256J; repealing Minnesota Statutes 2012, section 256J.24, subdivision 6.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 5, line 4, after "counties" insert ", which must include at least one county that is not a metropolitan county, as defined in Minnesota Statutes, section 473.121, subdivision 4,"

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

Renumber the sections in sequence

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Poppe from the Committee on Agriculture Policy to which was referred:

H. F. No. 1175, A bill for an act relating to agriculture; establishing the Minnesota agricultural water quality program; authorizing rulemaking; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Page 1, line 13, delete everything after the period and insert "The program is voluntary. The program will first be piloted in"

Page 1, after line 16, insert:

"Subdivision 1. **Application.** The definitions in this section apply to sections 17.9891 to 17.993."

Page 1, line 17, delete "Subdivision 1." and insert "Subd. 2."

Page 1, line 20, delete "2" and insert "3"

Page 2, delete lines 1 and 2

Page 2, line 17, delete "BSWR" and insert "BWSR"

Page 3, line 17, delete "this"

Page 3, line 18, delete "chapter" and insert "sections 17.9891 to 17.993"

Page 3, line 24, delete everything after the period and insert "If a person notifies the commissioner that the person intends to contest the commissioner's opinion, the Office of Administrative Hearings shall conduct a hearing in accordance with the applicable provisions of chapter 14 for hearings in contested cases."

Page 3, delete line 25

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

The report was adopted.

Murphy, E., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1183, A bill for an act relating to appropriations; appropriating money from clean water fund and parks and trails fund.

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

The report was adopted.

Murphy, E., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1184, A bill for an act relating to state government finance; modifying provisions of the state auditor for costs and fees; requiring determination of IT costs for certain projects; establishing the e-government advisory council; changing the audit responsibility for job opportunity building zones to the legislative auditor; changing campaign finance provisions and establishing fees; changing provisions that refer to school trust lands director; authorizing "Support Our Veterans" license plates; changing provisions related to veterans; making department of revenue changes; establishing an automobile theft prevention surcharge; making conforming changes; appropriating money; amending Minnesota Statutes 2012, sections 6.48; 6.56, subdivision 2; 10A.01, subdivision 26; 10A.02, subdivision 15; 15A.0815, subdivision 3; 16A.82; 16E.07, subdivision 6, by adding a subdivision; 65B.84, subdivision 1; 94.342, subdivision 5; 127A.30, subdivision 1; 127A.351; 127A.352, subdivisions 1, 2; 197.608, subdivisions 3, 4, 5, 6; 197.791, subdivisions 1, 4, 5; 270C.69, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 295.55, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.30, by adding a subdivision; 297I.35, subdivision 2; 469.3201; 471.699; 473.843, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 6; 10A; 16; 168; 196; 297I; 349A; repealing Minnesota Statutes 2012, sections 6.58; 127A.352, subdivision 3; 127A.353; 168A.40, subdivisions 3, 4; 197.608, subdivision 2a; 270C.145.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance and Veterans Affairs.

The report was adopted.

Murphy, E., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1233, A bill for an act relating to state government; establishing the health and human services budget; modifying provisions related to health care, continuing care, nursing facility admission, children and family services, human services licensing, chemical and mental health, program integrity, managed care organizations, waiver provider standards, home care, and the Department of Health; redesigning home and community-based services; establishing community first services and supports and Northstar Care for Children; providing for fraud investigations in the child care assistance program; establishing autism early intensive intervention benefits; creating a human services performance council; making technical changes; requiring a study; requiring reports; appropriating money; repealing MinnesotaCare; amending Minnesota Statutes 2012, sections 16C.10, subdivision 5; 16C.155, subdivision 1; 103I.005, by adding a subdivision; 103I.521; 119B.011, by adding a subdivision; 119B.02, by adding a subdivision; 119B.025, subdivision 1; 119B.03, subdivision 4; 119B.05, subdivision 1; 119B.13, subdivisions 1, 1a, 6, by adding subdivisions; 144.051, by adding subdivisions; 144.0724, subdivision 4; 144.123, subdivision 1; 144.125, subdivision 1; 144.98, subdivisions 3, 5, by adding subdivisions; 144.99, subdivision 4; 144A.351; 144A.43; 144A.44; 144A.45; 144D.01, subdivision 4; 145.986; 145C.01, subdivision 7; 148E.065, subdivision 4a; 149A.02, subdivisions 1a, 2, 3, 4, 5, 16, 23, 27, 34, 35, 37, by adding subdivisions; 149A.03; 149A.65, by adding subdivisions; 149A.70, subdivisions 1, 2, 3, 5; 149A.71, subdivisions 2, 4; 149A.72, subdivisions 3, 9, by adding a subdivision; 149A.73, subdivisions 1, 2, 4; 149A.74; 149A.90, subdivision 8; 149A.91, subdivision 9; 149A.92, subdivision 1; 149A.93, subdivisions 3, 6; 149A.94; 149A.96, subdivision 9; 174.30, subdivision 1; 243.166, subdivisions 4b, 7; 245.4682, subdivision 2; 245A.02, subdivisions 1, 9, 10, 14; 245A.03, subdivisions 7, 9; 245A.04, subdivision 13; 245A.042, subdivision 3; 245A.07, subdivisions 2a, 3; 245A.08, subdivision 2a; 245A.10; 245A.11, subdivisions 2a, 7, 7a, 7b, 8; 245A.1435; 245A.144; 245A.1444; 245A.16, subdivision 1; 245A.40, subdivision 5; 245A.50; 245C.04, by adding a subdivision; 245C.08, subdivision 1; 245C.33, subdivision 1; 245D.02; 245D.03; 245D.04; 245D.05; 245D.06; 245D.07; 245D.09; 245D.10; 246.18, subdivision 8, by adding a subdivision; 246.54; 254B.04, subdivision 1; 256.01, subdivisions 2, 24, 34, by adding subdivisions; 256.0112, by adding a subdivision; 256.82, subdivisions 2, 3; 256.969, subdivision 3a; 256.975, subdivision 7, by adding subdivisions; 256.9754, subdivision 5, by adding subdivisions; 256.98, subdivision 8; 256B.02, by adding subdivisions; 256B.021, by adding subdivisions; 256B.04, subdivisions 18, 21, by adding a subdivision; 256B.055,

subdivisions 3a, 6, 10, 15, by adding subdivisions; 256B.056, subdivisions 1, 1a, 1c, 3, 3c, 4, 5c, 10, by adding a subdivision; 256B.057, subdivisions 1, 8, 10, by adding a subdivision; 256B.059, subdivision 1; 256B.06, subdivision 4; 256B.0625, subdivisions 13e, 17a, 19c, 58, by adding subdivisions; 256B.0659, subdivision 21; 256B.0911, subdivisions 1, 1a, 3a, 4d, 6, 7, by adding a subdivision; 256B.0913, subdivision 4, by adding a subdivision; 256B.0915, subdivisions 3a, 5, by adding a subdivision; 256B.0916, by adding a subdivision; 256B.0917, subdivisions 6, 13, by adding subdivisions; 256B.092, subdivisions 11, 12, by adding subdivisions; 256B.434, subdivision 4; 256B.437, subdivision 6; 256B.439, subdivisions 1, 2, 3, 4, by adding a subdivision; 256B.441, subdivisions 13, 53, by adding subdivisions; 256B.49, subdivisions 11a, 12, 14, 15, by adding subdivisions; 256B.4912, subdivisions 1, 7, by adding subdivisions; 256B.493, subdivision 2; 256B.5011, subdivision 2; 256B.69, subdivisions 5c, 31; 256B.76, subdivisions 1, 2; 256B.761; 256B.766; 256L.05, by adding a subdivision; 256J.08, subdivision 24; 256J.21, subdivisions 2, 3; 256J.24, subdivisions 3, 7; 256J.621; 256J.626, subdivision 7; 257.85, subdivisions 2, 5, 6; 260C.446; 402A.10; 402A.18; 471.59, subdivision 1; 626.556, subdivisions 2, 3, 10d; 626.557, subdivisions 4, 9, 9a, 9e; 626.5572, subdivision 13; Laws 1998, chapter 407, article 6, section 116; proposing coding for new law in Minnesota Statutes, chapters 144; 144A; 149A; 245; 245A; 245D; 256; 256B; 256J; 259A; 260C; 402A; proposing coding for new law as Minnesota Statutes, chapters 245E; 256N; repealing Minnesota Statutes 2012, sections 103I.005, subdivision 20; 144.123, subdivision 2; 144A.46; 144A.461; 149A.025; 149A.20, subdivision 8; 149A.30, subdivision 2; 149A.40, subdivision 8; 149A.45, subdivision 6; 149A.50, subdivision 6; 149A.51, subdivision 7; 149A.52, subdivision 5a; 149A.53, subdivision 9; 245A.655; 245B.01; 245B.02; 245B.03; 245B.031; 245B.04; 245B.05, subdivisions 1, 2, 3, 5, 6, 7; 245B.055; 245B.06; 245B.07; 245B.08; 245D.08; 256.82, subdivision 4; 256B.055, subdivisions 3, 5, 10b; 256B.056, subdivision 5b; 256B.057, subdivisions 1c, 2; 256B.0911, subdivisions 4a, 4b, 4c; 256B.0917, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 14; 256B.092, subdivision 11; 256B.49, subdivisions 16a, 22; 256J.24, subdivision 10; 256L.01, subdivisions 1, 1a, 2, 3, 3a, 4a, 5; 256L.02, subdivisions 1, 2, 3; 256L.03, subdivisions 1, 1a, 1b, 2, 3, 3a, 3b, 4, 5, 6; 256L.031; 256L.04, subdivisions 1, 1a, 1b, 2, 2a, 7, 7a, 7b, 8, 9, 10, 10a, 12, 13; 256L.05; 256L.06, subdivision 3; 256L.07, subdivisions 1, 2, 3, 4, 5, 8, 9; 256L.09, subdivisions 1, 2, 4, 5, 6, 7; 256L.10; 256L.11; 256L.12; 256L.15, subdivisions 1, 1a, 1b, 2; 256L.17, subdivisions 1, 2, 3, 4, 5; 256L.18; 256L.22; 256L.24; 256L.26; 256L.28; 260C.441; 485.14; Minnesota Rules, parts 3400.0130, subpart 8; 4668.0002; 4668.0003; 4668.0005; 4668.0008; 4668.0012; 4668.0016; 4668.0017; 4668.0019; 4668.0030; 4668.0035; 4668.0040; 4668.0050; 4668.0060; 4668.0065; 4668.0070; 4668.0075; 4668.0080; 4668.0100; 4668.0110; 4668.0120; 4668.0130; 4668.0140; 4668.0150; 4668.0160; 4668.0170; 4668.0180; 4668.0190; 4668.0200; 4668.0218; 4668.0220; 4668.0230; 4668.0240; 4668.0800; 4668.0805; 4668.0810; 4668.0815; 4668.0820; 4668.0825; 4668.0830; 4668.0835; 4668.0840; 4668.0845; 4668.0855; 4668.0860; 4668.0865; 4668.0870; 4669.0001; 4669.0010; 4669.0020; 4669.0030; 4669.0040; 4669.0050; 9502.0355, subpart 4; 9560.0650, subparts 1, 3, 6; 9560.0651; 9560.0655.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 1257, A bill for an act relating to education; clarifying basic skills requirements for teacher candidates and licensure; establishing an advisory task force; amending Minnesota Statutes 2012, sections 122A.18, subdivision 2; 122A.23, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2012, section 122A.09, subdivision 4, is amended to read:

Subd. 4. **License and rules.** (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

(b) The board must adopt rules requiring a person until September 1, 2014, to pass a skills examination in reading, writing, and mathematics as a requirement for initial teacher licensure, except that the board may issue a temporary, one-year teaching license to an otherwise qualified candidate who has not passed the skills examination at the time the candidate successfully completes an approved teacher preparation program. Such rules must require college and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the skills examination, including those for whom English is a second language.

(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning.

(e) The board must adopt rules requiring candidates for initial licenses to pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century and formalizes mentoring and induction for newly licensed teachers that is provided through a teacher support framework.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(n) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in understanding the key warning signs of early-onset mental illness in children and adolescents.

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

Page 1, line 17, strike "provide" and insert "make available upon request"

Page 1, line 20, strike "provide" and insert "make available"

Page 1, line 22, delete "must provide" and insert "may make available upon request"

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1337, A bill for an act relating to education; providing for a series of statewide assessments aligned with state academic standards and career and college readiness benchmarks; amending Minnesota Statutes 2012, sections 120B.125; 120B.128; 120B.30, subdivisions 1, 1a; 120B.36, subdivision 1; 124D.52, by adding a subdivision; repealing Minnesota Rules, parts 3501.0010; 3501.0020; 3501.0030, subparts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16; 3501.0040; 3501.0050; 3501.0060; 3501.0090; 3501.0100; 3501.0110; 3501.0120; 3501.0130; 3501.0140; 3501.0150; 3501.0160; 3501.0170; 3501.0180; 3501.0200; 3501.0210; 3501.0220; 3501.0230; 3501.0240; 3501.0250; 3501.0270; 3501.0280, subparts 1, 2; 3501.0290; 3501.1000; 3501.1020; 3501.1030; 3501.1040; 3501.1050; 3501.1110; 3501.1120; 3501.1130; 3501.1140; 3501.1150; 3501.1160; 3501.1170; 3501.1180; 3501.1190.

Reported the same back with the following amendments:

Page 4, line 16, reinstate the stricken language and delete the period

Page 4, lines 17 to 23, reinstate the stricken language

Page 5, line 25, delete "and core subjects and course content under sections"

Page 5, line 26, delete "120B.021, 120B.022, and 120B.024,"

Page 7, line 21, delete "and of core subjects and course content"

Page 7, line 31, after "entrance" insert "exam"

Page 7, line 34, delete "and of core"

Page 7, line 35, delete "subjects and course content"

Page 13, line 18, after "PATHWAYS" insert "AND TECHNICAL EDUCATION"

Page 13, line 19, after "pathways" insert "and technical education"

Page 15, after line 1, insert:

"Sec. 9. **APPROPRIATIONS.**

Subdivision 1. **Minnesota Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **College and career ready assessments.** For the costs necessary for school district and charter school students to participate in the required assessments under section 2:

<u>\$.....</u>	<u>.....</u>	<u>2014</u>
<u>\$.....</u>	<u>.....</u>	<u>2015</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 3. **Computer-adapted tests.** For the development costs associated with state-developed, computer-adapted tests under section 3:

<u>\$.....</u>	<u>.....</u>	<u>2014</u>
<u>\$.....</u>	<u>.....</u>	<u>2015</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. **Request for proposals.** For the costs associated with developing the request for proposals for the assessments required under section 3, paragraph (d):

<u>\$.....</u>	<u>.....</u>	<u>2014</u>
<u>\$.....</u>	<u>.....</u>	<u>2015</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 5. Career Pathways Advisory Task Force. For the costs of the Career Pathways Advisory Task Force under section 8:

\$..... 2014

Any balance in fiscal year 2014 does not cancel but is available in fiscal year 2015."

Page 15, line 2, delete "9" and insert "10"

Amend the title as follows:

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

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 119, 143, 290, 291, 450, 664, 863, 925 and 979 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kahn introduced:

H. F. No. 1389, A bill for an act relating to state government; adding the Office of Enterprise Technology (OET) to certain provisions and changing certain OET provisions; amending Minnesota Statutes 2012, sections 3D.14; 15.06, subdivision 1; 16E.04, subdivision 2; 16E.18, subdivision 8; 43A.08, subdivision 1a; repealing Minnesota Statutes 2012, section 15.06, subdivision 1a.

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

Kahn introduced:

H. F. No. 1390, A bill for an act relating to state government; updating provisions in the Geospatial Information Office; amending Minnesota Statutes 2012, section 16E.30, subdivisions 7, 8, by adding subdivisions; repealing Minnesota Statutes 2012, section 16E.30, subdivisions 4, 5.

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

Isaacson introduced:

H. F. No. 1391, A bill for an act relating to jobs; creating a collaborative job-based education and apprenticeship program; requiring a report; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 178A.

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

Mullery introduced:

H. F. No. 1392, A bill for an act relating to economic development; appropriating funds for youth workforce development grants.

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

Mullery introduced:

H. F. No. 1393, A bill for an act relating to economic development; appropriating money for youth employment programs.

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

Erhardt introduced:

H. F. No. 1394, A bill for an act relating to taxation; expanding the sales tax base and reducing the rate; providing a low-income tax credit; appropriating money; amending Minnesota Statutes 2012, sections 295.53, subdivision 1; 295.58; 297A.61, subdivisions 3, 4, 5, 6, 10, 14a, 21, 25, 27, 38, by adding subdivisions; 297A.62, subdivision 1; 297A.63; 297A.66, subdivision 1, by adding a subdivision; 297A.67, subdivisions 5, 23; 297A.68, subdivisions 10, 19, by adding a subdivision; 297A.69, subdivision 2; 297A.70, subdivision 13; 297A.83, subdivision 3; 297A.94; 297A.99, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2012, sections 297A.61, subdivision 45; 297A.67, subdivisions 2, 7, 8, 9, 10, 11, 12, 13, 13a, 14, 15, 16, 17, 19, 21, 27, 29; 297A.70, subdivisions 10, 14, 16; 297A.71, subdivisions 12, 22.

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

Dehn, R.; Clark and Huntley introduced:

H. F. No. 1395, A bill for an act relating to human services; removing residency ratio restrictions for home and community-based services waiver and general assistance recipients; amending Minnesota Statutes 2012, sections 256B.492; 256D.44, subdivision 5.

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

Hilstrom introduced:

H. F. No. 1396, A bill for an act relating to judiciary; providing that school bus stop-signal arm violations be placed on the uniform fine schedule.

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

Hilstrom introduced:

H. F. No. 1397, A bill for an act relating to public safety; providing that the criminal and traffic surcharge applies to non-court-ordered diversion programs; directing city or county treasurer to collect and transmit surcharge; amending Minnesota Statutes 2012, section 357.021, subdivision 7, by adding a subdivision.

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

Hilstrom introduced:

H. F. No. 1398, A bill for an act relating to judiciary; imposing a court technology fee on civil court filings; creating a special revenue account; appropriating funds to the Supreme Court; amending Minnesota Statutes 2012, section 357.021, by adding a subdivision.

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

Hilstrom introduced:

H. F. No. 1399, A bill for an act relating to judiciary; creating a graduated filing fee based on the amount in controversy for conciliation court actions; amending Minnesota Statutes 2012, section 357.022.

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

Paymar introduced:

H. F. No. 1400, A bill for an act relating to public safety; modifying certain provisions regarding domestic abuse; amending Minnesota Statutes 2012, sections 518B.01, subdivision 14, by adding a subdivision; 609.2242, subdivision 2; 609.748, subdivision 6; 629.75, subdivision 2, by adding a subdivision; 634.20.

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

Mullery introduced:

H. F. No. 1401, A bill for an act relating to education; appropriating money for a grant to Special School District No. 1, Minneapolis, for community engagement and empowerment.

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

Ward, J.A.; Schoen; Kieffer; Fischer; Wagenius and Selcer introduced:

H. F. No. 1402, A bill for an act relating to public health; appropriating money to study perfluorochemical levels.

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

Ward, J.A.; Fischer; Selcer; Moran; Halverson; Rosenthal; Erickson, R.; Faust and Morgan introduced:

H. F. No. 1403, A bill for an act relating to education finance; increasing the maximum amount of the building lease levy from \$150 to \$175 per pupil; amending Minnesota Statutes 2012, section 126C.40, subdivision 1.

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

Abeler introduced:

H. F. No. 1404, A bill for an act relating to human services; exempting providers of durable medical equipment, prosthetics, orthotics, or medical supplies from the Medicare payment limit and the Medicare enrollment requirement; amending Minnesota Statutes 2012, sections 256B.0625, subdivision 31; 256B.767.

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

Sawatzky; Atkins; Anzels; Benson, M.; Fritz and Kahn introduced:

H. F. No. 1405, A bill for an act relating to gambling; appropriating money for problem gambling.

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

Radinovich; Newton; Isaacson; Davnie; Moran; Bly; Anzels; Erickson, R., and Melin introduced:

H. F. No. 1406, A bill for an act relating to education finance; creating education advancement revenue; reducing the operating referendum; reducing property taxes; appropriating money; amending Minnesota Statutes 2012, sections 126C.10, subdivision 1, by adding subdivisions; 126C.13, subdivision 4; 126C.17, subdivisions 1, 2.

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

Anzels introduced:

H. F. No. 1407, A bill for an act relating to education finance; simplifying the allocation of contracted pupil transportation expenses across categories; amending Minnesota Statutes 2012, section 123B.92, subdivision 5.

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

Hansen and McNamara introduced:

H. F. No. 1408, A bill for an act relating to elections; requiring soil and water conservation district supervisors to be elected by supervisor districts in the seven-county metropolitan area; amending Minnesota Statutes 2012, section 103C.311, subdivision 2.

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

Nelson, Mahoney and Murphy, M., introduced:

H. F. No. 1409, A bill for an act relating to retirement; Minnesota State Retirement System, permitting legislators to transfer to general state employees retirement plan coverage rather than retain unclassified state employees retirement program coverage; amending Minnesota Statutes 2012, sections 352.01, subdivision 2a; 352D.02, subdivisions 1, 3.

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

Nelson introduced:

H. F. No. 1410, A bill for an act relating to retirement; Minnesota State Retirement System; permitting deferred members from the general employees retirement plan, correctional employees retirement plan, and the State Patrol retirement plan to vote in board elections; amending Minnesota Statutes 2012, section 352.03, subdivisions 1, 1a.

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

Masin, Newton and Halverson introduced:

H. F. No. 1411, A bill for an act relating to education; allowing retired teachers to work as behind-the-wheel instructors; amending Minnesota Statutes 2012, section 122A.48, subdivision 3.

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

Fritz and Schomacker introduced:

H. F. No. 1412, A bill for an act relating to human services; providing nursing facility rate adjustments for sprinkler system costs and elevator costs.

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

Fritz introduced:

H. F. No. 1413, A bill for an act relating to technology accessibility; creating an advisory committee; appropriating money; amending Minnesota Statutes 2012, section 16E.0475.

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

Howe, Simonson and O'Driscoll introduced:

H. F. No. 1414, A bill for an act relating to employment; modifying payment of wages and payroll and payroll deductions; amending Minnesota Statutes 2012, sections 181.06, subdivision 2; 181.101.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Allen introduced:

H. F. No. 1415, A bill for an act relating to civil actions; creating a cause of action for sex trafficking victims; proposing coding for new law in Minnesota Statutes, chapter 604.

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

Erhardt introduced:

H. F. No. 1416, A bill for an act relating to transportation; highways; amending certain legislative routes of the trunk highway system; removing certain legislative routes from the trunk highway system; amending Minnesota Statutes 2012, section 161.115, subdivision 229, by adding a subdivision.

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

Hamilton introduced:

H. F. No. 1417, A bill for an act relating to taxation; authorizing the city of Windom to impose sales and use and excise taxes.

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

Moran introduced:

H. F. No. 1418, A bill for an act relating to education; state government; creating a Department of Early Care and Education; proposing coding for new law as Minnesota Statutes, chapter 119C.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Allen introduced:

H. F. No. 1419, A bill for an act relating to human services; modifying critical access dental provider requirements; amending Minnesota Statutes 2012, section 256B.76, subdivision 4.

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

Laine introduced:

H. F. No. 1420, A bill for an act relating to elections; establishing a pilot project for conducting elections using electronic roster technology; creating the Electronic Roster Task Force; appropriating money.

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

Persell, Newton, Dettmer, Simon and Howe introduced:

H. F. No. 1421, A bill for an act relating to state government; appropriating money for public broadcasting.

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

Erhardt introduced:

H. F. No. 1422, A bill for an act relating to human services; modifying requirements for providers of home and community-based services; amending Minnesota Statutes 2012, sections 245D.06, subdivision 1; 245D.09, by adding a subdivision.

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

Hansen; Wagenius; Ward, J.A.; Atkins; Johnson, S.; Sawatzky; Falk and Lillie introduced:

H. F. No. 1423, A bill for an act relating to the environment; prohibiting the use and sale of certain coal tar products; appropriating money from the clean water fund; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 2012, section 116.201.

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

Kahn introduced:

H. F. No. 1424, A bill for an act relating to state government; adding engineering staff to the list of employees the commissioner may establish special salary rates to attract and retain; amending Minnesota Statutes 2012, section 43A.17, subdivision 4.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Falk, Metsa, Peppin, Green and Newberger introduced:

H. F. No. 1425, A bill for an act relating to local government; providing for effect of orderly annexation agreement; limiting the annexation by ordinance of certain parcels; amending Minnesota Statutes 2012, sections 414.0325, subdivision 6; 414.033, by adding a subdivision.

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

Barrett introduced:

H. F. No. 1426, A bill for an act relating to the city of Taylors Falls; authorizing the city of Taylors Falls to establish and exercise border city development zone powers; appropriating money.

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

Barrett introduced:

H. F. No. 1427, A bill for an act relating to education; directing the commissioner of education to seek federal approval to modify the multiple measurements rating to fairly calculate graduation rates in districts and schools serving eligible students with disabilities ages 18 to 21.

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

Kahn; Dehn, R.; Loeffler; Lillie; Hornstein and Murphy, M., introduced:

H. F. No. 1428, A bill for an act relating to the budget forecast; allowing spending estimates to include inflation adjustments; amending Minnesota Statutes 2012, section 16A.103, subdivision 1a.

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

Bernardy, Marquart, Savick, Selcer, Bly and Ward, J.A., introduced:

H. F. No. 1429, A bill for an act relating to education finance; increasing funding for the Minnesota reading corps program; appropriating money.

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

Bernardy, Hausman, Laine, Lenczewski and Erhardt introduced:

H. F. No. 1430, A bill for an act relating to capital investment; appropriating money for the transit capital improvement program; authorizing the sale and issuance of state bonds.

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

Mahoney and Gunther introduced:

H. F. No. 1431, A bill for an act relating to taxation; sales and use; providing tax exemption for qualified data centers; amending Minnesota Statutes 2012, section 297A.68, subdivision 42.

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

Savick introduced:

H. F. No. 1432, A bill for an act relating to taxes; individual income and corporate franchise; providing a tax credit to employers that employ qualified veterans; amending Minnesota Statutes 2012, section 290.06, by adding a subdivision.

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

Nelson introduced:

H. F. No. 1433, A bill for an act relating to retirement; St. Paul Teachers Retirement Fund Association; increasing state aid by up to \$10,000,000 annually; increasing employee and employer contributions; requiring employer contributions for reemployed annuitants; requiring a 180-day separation to qualify for a retirement annuity; requiring forfeiture of reemployed annuitant accounts by post-June 30, 2013, retirees; increasing accrual rates on post-June 30, 2014, service; revising early retirement factors; moving the Teachers Retirement Association aid authorization to a new section; appropriating money; amending Minnesota Statutes 2012, sections 354A.011, subdivision 21; 354A.12, subdivisions 1, 2a, 3a, 3c, 7, by adding a subdivision; 354A.31, subdivisions 3, 4, 7; 354A.35, subdivision 2; 356.47, subdivision 1; 423A.02, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 354.

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

Hansen; Ward, J.A.; Kahn; Benson, J., and Freiberg introduced:

H. F. No. 1434, A bill for an act relating to natural resources; appropriating money for operation and maintenance of metropolitan regional parks.

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

Winkler; Marquart; Ward, J.A.; Morgan; Poppe and Dorholt introduced:

H. F. No. 1435, A bill for an act relating to education; establishing a Minnesota Learning Commons Consortium; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Dettmer introduced:

H. F. No. 1436, A bill for an act relating to the military; appropriating money for a grant to support activities related to the commissioning of the USS Minnesota.

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

Dettmer introduced:

H. F. No. 1437, A bill for an act relating to taxation; city of Forest Lake; extending duration of Forest Lake Economic Development Authority; authorizing use of tax increment financing; extending authority.

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

Newton, O'Driscoll, Abeler and Hortman introduced:

H. F. No. 1438, A bill for an act relating to natural resources; prohibiting payment of minerals management costs from permanent school trust fund land proceeds; appropriating money; amending Minnesota Statutes 2012, sections 93.22, subdivision 1; 93.2236.

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

Newton, O'Driscoll, Abeler and Hortman introduced:

H. F. No. 1439, A bill for an act relating to state lands; limiting costs that may be assessed against permanent school trust lands; appropriating money; amending Minnesota Statutes 2012, section 16A.125, subdivision 5.

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

Hornstein introduced:

H. F. No. 1440, A bill for an act relating to taxation; corporate franchise; expanding the definition of domestic corporations to include certain foreign corporations incorporated in or doing business in tax havens; amending Minnesota Statutes 2012, sections 290.01, subdivision 5, by adding a subdivision; 290.17, subdivision 4.

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

Persell; Johnson, S.; Clark; Anzelc; Erickson, R.; Schoen and Metsa introduced:

H. F. No. 1441, A bill for an act relating to workers' compensation; modifying the definitions of occupational disease and personal injury; amending Minnesota Statutes 2012, section 176.011, subdivisions 15, 16.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Hansen; Ward, J.E.; Persell and Marquart introduced:

H. F. No. 1442, A bill for an act relating to natural resources; establishing aquatic invasive species decal requirements and fees; establishing civil penalties; eliminating aquatic invasive species trailer decal requirements; amending Minnesota Statutes 2012, section 84D.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes 2012, section 86B.13.

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

Halverson introduced:

H. F. No. 1443, A bill for an act relating to state government; excluding certain income and assets from counting toward income and asset limits for certain programs.

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

Hornstein, Abeler, Hortman and Hausman introduced:

H. F. No. 1444, A bill for an act relating to transportation; defining project for metropolitan area regional railroad authorities' contributions toward capital costs of light rail transit or commuter rail project; amending Minnesota Statutes 2012, section 398A.10, by adding a subdivision.

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

Clark; Dehn, R.; Allen and Wagenius introduced:

H. F. No. 1445, A bill for an act relating to public health; establishing a health housing grant program; appropriating money for health housing grants and lead poisoning prevention activities; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Radinovich and Ward, J.E., introduced:

H. F. No. 1446, A bill for an act relating to food safety; establishing an exception for certain chili or soup cook-off events; amending Minnesota Statutes 2012, section 157.22.

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

Abeler; Ward, J.A., and Lesch introduced:

H. F. No. 1447, A bill for an act relating to human services; modifying provisions related to licensing data, human services licensing, child care programs, financial fraud and abuse investigations, vendors of chemical dependency treatment services, background studies, and fair hearings; requiring the use of NETStudy for background studies; amending Minnesota Statutes 2012, sections 13.46, subdivisions 3, 4; 119B.125, subdivision 1b; 168.012, subdivision 1; 245A.02, subdivision 5a; 245A.04, subdivisions 1, 5, 11; 245A.06, subdivision 1; 245A.07, subdivisions 2, 3, by adding a subdivision; 245A.08, subdivisions 2a, 5a; 245A.146, subdivisions 3, 4; 245A.50, subdivision 4; 245A.65, subdivision 1; 245A.66, subdivision 1; 245B.02, subdivision 10; 245B.04; 245B.05, subdivisions 1, 7; 245B.07, subdivisions 5, 9, 10; 245C.04; 245C.05, subdivision 6; 245C.08, subdivision 1; 245C.16, subdivision 1; 245C.20, subdivision 1; 245C.22, subdivision 1; 245C.23, subdivision 2; 245C.24, subdivision 2; 245C.28, subdivisions 1, 3; 245C.29, subdivision 2; 254B.05, subdivision 5; 256.01, subdivision 18d; 256.045, subdivision 3b; 268.19, subdivision 1; 471.346; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 2012, sections 245B.02, subdivision 8a; 245B.07, subdivision 7a.

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

Norton introduced:

H. F. No. 1448, A bill for an act relating to human services; modifying payment methodologies for home and community-based services; amending Minnesota Statutes 2012, sections 256B.4912, subdivisions 2, 3; 256B.4913.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Erhardt, Hornstein, Hortman, Bly, Anzelc, Newton and Sawatzky introduced:

H. F. No. 1449, A bill for an act relating to transportation; amending various provisions related to transportation finance and taxes; authorizing sale and issuance of trunk highway bonds; making technical changes; appropriating money; amending Minnesota Statutes 2012, sections 163.051; 168.013, subdivision 1a; 168.31, by adding a subdivision; 296A.07, subdivision 3; 296A.08, subdivision 2; 296A.083, subdivision 3; 297A.61, subdivision 3; 297A.68, subdivision 3; 297A.70, subdivisions 2, 3; 297A.815, subdivision 3; 297A.94; 297A.992, subdivisions 2, 6; 297A.993, subdivision 1; 297B.01, subdivisions 14, 16; 297B.02, subdivision 3; 297B.03; proposing coding for new law in Minnesota Statutes, chapter 435.

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

Dehn, R.; Hornstein; Allen and Bly introduced:

H. F. No. 1450, A bill for an act relating to local government; providing for public utility franchise agreements; authorizing municipalities to charge certain public utility fees; amending Minnesota Statutes 2012, section 216B.36.

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

Winkler introduced:

H. F. No. 1451, A bill for an act relating to transportation; bridges; providing for disposition of remnant steel of I-35W bridge; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Clark and Halverson introduced:

H. F. No. 1452, A bill for an act relating to capital investment; appropriating money for the Harriet Tubman Center East; authorizing the sale and issuance of state bonds.

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

Clark and Halverson introduced:

H. F. No. 1453, A bill for an act relating to human services; appropriating money for a regional safety service center.

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

Dehn, R., and Clark introduced:

H. F. No. 1454, A bill for an act relating to higher education; regulating the state grant amount of part-time students; amending Minnesota Statutes 2012, section 136A.101, subdivision 5a.

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

Brynaert; Johnson, C., and Cornish introduced:

H. F. No. 1455, A bill for an act relating to local government; making the Blue Earth County library board advisory to the county board.

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

McNamar; Simonson; Erickson, R.; Nornes and Fischer introduced:

H. F. No. 1456, A bill for an act relating to transportation; modifying statutory speed limit; allowing residents and property owners to petition for engineering and traffic investigation of speed along trunk highway; amending Minnesota Statutes 2012, section 169.14, subdivisions 2, 4.

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

Metsa, Anzelc, Melin, Simonson, Persell, Sundin and Slocum introduced:

H. F. No. 1457, A bill for an act relating to education; modifying academic standards requirements; amending Minnesota Statutes 2012, section 120B.021, subdivision 1.

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

Dill introduced:

H. F. No. 1458, A bill for an act relating to education finance; modifying the general education revenue formula; increasing revenue for some school districts; amending Minnesota Statutes 2012, section 126C.10, subdivision 2c.

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

Mahoney introduced:

H. F. No. 1459, A bill for an act relating to unemployment insurance; changing shared work provisions; modifying benefits; creating CLIMB; amending Minnesota Statutes 2012, sections 116L.17, by adding a subdivision; 268.136, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 268.23; proposing coding for new law in Minnesota Statutes, chapter 268.

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

McNamar introduced:

H. F. No. 1460, A bill for an act relating to energy; appropriating money for a grant for energy efficiency improvements.

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

Radinovich; Ward, J.E., and Dehn, R., introduced:

H. F. No. 1461, A bill for an act relating to education; aligning high school graduation exams with college readiness; amending Minnesota Statutes 2012, section 120B.30, subdivisions 1, 1a.

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

Fritz and Huntley introduced:

H. F. No. 1462, A bill for an act relating to human services; modifying payment rates for a certain children's hospital; amending Minnesota Statutes 2012, section 256.969, by adding a subdivision.

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

Morgan and Ward, J.A., introduced:

H. F. No. 1463, A bill for an act relating to health; making changes to dental licensing provisions; amending Minnesota Statutes 2012, sections 150A.06, subdivision 3; 150A.091, subdivision 16; 150A.10, subdivisions 2, 4.

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

Simonson and Rosenthal introduced:

H. F. No. 1464, A bill for an act relating to crime; providing criminal penalties for selling or possessing a synthetic drug look-alike substance; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Dettmer, Newton, Daudt, Gunther, Woodard, Scott, O'Driscoll, Sanders, Schomacker, Abeler, Nornes, Persell, Lesch and Leidiger introduced:

H. F. No. 1465, A bill for an act relating to veterans; making changes to various provisions related to veterans; modifying certain provisions related to veterans income tax issues; making changes to the GI Bill; modifying county veteran service officer grants; appropriating money for the Gold Star Program and to certain veterans service organizations; providing civil immunity for participation in the yellow ribbon program in certain situations; providing a military retirement pay subtraction; providing a veterans jobs tax credit; making honor guard funding permanent; authorizing a special veterans license plate; creating a special lottery game for veterans; designating the Honor and Remember Flag as an official symbol of the state's commitment to military service members who have

lost their lives in service to our country; establishing a presumption of rehabilitation through a person's honorable military service following a prior offense; extending the market value exclusion for surviving spouses; appropriating money for a new veterans cemetery; authorizing American Indian veterans plaque; appropriating money; amending Minnesota Statutes 2012, sections 124D.09, subdivision 9; 197.608, subdivisions 3, 4, 5, 6; 197.791, subdivisions 1, 4, 5; 273.13, subdivision 34; 290.01, subdivision 19b; 290.0677, subdivisions 1a, 2; 290.091, subdivision 2; 364.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 168; 192; 196; 197; 290; 349A; repealing Minnesota Statutes 2012, section 197.608, subdivision 2a.

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

Scott, Newton and Benson, M., introduced:

H. F. No. 1466, A bill for an act relating to public safety; firearms silencers; authorizing federally licensed firearms and ammunition manufacturers to possess firearms silencers for the purpose of testing or selling the silencers or the firearms and ammunition tested with them to government agencies, military, and other federally licensed firearms and ammunition manufacturers; amending Minnesota Statutes 2012, section 609.66, subdivision 1h.

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

Scott, O'Neill and Franson introduced:

H. F. No. 1467, A bill for an act relating to civil actions; providing a factor for determining the amount of attorney fees awarded in certain actions; proposing coding for new law in Minnesota Statutes, chapter 549.

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

Dettmer introduced:

H. F. No. 1468, A bill for an act relating to education finance; permitting Independent School District No. 831, Forest Lake, to participate in the alternative facilities revenue program; amending Laws 1999, chapter 241, article 4, section 25, as amended.

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

Newton introduced:

H. F. No. 1469, A bill for an act relating to workforce development; appropriating money for a grant to Advocating Change Together.

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

Moran introduced:

H. F. No. 1470, A bill for an act relating to family law; child support; allowing a public authority to discontinue child support services in certain situations; amending Minnesota Statutes 2012, section 518A.60.

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

Dehn, R., and Mariani introduced:

H. F. No. 1471, A bill for an act relating to human services; providing for a pilot project to coordinate community violence prevention programs for African-American children; appropriating money.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

McNamara introduced:

H. F. No. 1472, A bill for an act relating to natural resources; increasing watercraft surcharges; requiring restrictions on use of St. Anthony Falls locks and dams to be pursued; appropriating money; amending Minnesota Statutes 2012, section 86B.415, subdivision 7.

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

Clark, Mariani, Bly, Masin and Johnson, S., introduced:

H. F. No. 1473, A bill for an act relating to human services; establishing a pilot project for peer-to-peer supports; appropriating money.

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

Loeffler and Dehn, R., introduced:

H. F. No. 1474, A bill for an act relating to natural resources; permitting the Minneapolis Park and Recreation Board to recreate Hall's Island in the Mississippi River.

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

Clark introduced:

H. F. No. 1475, A bill for an act relating to human rights; providing for expansion of duties under the Human Rights Act; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 363A.

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

Clark introduced:

H. F. No. 1476, A bill for an act relating to housing; providing grants to promote the safety and welfare of East African women in Minnesota; appropriating money.

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

Clark, Allen and Laine introduced:

H. F. No. 1477, A bill for an act relating to health; modifying provisions of the cancer surveillance system; amending Minnesota Statutes 2012, sections 13.3806, subdivision 14; 144.671.

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

Allen, Clark and Hornstein introduced:

H. F. No. 1478, A resolution memorializing the United States Secretary of Interior to designate the Coldwater Springs area as a traditional cultural property.

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

Isaacson introduced:

H. F. No. 1479, A bill for an act relating to human services; requiring the commissioner of human services to develop a comprehensive asthma care plan.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 66, A bill for an act relating to waters; modifying drainage system provisions; amending Minnesota Statutes 2012, sections 103E.005, subdivisions 4, 6, by adding a subdivision; 103E.101, subdivisions 2, 3, 4, 5, by adding subdivisions; 103E.227, subdivision 1; 103E.525, subdivision 1; 103E.701, subdivisions 1, 6; 103E.715, subdivision 6.

H. F. No. 90, A bill for an act relating to crime; allowing offenses for financial exploitation of a vulnerable adult to be aggregated over a six-month period; expanding venue options for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2012, section 609.2335, by adding subdivisions.

H. F. No. 278, A bill for an act relating to state government; enacting the Uniform Electronic Legal Material Act approved by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 3E.

H. F. No. 365, A bill for an act relating to commerce; regulating electronic fund transfers; providing that article 4A of the Uniform Commercial Code does not apply to a remittance transfer that is not an electronic funds transfer under the federal Electronic Fund Transfer Act; amending Minnesota Statutes 2012, section 336.4A-108.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 5, A bill for an act relating to commerce; establishing the Minnesota Insurance Marketplace; prescribing its powers and duties; prohibiting abortion coverage with certain exemptions; recognizing the right to a person's physician of choice; establishing the right not to participate; specifying open meeting requirements and data practices procedures; appropriating money; amending Minnesota Statutes 2012, section 13.7191, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 62V.

JOANNE M. ZOFF, Secretary of the Senate

Atkins moved that the House refuse to concur in the Senate amendments to H. F. No. 5, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 6, A Senate concurrent resolution relating to adjournment for more than three days.

JOANNE M. ZOFF, Secretary of the Senate

SUSPENSION OF RULES

Murphy, E., moved that the rules be so far suspended that Senate Concurrent Resolution No. 6 be now considered and placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 6

A Senate concurrent resolution relating to adjournment for more than three days.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on Thursday, March 21, 2013, the Senate and House of Representatives may each set its next day of meeting for Tuesday, April 2, 2013.
2. Each house consents to adjournment of the other house for more than three days.

Murphy, E., moved that Senate Concurrent Resolution No. 6 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 6 was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 5:

Atkins, Huntley, Liebling, Abeler and Schoen.

MOTIONS AND RESOLUTIONS

Mullery moved that the name of Clark be added as an author on H. F. No. 46. The motion prevailed.

Ward, J.A., moved that the name of Ward, J.E., be added as an author on H. F. No. 105. The motion prevailed.

Moran moved that the names of Erhardt and Freiberg be added as authors on H. F. No. 107. The motion prevailed.

Brynaert moved that the name of Johnson, C., be added as an author on H. F. No. 108. The motion prevailed.

Morgan moved that the name of Johnson, C., be added as an author on H. F. No. 203. The motion prevailed.

Atkins moved that the name of Bly be added as an author on H. F. No. 277. The motion prevailed.

Davnie moved that the name of Hausman be added as an author on H. F. No. 353. The motion prevailed.

Loeffler moved that the name of Hausman be added as an author on H. F. No. 358. The motion prevailed.

Hortman moved that the name of Bly be added as an author on H. F. No. 430. The motion prevailed.

Howe moved that the name of Bly be added as an author on H. F. No. 438. The motion prevailed.

Howe moved that the name of Bly be added as an author on H. F. No. 439. The motion prevailed.

Bernardy moved that the name of Bly be added as an author on H. F. No. 448. The motion prevailed.

Dorholt moved that the name of Bly be added as an author on H. F. No. 453. The motion prevailed.

Fritz moved that the name of Bly be added as an author on H. F. No. 457. The motion prevailed.

Allen moved that the names of Franson and Bly be added as authors on H. F. No. 485. The motion prevailed.

Dehn, R., moved that the names of Bly and Laine be added as authors on H. F. No. 491. The motion prevailed.

Falk moved that the name of Johnson, C., be added as an author on H. F. No. 587. The motion prevailed.

Abeler moved that the name of Laine be added as an author on H. F. No. 619. The motion prevailed.

Halverson moved that the name of Johnson, C., be added as an author on H. F. No. 637. The motion prevailed.

Atkins moved that the names of FitzSimmons and Bly be added as authors on H. F. No. 644. The motion prevailed.

Nornes moved that the name of Marquart be added as an author on H. F. No. 667. The motion prevailed.

Marquart moved that the names of Nornes and McNamar be added as authors on H. F. No. 691. The motion prevailed.

Lesch moved that the name of Bly be added as an author on H. F. No. 730. The motion prevailed.

Hansen moved that the name of Bly be added as an author on H. F. No. 737. The motion prevailed.

Erhardt moved that the name of Bly be added as an author on H. F. No. 745. The motion prevailed.

Newton moved that the name of Dean, M., be added as an author on H. F. No. 777. The motion prevailed.

Hortman moved that the name of FitzSimmons be added as an author on H. F. No. 791. The motion prevailed.

Hortman moved that the names of Johnson, C.; Paymar and Bernardy be added as authors on H. F. No. 797. The motion prevailed.

Bernardy moved that the name of Ward, J.E., be added as an author on H. F. No. 821. The motion prevailed.

Allen moved that the name of Bly be added as an author on H. F. No. 829. The motion prevailed.

Hortman moved that the name of Myhra be added as an author on H. F. No. 848. The motion prevailed.

Dorholt moved that the name of Bly be added as an author on H. F. No. 849. The motion prevailed.

Clark moved that the names of Allen and Bly be added as authors on H. F. No. 850. The motion prevailed.

Hornstein moved that the name of Bly be added as an author on H. F. No. 880. The motion prevailed.

Fritz moved that the name of Nornes be added as an author on H. F. No. 886. The motion prevailed.

Laine moved that the names of Dehn, R., and Bernardy be added as authors on H. F. No. 937. The motion prevailed.

Liebling moved that the names of FitzSimmons, Laine, Hansen and Freiberg be added as authors on H. F. No. 946. The motion prevailed.

Sundin moved that the names of FitzSimmons and Bly be added as authors on H. F. No. 952. The motion prevailed.

Benson, J., moved that the name of Bly be added as an author on H. F. No. 961. The motion prevailed.

Dorholt moved that the name of Bly be added as an author on H. F. No. 969. The motion prevailed.

Davnie moved that the name of Bly be added as an author on H. F. No. 973. The motion prevailed.

Moran moved that the name of Erickson, S., be added as an author on H. F. No. 998. The motion prevailed.

Ward, J.E., moved that the name of Bly be added as an author on H. F. No. 1018. The motion prevailed.

Metsa moved that the name of Bly be added as an author on H. F. No. 1019. The motion prevailed.

Norton moved that the name of Bly be added as an author on H. F. No. 1053. The motion prevailed.

Clark moved that the name of Bly be added as an author on H. F. No. 1054. The motion prevailed.

Allen moved that the names of Pugh and McNamar be added as authors on H. F. No. 1081. The motion prevailed.

Allen moved that the names of Pugh and McNamar be added as authors on H. F. No. 1082. The motion prevailed.

Allen moved that the name of Laine be added as an author on H. F. No. 1115. The motion prevailed.

Brynaert moved that the name of Bly be added as an author on H. F. No. 1145. The motion prevailed.

Anderson, M., moved that his name be stricken as an author on H. F. No. 1148. The motion prevailed.

Winkler moved that the name of Bly be added as an author on H. F. No. 1150. The motion prevailed.

Isaacson moved that the name of Freiberg be added as an author on H. F. No. 1163. The motion prevailed.

Isaacson moved that the name of Bernardy be added as an author on H. F. No. 1194. The motion prevailed.

Clark moved that the name of Slocum be added as an author on H. F. No. 1294. The motion prevailed.

Hortman moved that the name of Bly be added as an author on H. F. No. 1301. The motion prevailed.

Laine moved that the name of Abeler be added as an author on H. F. No. 1328. The motion prevailed.

Brynaert moved that the name of Slocum be added as an author on H. F. No. 1337. The motion prevailed.

Norton moved that the name of Scott be added as an author on H. F. No. 1338. The motion prevailed.

Zerwas moved that the name of Norton be added as an author on H. F. No. 1343. The motion prevailed.

Faust moved that the name of Beard be added as an author on H. F. No. 1362. The motion prevailed.

Johnson, C., moved that the name of Dorholt be added as an author on H. F. No. 1388. The motion prevailed.

Allen moved that H. F. No. 1187 be recalled from the Committee on Early Childhood and Youth Development Policy and be re-referred to the Committee on Judiciary Finance and Policy. The motion prevailed.

Kahn moved that H. F. No. 1389 be recalled from the Committee on Government Operations and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Kahn moved that H. F. No. 1390 be recalled from the Committee on Government Operations and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 6:00 p.m., Wednesday, March 13, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 6:00 p.m., Wednesday, March 13, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

