

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

 TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 13, 2013

The House of Representatives convened at 6:00 p.m. and was called to order by Paul Thissen, Speaker of the House.

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

A quorum was present.

Erickson, S.; Slocum; Torkelson and Woodard were excused.

Peppin was excused until 6:40 p.m.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

POINT OF ORDER

Daudt raised a point of order pursuant to rule 1.10, relating to Introduction of Bills and Resolutions. The Speaker ruled the point of order not well taken.

Daudt appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So it was the judgment of the House that the decision of the Speaker should stand.

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

H. F. No. 80, A bill for an act relating to judgments; regulating assigned consumer debt default judgments; proposing coding for new law in Minnesota Statutes, chapter 548.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary 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. 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 following amendments:

Page 1, line 22, delete "\$8.35" and insert "\$9.57"

Page 1, line 23, delete "\$9.45" and insert "\$9.76"

Page 1, line 24, delete "\$10.55" and insert "\$9.95"

Page 2, line 3, delete "\$6.50" and insert "\$7.45"

Page 2, line 4, delete "\$7.75" and insert "\$8.00"

Page 2, line 5, delete "\$9.00" and insert "\$8.49"

Page 2, line 12, delete "\$6.07" and insert "\$6.96"

Page 2, line 13, delete "\$7.24" and insert "\$7.48"

Page 2, line 14, delete "\$8.41" and insert "\$7.93"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 108, A bill for an act relating to capital investment; appropriating money for the Mankato arena improvements and events center expansion; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 131, A bill for an act relating to commerce; requiring estate sale conductors to post a bond to protect owners of the property to be sold; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

The report was adopted.

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

H. F. No. 185, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to design and construct improvements to the Mayo Civic Center Complex in Rochester.

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

The report was adopted.

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

H. F. No. 228, A bill for an act relating to public safety; creating increased penalties for wildfire arson that damages multiple buildings or dwellings, acreage, or crops or causes demonstrable bodily harm; adding restitution provisions; amending Minnesota Statutes 2012, section 609.5641, subdivisions 1, 3, by adding a subdivision.

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 334, A bill for an act relating to elections; providing for early voting; appropriating money; amending Minnesota Statutes 2012, sections 201.022, subdivision 1; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.05, subdivision 1; 203B.081; 203B.085; 203B.121, subdivisions 1, 3, 4, 5, by adding a subdivision; 204B.28, subdivision 2; 206.82, subdivision 1; 206.83; proposing coding for new law in Minnesota Statutes, chapter 203B.

Reported the same back with the following amendments:

Page 4, line 20, delete "a federal, state, or county election," and insert "an election subject to early voting under section 203B.30"

Page 4, line 22, delete "stand-alone elections" and insert "an election not subject to early voting under section 203B.30"

Page 7, delete section 13 and insert:

"Sec. 13. **[203B.30] EARLY VOTING; APPLICABILITY.**

(a) Any eligible voter may vote in person in a federal, state, or county election prior to the date of the election, in the manner provided in sections 203B.31 to 203B.35.

(b)(1) Subject to clause (2), for city elections not held in conjunction with a federal, state, or county election, the city may authorize eligible voters to vote in the manner provided in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted prior to the first day for filing affidavits of candidacy for the election. In the case of a home rule charter city, authorization may alternatively be made by amendment to the city's charter for this purpose.

(2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal clerk has the technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. The clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering voting authorized under this paragraph. The clerk may not use the statewide voter registration system until the clerk has received the required training.

Page 7, line 8, delete "for federal, state, or county office" and insert "subject to early voting under section 203B.30"

Page 7, line 10, after "vote" insert "in the same manner as provided in section 204C.05, subdivision 2"

Page 7, line 14, delete "of those days" and insert "weekday" and delete "3:00" and insert "5:00"

Page 7, line 17, delete "a polling place" and insert "polling places"

Page 7, line 18, delete "office and" and insert "offices in county-owned or operated buildings."

Page 7, line 19, before the period, insert "or which is conducting an election that includes early voting, as authorized in section 203B.30, and at any other county or city-owned or operated buildings designated by the county auditor or municipal clerk"

Page 7, line 22, after "auditor" insert "or municipal clerk"

Page 7, line 25, after "auditor" insert "or municipal clerk"

Page 7, line 26, after "site" insert ", if applicable."

Page 7, line 28, after the period, insert "If a county or municipality does not have a Web site, the county auditor or municipal clerk must publish the notice at least once in the jurisdiction's official newspaper at least seven days and not more than 14 days before the first day for early voting."

Page 8, line 27, after "(b)" insert "The county auditor must prepare and make available" and delete "must be prepared and made available"

Page 8, line 28, delete "designed" and insert "designated"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance and Veterans Affairs.

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 338, A bill for an act relating to eminent domain; making award of appraisal fees in utility takings the same as other takings; modifying the "buy the farm" provisions; amending Minnesota Statutes 2012, sections 117.189; 216E.12, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 11, strike the colon

Page 1, line 12, strike "(1)"

Page 1, line 13, strike everything after "substations" and insert a period

Page 1, strike lines 14, 15, 20, and 21

Page 2, line 13, after the period, insert "Within 60 days after receipt by the utility of a fee owner's election to exercise this option, the utility shall provide written notice to the fee owner of any objection the utility has to the fee owner's election, and if no objection is made within that time, any objection shall be deemed waived. Within 90 days of the service of an objection by the utility, the district court having jurisdiction over the eminent domain proceeding shall hold a hearing to determine whether the utility's objection is upheld or rejected."

Page 2, line 25, delete "this" and after "chapter" insert "117"

Page 2, line 29, after the comma, insert "or 90 days after a district court decision overruling a utility objection to an election made pursuant to paragraph (a)."

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

The report was adopted.

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

H. F. No. 395, A bill for an act relating to workforce development; creating a pilot program for individuals with autism spectrum disorders; appropriating money.

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.

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

H. F. No. 404, A bill for an act relating to appropriations; appropriating money to study and develop recommendations for implementing a return on taxpayer investment methodology and practices for human services and corrections programs.

Reported the same back with the following amendments:

Page 1, line 18, delete "2014" and insert "2013"

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.

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

H. F. No. 446, A bill for an act relating to commerce; regulating building and construction contracts and indemnification agreements; amending Minnesota Statutes 2012, sections 337.01; 337.02; 337.05, subdivision 1; 337.10.

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

The report was adopted.

Paymar from the Committee on Public Safety 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; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2012, section 609.093.

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.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 491, A bill for an act relating to elections; voting; restoring the civil rights of an individual upon release from incarceration; requiring notice; amending Minnesota Statutes 2012, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 201.155; 204C.08, subdivision 1d; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense, or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 2. Minnesota Statutes 2012, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** A voter registration application must be of suitable size and weight for mailing and contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social

Security number; and voter's signature. The registration application may include the voter's e-mail address, if provided by the voter, and the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) will be at least 18 years old on election day;
- (2) am a citizen of the United States;
- (3) will have resided in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence~~ am not currently incarcerated for a felony offense; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 3. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the Department of Corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 4. Minnesota Statutes 2012, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

(a) An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed or the individual has been discharged from the sentence~~ completed the term of incarceration, if any, for the felony offense, is registered, and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) A judge may, before the applicant signs the roster, confirm the applicant's name, address, and date of birth.

(c) After the applicant signs the roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

Sec. 5. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 6. Minnesota Statutes 2012, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, with full right to ~~vote and~~ hold office, the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 7. **REPEALER.**

Minnesota Statutes 2012, section 201.275, is repealed."

Delete the title and insert:

"A bill for an act relating to public safety; restoring the civil right to vote of an individual upon release from incarceration; requiring notice; repealing county attorney obligation to promptly investigate voter registration and eligibility; amending Minnesota Statutes 2012, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243; repealing Minnesota Statutes 2012, section 201.275."

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

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 501, A bill for an act relating to government data; permitting medical examiners and coroners to use license and identification card photographs under certain circumstances; amending Minnesota Statutes 2012, section 171.07, subdivision 1a.

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

The report was adopted.

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

H. F. No. 503, A bill for an act relating to capital investment; appropriating money for relocation of trails and utilities in the city of Virginia made necessary by marked Trunk Highway 53 relocation; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 510, A bill for an act relating to economic development; requiring state agencies to establish youth internships or apprenticeships; encouraging utilization of small businesses in state procurement; promoting ethnic and cultural heritage tourism; amending Minnesota Statutes 2012, sections 16C.18, by adding a subdivision; 16C.20; 124D.47, subdivision 2; 129D.17, subdivision 2.

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.

Murphy, M., from the Committee on State Government Finance and Veterans Affairs to which was referred:

H. F. No. 525, A bill for an act relating to military affairs; allowing active duty service members to take a peace officer reciprocity examination; amending Minnesota Statutes 2012, section 626.8517.

Reported the same back with the following amendments:

Page 1, line 22, strike "a" and insert "the most recent"

Page 2, line 5, delete "eligible to take" and insert "who passed"

Page 2, line 6, before "licensed" insert "eligible to be" and delete the second "a" and insert "the most recent"

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.

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

H. F. No. 536, A bill for an act relating to real property; creating a notice requirement for sellers in real estate sales for contracts for deed; creating a civil action remedy for violations of the notice requirements for contracts for deed; amending Minnesota Statutes 2012, sections 82.55, subdivision 19; 507.235, subdivision 2; 559.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 559; repealing Minnesota Statutes 2012, section 507.235, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 507.235, subdivision 2, is amended to read:

Subd. 2. **Penalty for failure to file.** (a) A vendee who fails to record a contract for deed, as required by subdivision 1, is subject to a civil penalty, payable under subdivision 5, equal to two percent of the principal amount of the contract debt, unless the vendee has not received a copy of the contract for deed in recordable form, as required under subdivision 1a. Payments of the penalty shall be deposited in the general fund of the county. The penalty may be enforced as a lien against the vendee's interest in the property.

(b) A person receiving an assignment of a vendee's interest in a contract for deed who fails to record the assignment as required by subdivision 1 is subject to a civil penalty, payable under subdivision 5, equal to two percent of the original principal amount of the contract debt. Payments of the penalty must be deposited in the general fund of the county. The penalty may be enforced as a lien against the vendee's interest in the property.

Sec. 2. **[559.201] DEFINITIONS.**

Subdivision 1. **Application.** The definitions in this section apply to section 559.202.

Subd. 2. **Business day.** "Business day" means any day other than a Saturday, Sunday, or holiday as defined in section 645.44, subdivision 5.

Subd. 3. **Family farm security loan.** "Family farm security loan" has the meaning given in Minnesota Statutes 2008, section 41.52, subdivision 5.

Subd. 4. **Multiple seller.** "Multiple seller" means a person that has acted as the seller in four or more contracts for deed involving residential real property in Minnesota in any calendar year.

Subd. 5. **Person.** "Person" means a natural person, partnership, corporation, limited liability company, association, trust, or other legal entity, however organized.

Subd. 6. **Purchase agreement.** "Purchase agreement" means a purchase agreement for a contract for deed, an earnest money contract, or an executed option contemplating that, at closing, the seller and the purchaser will enter into a contract for deed.

Subd. 7. **Purchaser.** "Purchaser" means a natural person who enters into a contract for deed to purchase residential real property. Purchaser includes all purchasers who enter into the same contract for deed to purchase residential real property.

Subd. 8. **Residential real property.** "Residential real property" means real property improved or intended to be improved by a structure designed principally for the occupancy of one to four families, whether or not the owner occupies the real property. Residential real property does not include property subject to sections 583.20 to 583.32.

Sec. 3. **[559.202] CONTRACTS FOR DEED INVOLVING RESIDENTIAL PROPERTY.**

Subdivision 1. **Notice required.** (a) A multiple seller must deliver the notice specified under subdivision 3 to a prospective purchaser as provided under this subdivision.

(b) If there is a purchase agreement, the notice required by subdivision 2 must be affixed to the front of the purchase agreement. A contract for deed for which notice is required under this subdivision may not be executed for five business days following the execution of the purchase agreement and delivery of the notice and instructions for cancellation.

(c) If there is no purchase agreement, a multiple seller must deliver the notice in a document separate from any other document or writing, to a prospective purchaser no less than five business days before the prospective purchaser executes the contract for deed.

(d) The notice must be:

(1) written in at least 12-point type;

(2) provided in English and in a substantially accurate translation of any other language used to negotiate the transaction; and

(3) signed and dated by the purchaser.

(e) If a dispute arises concerning whether or when the notice required by this subdivision was provided to the purchaser, there is a rebuttable presumption that the notice was not provided if the multiple seller cannot produce a copy of the notice signed and dated by the purchaser.

Subd. 2. **Exception.** This section does not apply if the purchaser is represented throughout the transaction by either:

(1) a person licensed to practice law in this state; or

(2) a person licensed as a real estate broker or salesperson under chapter 82, provided that the representation does not create a dual agency, as that term is defined in section 82.55, subdivision 6.

Subd. 3. **Content of the notice.** The notice must contain the following verbatim language:

"IMPORTANT INFORMATION ABOUT CONTRACTS FOR DEED

Know What You Are Getting Into

(1) A contract for deed is a complex legal agreement. You are NOT a tenant. The foreclosure laws don't apply.

(2) You should know ALL of your obligations and rights before you sign a purchase agreement or contract for deed.

(3) You (seller must circle one):

(a) DO DO NOT have to pay homeowner's insurance.

(b) DO DO NOT have to pay property taxes.

(c) DO DO NOT have to make and pay for some or all of the repairs or maintenance.

(4) After some time, you may need to make a large lump sum payment (called a "balloon payment"). Know when it is due and how much it will be. You'll probably need to get a new mortgage from a bank at that time.

(5) If you miss just a single payment or can't make the balloon payment, the seller can cancel your contract. You will likely lose all the money you have already paid. You will likely lose your ability to purchase the home. The seller can begin an eviction action against you in just a few months.

Key Things to Do Before You Sign

(1) Get advice from a lawyer or the Minnesota Home Ownership Center at 1-866-462-6466. To find a lawyer through the Minnesota State Bar Association, go to www.mnfindalawyer.com.

(2) Get an independent, professional appraisal of the property to learn what it is worth.

(3) Get an independent, professional inspection of the property.

(4) Buy title insurance or ask a real estate lawyer for a "title opinion."

(5) Check with the city or county to find out if there are inspection reports or unpaid utility bills.

(6) Check with a title company or the county where the property is located to find out if there is a mortgage or other lien on the property and if the property taxes have been paid.

If You Are Entering into a Purchase Agreement

(1) You can cancel it and get your money back if you didn't get this notice five business days before you sign the contract for deed AND you haven't signed the contract yet.

(2) To cancel the purchase agreement, you must follow the provisions of Minnesota Statutes, section 559.217, subdivision 4. Ask a lawyer for help."

Subd. 4. **Right to cancel purchase agreement.** (a) A prospective purchaser may cancel a purchase agreement within five business days after actually receiving the notice required under subdivision 1 if a multiple seller fails to timely deliver the notice, provided that the contract for deed has not been executed by all parties.

(b) A prospective purchaser may cancel the purchase agreement in accordance with the provisions of section 559.217, subdivision 4.

(c) In the event of cancellation, the multiple seller may not impose a penalty and must promptly refund all payments made by the prospective purchaser prior to cancellation.

Subd. 5. **Remedies for failure to timely deliver notices.** (a) Notwithstanding any contrary provision in the purchase agreement or contract for deed, a purchaser has a private right of action against a multiple seller who fails to timely deliver the notice required under subdivision 1. The multiple seller is liable to the purchaser for:

(1) the greater of actual damages or statutory damages of \$2,500; and

(2) reasonable attorney fees and court costs.

(b) The amount due to the purchaser may, at the purchaser's option, be applied to offset outstanding contract installment payments past due or next due under the contract for deed. The right to offset expires upon cancellation of the contract for deed in accordance with applicable law. Recording of the documents specified in section 559.213 constitutes prima facie evidence that any right to offset under this subdivision has expired.

(c) A multiple seller who knowingly fails to timely deliver the notice required under subdivision 1 is liable to the purchaser for treble the actual and statutory damages available under paragraph (a), whichever is greater, provided that the purchaser must elect the remedy provided under either paragraph (b) or this paragraph and may not recover damages under both paragraphs.

(d) The rights and remedies provided in this subdivision are cumulative to, and not a limitation of, any other rights and remedies provided under law. Any action brought pursuant to this subdivision must be commenced within four years from the date of the alleged violation.

Subd. 6. **Duty of multiple seller to account.** Upon reasonable request by the purchaser and no more than once every 12-month period, a multiple seller must provide an accounting of all payments made pursuant to the contract for deed, the amount of interest paid, and the amount remaining to satisfy the principal balance under the contract.

Subd. 7. **No waiver.** The provisions of this section may not be waived.

EFFECTIVE DATE. This section is effective August 1, 2013, and applies to transactions in which the contract for deed and the purchase agreement for the contract for deed, if any, were both executed on or after that date.

Sec. 4. Minnesota Statutes 2012, section 559.211, subdivision 2, is amended to read:

Subd. 2. **Remedies additional.** The remedies provided in this section are in addition to and do not limit other rights or remedies available to purchasers or vendors of real estate. Subject to the provisions of sections 559.213 and 559.217, subdivision 7, this section shall not be construed to bar a court from determining the validity, effectiveness, or consequences of proceeding under section 559.21 or 559.217, or granting other relief in connection therewith, by reason of the failure of a purchaser to seek or obtain relief under this section prior to the purported effective date of the termination of the contract.

Sec. 5. **REPEALER.**

Minnesota Statutes 2012, section 507.235, subdivision 4, 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 real property; establishing notice for contracts for deed involving residential property; providing remedies; amending Minnesota Statutes 2012, sections 507.235, subdivision 2; 559.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 559; repealing Minnesota Statutes 2012, section 507.235, subdivision 4."

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

The report was adopted.

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

H. F. No. 549, A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for expansion of the St. Cloud Civic Center.

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

The report was adopted.

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

H. F. No. 562, A bill for an act relating to mental health; providing medical assistance coverage for services provided by a licensed professional counselor; amending Minnesota Statutes 2012, section 256B.0625, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 256B.0625, is amended by adding a subdivision to read:

Subd. 35c. School-based mental health services. Medical assistance covers mental health services provided in a school as part of a school-linked mental health program by an individual who is licensed by the Board of Behavioral Health and Therapy, Board of Marriage and Family Therapy, Board of Psychology, or Board of Social Work, and who also meets the definition of a mental health practitioner under section 245.462, subdivision 17, or 245.4871, subdivision 26. For purposes of this subdivision, an individual who meets the definition of mental health practitioner under section 245.462, subdivision 17, or 245.4871, subdivision 26, is not limited to having less than 4,000 hours of post-master's experience. The mental health practitioner must be supervised by a licensed mental health professional."

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.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 567, A bill for an act relating to energy; renewables; modifying requirements for solar energy in state buildings; amending Minnesota Statutes 2012, section 16B.323.

Reported the same back with the following amendments:

Page 2, line 27, before "and" insert "additional integrated safety features."

With the recommendation that when so amended the bill be re-referred to the Committee on Capital Investment without further recommendation.

The report was adopted.

Liebling from the Committee on Health and Human Services 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 4, line 9, after the period, insert "School employers and school employees must not choose the PEIP HSA high deductible plan."

Page 4, line 14, delete "that was individually self-insured"

Page 5, line 1, delete "self-insured" and insert "insured"

Page 5, line 2, after "lives" insert ", or if the school employer has received a bid from a source of coverage that provides coverage that is less expensive for equivalent coverage than coverage available from the program"

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

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 589, A bill for an act relating to health; making changes to genetic information provisions; amending Minnesota Statutes 2012, sections 13.386, subdivision 3; 144.966, subdivision 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

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

The report was adopted.

Murphy, M., from the Committee on State Government Finance and Veterans Affairs to which was referred:

H. F. No. 591, A bill for an act relating to elections; modifying procedures related to vacancies in nomination for partisan office; appropriating money; amending Minnesota Statutes 2012, sections 204B.13, subdivisions 1, 2, 5, by adding subdivisions; 204D.19, by adding a subdivision; repealing Minnesota Statutes 2012, sections 204B.12, subdivision 2a; 204B.13, subdivision 6.

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

The report was adopted.

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

H. F. No. 592, A bill for an act relating to education finance; authorizing the Perpich Center for Arts Education to operate a voluntary integration magnet school; transferring staff and facilities; modifying funding formulas; appropriating money; amending Minnesota Statutes 2012, section 129C.10, subdivision 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 129C.

Reported the same back with the following amendments:

Page 4, line 1, before the second "General" insert "(a)"

Page 4, after line 10, insert:

"(b) General education revenue under paragraph (a) must be reduced by an amount equal to 75 percent of the school's equity revenue for that year."

Page 4, line 20, after "pupils" insert "enrolled in the 2012-2013 school year"

Page 4, line 21, after "school" insert "in succeeding school years"

Page 5, line 2, before "learning" insert "flexible" and delete "section 124D.128" and insert "sections 124D.12 to 124D.127"

Page 5, delete subdivision 1 and insert:

"Subdivision 1. **Facilities.** Notwithstanding the specified uses of state general obligation bond proceeds appropriated in Laws 1998, chapter 404, section 5, subdivision 5; Laws 1999, chapter 240, article 1, section 3; Laws 2000, chapter 492, article 1, section 5, subdivision 2; Laws 2001, First Special Session chapter 12, section 2, subdivision 2; and Laws 2005, chapter 20, article 1, section 5, subdivision 3, the facilities owned by the Joint Powers District No. 6067, East Metro Integration District, in Woodbury, known as the Crosswinds school, may be conveyed to the Perpich School for Arts Education for any public educational use."

Page 5, after line 34, insert:

"Subd. 6. **Timelines notwithstanding.** Any timelines established by resolution or otherwise by Joint Powers Board No. 6067, East Metro Integration District, to convey the Crosswinds school to another party are waived and are without effect."

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

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 604, A bill for an act relating to data practices; modifying certain provisions related to disclosure of personnel data; amending Minnesota Statutes 2012, section 13.43, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 13.43, subdivision 2, is amended to read:

Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject to the limitations described in subdivision 5a, the following personnel data on current and former employees, volunteers, and independent contractors of a government entity is public:

(1) name; employee identification number, which must not be the employee's Social Security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; and the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;

(2) job title and bargaining unit; job description; education and training background; and previous work experience;

(3) date of first and last employment;

(4) the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;

(5) the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body;

(6) the complete terms of any agreement settling any dispute arising out of an employment relationship, including a buyout agreement as defined in section 123B.143, subdivision 2, paragraph (a); except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money;

(7) work location; a work telephone number; badge number; work-related continuing education; and honors and awards received; and

(8) payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

(b) For purposes of this subdivision, a final disposition occurs when the government entity makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the government entity, or arbitrator. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or upon the failure of the employee to elect arbitration within the time provided by the collective bargaining agreement. A disciplinary action does not become public data if an arbitrator sustains a grievance and reverses all aspects of any disciplinary action.

(c) The government entity may display a photograph of a current or former employee to a prospective witness as part of the government entity's investigation of any complaint or charge against the employee.

(d) A complainant has access to a statement provided by the complainant to a government entity in connection with a complaint or charge against an employee.

(e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon completion of an investigation of a complaint or charge against a public official, or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. For purposes of this paragraph, "public official" means:

- (1) the head of a state agency and deputy and assistant state agency heads;
- (2) members of boards or commissions required by law to be appointed by the governor or other elective officers;
- (3) executive or administrative heads of departments, bureaus, divisions, or institutions within state government; and
- (4) the following employees:
 - (i) the chief administrative officer, or the individual acting in an equivalent position, in all political subdivisions;
 - (ii) individuals required to be identified by a political subdivision pursuant to section 471.701;

(iii) in a city with a population of more than 7,500 or a county with a population of more than 5,000, ~~individuals in a management capacity reporting directly to the chief administrative officer or the individual acting in an equivalent position;~~ managers; chiefs; heads or directors of departments, divisions, bureaus, or boards; and any equivalent position; and

(iv) in a school district; ~~business managers;~~ business managers; ~~human resource directors;~~ human resource directors; ~~and athletic directors;~~ and athletic directors; ~~chief financial officers; directors;~~ chief financial officers; directors; individuals defined as superintendents, and principals, ~~and directors~~ under Minnesota Rules, part 3512.0100; and in a charter school, individuals employed in comparable positions.

(f) Data relating to a complaint or charge against an employee identified under paragraph (e), clause (4), are public only if:

(1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or

(2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement ~~with another person.~~

This paragraph and paragraph (e) do not authorize the release of data that are made not public under other law.

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

Delete the title and insert:

"A bill for an act relating to data practices; modifying certain provisions related to disclosure of personnel data; amending Minnesota Statutes 2012, section 13.43, subdivision 2."

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

The report was adopted.

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

H. F. No. 605, A bill for an act relating to public health; protecting children from exposure to harmful chemicals in products; amending criteria for identification of priority chemicals; requiring disclosure by manufacturers of children's products that contain harmful chemicals; authorizing Pollution Control Agency to prohibit sales of children's products that contain harmful chemicals; providing waiver process; establishing fees; requiring a report; providing a criminal penalty; amending Minnesota Statutes 2012, sections 13.7411, subdivision 8; 116.9401; 116.9403; 116.9405; 116.9406; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 621, A bill for an act relating to state government; specifying certain data on individuals with disabilities as private data; amending Minnesota Statutes 2012, section 13.64, subdivision 2.

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. 622, A bill for an act relating to youth; establishing the Minnesota Youth Council Committee; proposing coding for new law as Minnesota Statutes, chapter 16F.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 623, A bill for an act relating to energy; regulating a biomass mandate project; amending Minnesota Statutes 2012, section 216B.2424, subdivision 5a.

Reported the same back with the following amendments:

Page 2, line 14, strike "Minnesota jurisdictional portion of the"

Page 2, line 32, delete "March 31, 2013" and insert "the effective date of this act"

Page 3, line 10, after the second "owner" insert "during the applicable month"

Page 3, delete lines 12 to 14 and insert "purchase agreement to the extent such costs exceeded \$3.40 per million metric British thermal unit (MMBTU), in addition to the price to be paid for the energy produced and delivered by the project owner. Beginning with 2014, at the end of each calendar year of the term of the power purchase agreement, the project owner shall calculate the amount by which actual fuel costs for the year exceeded \$3.40 per million metric British thermal unit, and prior monthly payment for such fuel costs shall be reconciled against actual fuel costs for the applicable calendar year. If such prior monthly fuel payments for the year in the aggregate exceed the amount due based on the annual calculation, the project owner shall credit the public utility for the excess paid. If the annual calculation of fuel costs due exceeds the prior monthly fuel payments for the year in the aggregate, the project owner shall be entitled to be paid for the deficiency with the next invoice to the public utility. The amendment shall be negotiated"

Page 3, line 19, delete "Minnesota jurisdictional portion of the"

Page 3, line 27, after the comma, insert "beginning with 2012,"

Page 3, after line 33, insert:

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

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 638, A bill for an act relating to education; creating a vision therapy pilot project; appropriating money.

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.

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

H. F. No. 644, A bill for an act relating to commerce; regulating building and construction contracts; prohibiting certain agreements to insure; amending Minnesota Statutes 2012, section 337.05, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 337.05, subdivision 1, is amended to read:

Subdivision 1. **Agreements valid.** (a) Except as otherwise provided in paragraph (b), sections 337.01 to 337.05 do not affect the validity of agreements whereby a promisor agrees to provide specific insurance coverage for the benefit of others.

(b) An agreement or contract provision that requires a party to provide insurance coverage to one or more other parties, including third parties, for the negligence or intentional acts or omissions of any of those parties, including third parties, is against public policy and is void and unenforceable.

EFFECTIVE DATE; APPLICATION. This section is effective August 1, 2013, and applies to agreements entered into on and after that date."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 646, A bill for an act relating to public safety; drivers' licenses; driver education; modifying and clarifying provisions relating to instruction permits; establishing a Novice Driver Education Improvement Task Force; appropriating money; amending Minnesota Statutes 2012, sections 171.05, subdivision 2; 171.0701, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 171.05, subdivision 2, is amended to read:

Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in either:

(i) a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or

(ii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a homeschool diploma, the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety, and the student's parent has certified the student's homeschool and home-classroom driver training status on the form approved by the commissioner;

(2) has completed the classroom phase of instruction in the driver education program or has completed 15 hours of classroom instruction in a program that presents classroom and behind-the-wheel instruction concurrently;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the foster parent or the director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(6) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

(b) For the purposes of determining compliance with the certification of paragraph (a), clause (1), item (ii), the commissioner may request verification of a student's homeschool status from the superintendent of the school district in which the student resides and the superintendent shall provide that verification.

(c) The instruction permit is valid for two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Sec. 2. Minnesota Statutes 2012, section 171.05, is amended by adding a subdivision to read:

Subd. 4. **Rulemaking.** The commissioner shall adopt rules to carry out the provisions of subdivision 2. The rules adopted under this subdivision are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that section 14.386, paragraph (b), does not apply.

Sec. 3. Minnesota Statutes 2012, section 171.0701, is amended by adding a subdivision to read:

Subd. 1a. **Novice Driver Education Improvement Task Force.** (a) The Novice Driver Education Improvement Task Force is established to ensure driver education programs in Minnesota meet the Novice Teen Driver Education and Training Administrative Standards published by the United States Department of Transportation, National Highway Traffic Safety Administration.

(b) The task force consists of 21 members:

(1) the commissioner of public safety or the commissioner's designee;

(2) two representatives from and designated by the Minnesota Association of Student Councils;

(3) one representative from and designated by Mothers Against Drunk Driving;

(4) one representative from and designated by Minnesotans for Safe Driving;

(5) two representatives from law enforcement organizations, such as the Minnesota Chiefs of Police Association and the Minnesota Sheriffs' Association appointed by the commissioner;

(6) one representative from and designated by the American Automobile Association;

(7) one representative from and designated by the Minnesota Safety Council;

(8) two representatives from and designated by the Minnesota PTA;

(9) five driver educators from the Minnesota Driver and Traffic Safety Education Association designated by the commissioner; and

(10) five driver educators from commercial driving schools, designated by the commissioner.

(c) Any vacancies shall be filled by the appointing or designating authorities.

(d) Members shall serve without compensation.

(e) Members shall be appointed or designated by August 1, 2013.

(f) The commissioner or the commissioner's designee shall convene the first meeting of the task force after all appointments have been made. At the first meeting, the task force shall elect a chair from among its members by majority vote. The first meeting must take place by September 1, 2013.

(g) The duties of the task force are to examine and compare Minnesota law and rules concerning driver education with the Novice Teen Driver Education and Training Administrative Standards, identify discrepancies, and determine to what extent, if any, state law should be modified to conform with federal standards.

(h) The commissioner shall provide support staff and administrative services for the task force.

(i) The task force shall submit a report no later than August 31, 2015, to the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, containing its recommendation as to whether or to what extent Minnesota's driver education programs should conform to national standards referenced in paragraph (a), and if so, providing draft legislation necessary or desirable to achieve the recommended level of federal conformity. The report may present recommendations for improving Minnesota's driver education curriculum and identify associated costs.

Sec. 4. **APPROPRIATIONS.**

\$...... is appropriated from the fund to the commissioner of public safety for the costs of this act.

Sec. 5. **EFFECTIVE DATE.**

Section 1 is effective June 1, 2014. Section 2 is effective the day following final enactment. Section 3 is effective the day following final enactment and expires September 1, 2015, or the day after the task force created in section 3 submits its report, as required in section 3, paragraph (i), whichever occurs first."

Amend the title as follows:

Page 1, line 4, before "appropriating" insert "authorizing rulemaking;"

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.

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

H. F. No. 647, A bill for an act relating to commerce; renaming the division of insurance fraud; regulating subpoenas issued by the commissioner; modifying certain continuing education requirements; requiring and regulating an annual statement of actuarial opinions of reserves and supporting documentation of property and casualty companies; regulating certain stop loss coverage; modifying risk-based capital requirements for certain insurers; regulating real estate appraiser licenses; modifying service requests in connection with Public Utility Commission matters; repealing certain unnecessary laws; amending Minnesota Statutes 2012, sections 45.0135; 45.027, subdivision 2; 45.307; 45.43; 60A.235, subdivision 3, by adding a subdivision; 60A.62, subdivision 1; 82B.08, by adding a subdivision; 82B.094; 82B.095, subdivision 2; 82B.10, subdivision 1; 82B.13, subdivisions 1, 4, 5, 8, by adding a subdivision; 216.17, subdivisions 2, 4; 216B.18; 299C.40, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2012, sections 82B.095, subdivision 1; 115C.09, subdivision 3k; Laws 2000, chapter 488, article 3, section 37.

Reported the same back with the following amendments:

Page 7, delete section 7

Page 8, delete section 8

Page 9, after line 21, insert:

"Sec. 8. Minnesota Statutes 2012, section 79A.04, subdivision 3a, is amended to read:

Subd. 3a. **Acceptable securities.** The following are acceptable securities and surety bonds for the purpose of funding self-insurance plans and group self-insurance plans:

(1) direct obligations of the United States government except mortgage-backed securities of ~~the Government National Mortgage Association~~ any kind;

(2) bonds, notes, debentures, and other instruments which are obligations of agencies and instrumentalities of the United States ~~including, but not limited to, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Home Loan Bank, the Student Loan Marketing Association, and the Farm Credit System, and their successors,~~ but not including collateralized mortgage obligations or mortgage pass-through instruments;

(3) bonds or securities that are issued by the state of Minnesota and that are secured by the full faith and credit of the state;

(4) certificates of deposit which are insured by the Federal Deposit Insurance Corporation ~~and are issued by a Minnesota depository institution~~ and approved by the commissioner;

(5) obligations of, or instruments unconditionally guaranteed by, ~~Minnesota depository~~ financial institutions whose long-term debt rating is at least AA-, Aa3, or their equivalent, by at least two nationally recognized rating agencies;

(6) surety bonds issued by a corporate surety authorized by the commissioner of commerce to transact such business in the state;

(7) obligations of or instruments unconditionally guaranteed by Minnesota insurance companies, whose long-term debt rating is at least AA-, Aa3, or their equivalent, by at least two nationally recognized rating agencies and whose rating is A+ by A.M. Best, Inc.; ~~and~~

~~(8) any guarantee from the United States government whereby the payment of the workers' compensation liability of a self insurer is guaranteed; and bonds which are the general obligation of the Minnesota Housing Finance Agency.~~

(8) cash;

(9) time deposits that are fully insured by any federal agency; and

(10) letters of credit issued by a financial institution approved by the commissioner."

Page 9, line 34, delete everything after "commissioner" and insert "shall submit the applicant's fingerprints and consent and the required fee to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall perform a check of the state criminal history repository and is authorized to exchange the applicant's fingerprints with the Federal Bureau of Investigation to obtain the national criminal history record. The superintendent shall return the results of the state and national criminal history records checks to the commissioner."

Page 9, delete line 35

Page 10, delete lines 1 to 8

Page 10, line 9, delete "(e)" and insert "(d)"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, delete everything before "modifying"

Page 1, line 7, after the first semicolon, insert "modifying funding provisions for workers' compensation self-insurance plans;"

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.

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

H. F. No. 649, A bill for an act relating to capital investment; appropriating money for renovation of the Twin Cities Public Television Building in St. Paul; authorizing the sale and issuance of state bonds.

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

The report was adopted.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 669, A bill for an act relating to public safety; expanding and updating the authority of the Statewide Radio Board to include the latest emergency communication technologies; authorizing the Statewide Radio Board to elect to become a statewide emergency communication board; including tribal governments in regional radio board structure; providing comprehensive authority under board to address all emergency communications; providing for rulemaking; amending Minnesota Statutes 2012, sections 403.21, subdivisions 2, 13, by adding a subdivision; 403.37, subdivision 1; 403.38; 403.39; 403.40, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 403; repealing Minnesota Statutes 2012, sections 403.21, subdivision 6; 403.33.

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. 678, A bill for an act relating to commerce; regulating certain practices with respect to event tickets; establishing minimum standards for consumer protection; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 1, line 9, delete ", theatrical performance, sporting event,"

Page 1, line 10, delete "exhibition, show,"

Page 1, line 13, delete "1,000" and insert "5,000"

Page 2, line 5, delete everything after the second comma

Page 2, line 6, delete everything before "a"

Page 2, line 7, after the period, insert "A ticket issuer does not include the State Agricultural Society, the Minnesota State High School League and its members, the Minnesota Amateur Sports Commission, or a person involved in or facilitating ticket resale."

Page 3, line 18, after the semicolon, insert "or"

Page 3, delete line 19

Page 3, line 20, delete "(3)" and insert "(2)"

Page 4, delete section 4

Page 4, line 18, delete "4" and insert "3"

Renumber the sections in sequence

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.

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

H. F. No. 686, A bill for an act relating to capital improvements; appropriating money for the Minnesota Children's Museum; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 688, A bill for an act relating to education; allowing schools to maintain a supply of epinephrine auto-injectors; providing immunity from liability; amending Minnesota Statutes 2012, sections 121A.22, subdivision 2; 121A.2205; 604A.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 121A.

Reported the same back with the following amendments:

Page 4, line 24, after "services" insert "and inform the individual's parent, guardian, or emergency contact"

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. 704, A bill for an act relating to children; creating the Family Reunification Act of 2013; amending Minnesota Statutes 2012, section 260C.101, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

The report was adopted.

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

H. F. No. 734, A bill for an act relating to education; establishing a career and technical education advisory task force for improving student outcomes in grades 11 to 14.

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

The report was adopted.

Nelson from the Committee on Government Operations to which was referred:

H. F. No. 745, A bill for an act relating to municipalities; authorizing municipalities to establish street improvement districts and apportion street improvement fees within districts; requiring adoption of street improvement plan; authorizing collection of fees; proposing coding for new law in Minnesota Statutes, chapter 435.

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

The report was adopted.

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

H. F. No. 760, A bill for an act relating to human services; updating outdated terminology; amending Minnesota Statutes 2012, sections 15.44; 124D.57; 127A.45, subdivision 12; 144.651, subdivision 4; 145.88; 146A.11, subdivision 1; 148.512, subdivisions 12, 13; 150A.13, subdivision 6; 174.255, subdivision 1; 202A.13; 202A.155; 202A.156; 237.036; 237.16, subdivision 9; 240A.04; 240A.06, subdivisions 1, 2; 256.01, subdivision 2; 256C.24, subdivision 3; 256C.29; 299C.06; 326B.106, subdivisions 9, 11; 473.608, subdivision 22; 589.35, subdivision 1; 595.02, subdivision 1; 609.06, subdivision 1; 609.749, subdivision 2; 626.8455, subdivision 1.

Reported the same back with the following amendments:

Page 7, line 13, strike "is mentally ill," and insert "who has a mental illness, is"

Page 13, line 26, delete "physical"

Page 21, line 10, delete "illness" and insert "illnesses"

Page 23, line 21, delete "illness" and insert "illnesses"

Page 28, line 6, strike "is mentally ill" and insert "has a mental illness"

Page 28, line 7, delete "developmentally disabled" and insert "a developmental disability"

Page 29, line 8, delete "disabilities" and insert "limitations"

Page 29, line 13, delete "by the commissioner of human"

Page 29, line 14, delete "services"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 782, A bill for an act relating to health; extending expiration of an advisory board; classifying data collected under the early hearing detection and intervention program; amending Minnesota Statutes 2012, section 144.966, subdivision 2, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 144.966, subdivision 2, is amended to read:

Subd. 2. **Newborn Hearing Screening Advisory Committee.** (a) The commissioner of health shall establish a Newborn Hearing Screening Advisory Committee to advise and assist the Department of Health and the Department of Education in:

(1) developing protocols and timelines for screening, rescreening, and diagnostic audiological assessment and early medical, audiological, and educational intervention services for children who are deaf or hard-of-hearing;

(2) designing protocols for tracking children from birth through age three that may have passed newborn screening but are at risk for delayed or late onset of permanent hearing loss;

(3) designing a technical assistance program to support facilities implementing the screening program and facilities conducting rescreening and diagnostic audiological assessment;

(4) designing implementation and evaluation of a system of follow-up and tracking; and

(5) evaluating program outcomes to increase effectiveness and efficiency and ensure culturally appropriate services for children with a confirmed hearing loss and their families.

(b) The commissioner of health shall appoint at least one member from each of the following groups with no less than two of the members being deaf or hard-of-hearing:

(1) a representative from a consumer organization representing culturally deaf persons;

(2) a parent with a child with hearing loss representing a parent organization;

(3) a consumer from an organization representing oral communication options;

(4) a consumer from an organization representing cued speech communication options;

(5) an audiologist who has experience in evaluation and intervention of infants and young children;

(6) a speech-language pathologist who has experience in evaluation and intervention of infants and young children;

(7) two primary care providers who have experience in the care of infants and young children, one of which shall be a pediatrician;

(8) a representative from the early hearing detection intervention teams;

(9) a representative from the Department of Education resource center for the deaf and hard-of-hearing or the representative's designee;

(10) a representative of the Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans;

(11) a representative from the Department of Human Services Deaf and Hard-of-Hearing Services Division;

(12) one or more of the Part C coordinators from the Department of Education, the Department of Health, or the Department of Human Services or the department's designees;

(13) the Department of Health early hearing detection and intervention coordinators;

(14) two birth hospital representatives from one rural and one urban hospital;

(15) a pediatric geneticist;

(16) an otolaryngologist;

(17) a representative from the Newborn Screening Advisory Committee under this subdivision; and

(18) a representative of the Department of Education regional low-incidence facilitators.

The commissioner must complete the appointments required under this subdivision by September 1, 2007.

(c) The Department of Health member shall chair the first meeting of the committee. At the first meeting, the committee shall elect a chair from its membership. The committee shall meet at the call of the chair, at least four times a year. The committee shall adopt written bylaws to govern its activities. The Department of Health shall provide technical and administrative support services as required by the committee. These services shall include technical support from individuals qualified to administer infant hearing screening, rescreening, and diagnostic audiological assessments.

Members of the committee shall receive no compensation for their service, but shall be reimbursed as provided in section 15.059 for expenses incurred as a result of their duties as members of the committee.

(d) This subdivision expires June 30, ~~2013~~ 2019.

Sec. 2. Minnesota Statutes 2012, section 144.966, is amended by adding a subdivision to read:

Subd. 8. **Data collected.** Data collected by or submitted to the Department of Health pursuant to this section is not subject to section 144.125, subdivisions 6 to 9."

Delete the title and insert:

"A bill for an act relating to health; extending expiration of an advisory board; classifying data collected under the early hearing detection and intervention program; amending Minnesota Statutes 2012, section 144.966, subdivision 2, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 794, A bill for an act relating to capital investment; appropriating money for improvements and access to the Duluth NorShor Theatre; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 795, A bill for an act relating to capital investment; appropriating money for design of renovation of Wade Stadium in Duluth; authorizing the sale and issuance of state bonds.

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

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 798, A bill for an act relating to transportation; data practices; classifying certain Minnesota road use test participation data; classifying certain construction manager and general contractor contract data; amending Minnesota Statutes 2012, section 13.72, by adding subdivisions.

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

The report was adopted.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 804, A bill for an act relating to corrections; allowing Department of Corrections to access data to track employment of offenders sentenced to probation for the purpose of case planning; amending Minnesota Statutes 2012, section 268.19, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Public Safety 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. 807, A bill for an act relating to public safety; extending the time period and renewals allowed for a continuance without adjudication in a juvenile delinquency case; amending Minnesota Statutes 2012, section 260B.198, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 243.166, subdivision 1b, is amended to read:

Subd. 1b. **Registration required.** (a) A person who at the time of committing an offense described in clauses (1) to (4) was under the age of 18 years shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, paragraph (a), clause (2);

(ii) kidnapping under section 609.25;

(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453; or

(iv) indecent exposure under section 617.23, subdivision 3;

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b), false imprisonment in violation of section 609.255, subdivision 2; soliciting a minor to engage in prostitution in violation of section 609.322 or 609.324; soliciting a minor to engage in sexual conduct in violation of section 609.352; using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was convicted of or adjudicated delinquent for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3).

(b) A person also shall register under this section if:

(1) the person was convicted of or adjudicated delinquent in another state for an offense that would be a violation of a law described in paragraph (a) if committed in this state;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under section 253B.185 or Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

(e) A person who at the time of committing an offense described in clauses (1) to (5) was under the age of 18 years shall register under this section if:

(1) the person was charged with a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit any crime described in this subdivision, certified to be tried as an adult pursuant to section 260B.125, and convicted of that offense or another offense arising out of the same set of circumstances;

(2) the person was charged with a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit any crime described in this subdivision, designated an extended jurisdiction juvenile offender and convicted or adjudicated of that offense or another felony offense arising out of the same set of circumstances;

(3) the person was found to have committed murder under section 609.185, paragraph (a), clause (2); kidnapping under section 609.25; criminal sexual conduct under section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), (g), or (h); 609.343, subdivision 1, paragraph (a), (c), (d), (e), (f), (g), or (h); 609.344, subdivision 1, paragraph (c), (d), (f), or (g); or 609.345, subdivision 1, paragraph (c), (d), (f), or (g); or criminal sexual predatory conduct under section 609.3453;

(4) the person was found to have committed criminal sexual conduct under section 609.343, subdivision 1, paragraph (a); 609.344, subdivision 1, paragraph (a) or (b); 609.345, subdivision 1, paragraph (a); 609.3451, subdivision 3; 617.23, subdivision 3; or an offense described in paragraph (a), clause (2); and the offense was committed after the person had previously been found to have committed any offense described in paragraph (a), clause (1) or (2); or

(5) the person was found to have committed any crime described in this subdivision and the court finds on its own motion, or that of the prosecutor, that it is in the interests of public safety to require registration.

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

Sec. 2. Minnesota Statutes 2012, section 243.166, subdivision 2, is amended to read:

Subd. 2. **Notice.** When a person who is required to register under subdivision 1b, paragraph (a) or (e), is sentenced or becomes subject to a juvenile court disposition order, the court shall tell the person of the duty to register under this section and that, if the person fails to comply with the registration requirements, information about the offender may be made available to the public through electronic, computerized, or other accessible means. The court may not modify the person's duty to register in the pronounced sentence or disposition order. The court shall require the person to read and sign a form stating that the duty of the person to register under this section has been explained. The court shall forward the signed sex offender registration form, the complaint, and sentencing documents to the bureau. If a person required to register under subdivision 1b, paragraph (a) or (e), was not notified by the court of the registration requirement at the time of sentencing or disposition, the assigned corrections agent shall notify the person of the requirements of this section. When a person who is required to register under subdivision 1b, paragraph (c) or (d), is released from commitment, the treatment facility shall notify the person of the requirements of this section. The treatment facility shall also obtain the registration information required under this section and forward it to the bureau.

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

Sec. 3. Minnesota Statutes 2012, section 243.166, subdivision 6, is amended to read:

Subd. 6. **Registration period.** (a) Notwithstanding the provisions of section 609.165, subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to register under this section shall continue to comply with this section until ten years have elapsed since the person initially registered in connection with the offense, or until the probation, supervised release, or conditional release period expires, whichever occurs later. For a person required to register under this section who is committed under section 253B.18 or 253B.185, the ten-year registration period does not include the period of commitment.

(b) If a person required to register under this section fails to provide the person's primary address as required by subdivision 3, paragraph (b), fails to comply with the requirements of subdivision 3a, fails to provide information as required by subdivision 4a, or fails to return the verification form referenced in subdivision 4 within ten days, the commissioner of public safety may require the person to continue to register for an additional period of five years. This five-year period is added to the end of the offender's registration period.

(c) If a person required to register under this section is subsequently incarcerated following a conviction for a new offense or following a revocation of probation, supervised release, or conditional release for any offense, the person shall continue to register until ten years have elapsed since the person was last released from incarceration or until the person's probation, supervised release, or conditional release period expires, whichever occurs later.

(d) A person shall continue to comply with this section for the life of that person:

(1) if the person is convicted of or adjudicated delinquent for any offense for which registration is required under subdivision 1b, or any offense from another state or any federal offense similar to the offenses described in subdivision 1b, and the person has a prior conviction or adjudication for an offense for which registration was or would have been required under subdivision 1b, or an offense from another state or a federal offense similar to an offense described in subdivision 1b;

(2) if the person is required to register based upon a conviction or delinquency adjudication for an offense under section 609.185, paragraph (a), clause (2), or a similar statute from another state or the United States;

(3) if the person is required to register based upon a conviction for an offense under section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.343, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.344, subdivision 1, paragraph (a), (c), or (g); or 609.345, subdivision 1, paragraph (a), (c), or (g); or a statute from another state or the United States similar to the offenses described in this clause; or

(4) if the person is required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under section 253B.185 or a similar law of another state or the United States.

A person is not required to register for life under clause (1) based on an adjudication of delinquency that requires the person to register under subdivision 1b, paragraph (e), clause (4), unless the person had previously been required to register under this section.

(e) A person described in subdivision 1b, paragraph (b), who is required to register under the laws of a state in which the person has been previously convicted or adjudicated delinquent, shall register under this section for the time period required by the state of conviction or adjudication unless a longer time period is required elsewhere in this section.

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

Section 4. Minnesota Statutes 2012, section 260B.198, subdivision 7, is amended to read:

Subd. 7. **Continuance.** (a) When it is in the best interests of the child to do so and not inimical to public safety and when the child has admitted the allegations contained in the petition before the judge or referee, or when a hearing has been held as provided for in section 260B.163 and the allegations contained in the petition have been duly proven but, in either case, before a finding of delinquency has been entered, the court may continue the case for a period not to exceed 90 180 days on any one order. ~~Such a continuance may be extended for one additional successive period not to exceed 90 days and only after the court has reviewed the case and entered its order for an additional continuance without a finding of delinquency.~~ The continuance may be renewed for up to three additional successive periods not to exceed 180 days each, but only with the consent of the prosecutor and only after

the court has reviewed the case and entered its order for each additional continuance without a finding of delinquency. During ~~this~~ a continuance the court may enter an order in accordance with the provisions of subdivision 1, ~~clause (1) or (2)~~ except clause (4), or enter an order to hold the child in detention for a period not to exceed 15 days on any one order for the purpose of completing any consideration, or any investigation or examination ordered in accordance with the provisions of section 260B.157.

(b) A prosecutor may appeal a continuance ordered in contravention of this subdivision. This subdivision does not extend the court's jurisdiction under section 260B.193 and does not apply to an extended jurisdiction juvenile proceeding.

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

Delete the title and insert:

"A bill for an act relating to public safety; limiting predatory offender registration for certain persons under the age of 18 years; extending the time period and renewals allowed for a continuance without adjudication in a juvenile delinquency case; amending Minnesota Statutes 2012, sections 243.166, subdivisions 1b, 2, 6; 260B.198, subdivision 7."

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.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 814, A bill for an act relating to environment; requiring report of hazardous substance release to local fire or law enforcement; amending Minnesota Statutes 2012, section 609.671, subdivision 10.

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

The report was adopted.

Murphy, M., from the Committee on State Government Finance and Veterans Affairs to which was referred:

H. F. No. 819, A bill for an act relating to the Public Facilities Authority; reorganizing certain grant programs; providing for small community wastewater treatment grants; amending Minnesota Statutes 2012, sections 446A.073, subdivisions 1, 3, 4; 446A.075, subdivisions 1a, 2, 5; repealing Minnesota Statutes 2012, sections 446A.051, subdivision 2; 446A.074.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment, Natural Resources and Agriculture Finance.

The report was adopted.

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

H. F. No. 820, A bill for an act relating to human services; modifying provisions related to health care and medical assistance; amending Minnesota Statutes 2012, sections 62J.495, subdivision 15; 256.01, subdivision 34; 256.962, subdivision 8; 256B.0625, subdivisions 8, 8a, 8b, 25.

Reported the same back with the following amendments:

Page 3, after line 28, insert:

"Sec. 7. Minnesota Statutes 2012, section 256B.0625, subdivision 17, is amended to read:

Subd. 17. **Transportation costs.** (a) Medical assistance covers medical transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by eligible persons in obtaining emergency or nonemergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. Medical transportation must be provided by:

- (1) an ambulance, as defined in section 144E.001, subdivision 2;
- (2) special transportation; or
- (3) common carrier including, but not limited to, bus, taxicab, other commercial carrier, or private automobile.

(b) Medical assistance covers special transportation, as defined in Minnesota Rules, part 9505.0315, subpart 1, item F, if the recipient has a physical or mental impairment that would prohibit the recipient from safely accessing and using a bus, taxi, other commercial transportation, or private automobile.

The commissioner may use an order by the recipient's attending physician to certify that the recipient requires special transportation services. Special transportation providers shall perform driver-assisted services for eligible individuals. Driver-assisted service includes passenger pickup at and return to the individual's residence or place of business, assistance with admittance of the individual to the medical facility, and assistance in passenger securement or in securing of wheelchairs or stretchers in the vehicle. Special transportation providers must obtain written documentation from the health care service provider who is serving the recipient being transported, identifying the time that the recipient arrived. Special transportation providers may not bill for separate base rates for the continuation of a trip beyond the original destination. Special transportation providers must take recipients to ~~the nearest appropriate~~ their health care provider, using the most direct route, which must not exceed 30 miles for a trip to a primary care provider or 60 miles for a trip to a specialty care provider, unless the recipient receives authorization from the local agency. The minimum medical assistance reimbursement rates for special transportation services are:

(1)(i) \$17 for the base rate and \$1.35 per mile for special transportation services to eligible persons who need a wheelchair-accessible van;

(ii) \$11.50 for the base rate and \$1.30 per mile for special transportation services to eligible persons who do not need a wheelchair-accessible van; and

(iii) \$60 for the base rate and \$2.40 per mile, and an attendant rate of \$9 per trip, for special transportation services to eligible persons who need a stretcher-accessible vehicle;

(2) the base rates for special transportation services in areas defined under RUCA to be super rural shall be equal to the reimbursement rate established in clause (1) plus 11.3 percent; and

(3) for special transportation services in areas defined under RUCA to be rural or super rural areas:

(i) for a trip equal to 17 miles or less, mileage reimbursement shall be equal to 125 percent of the respective mileage rate in clause (1); and

(ii) for a trip between 18 and 50 miles, mileage reimbursement shall be equal to 112.5 percent of the respective mileage rate in clause (1).

(c) For purposes of reimbursement rates for special transportation services under paragraph (b), the zip code of the recipient's place of residence shall determine whether the urban, rural, or super rural reimbursement rate applies.

(d) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means a census-tract based classification system under which a geographical area is determined to be urban, rural, or super rural.

(e) Effective for services provided on or after September 1, 2011, nonemergency transportation rates, including special transportation, taxi, and other commercial carriers, are reduced 4.5 percent. Payments made to managed care plans and county-based purchasing plans must be reduced for services provided on or after January 1, 2012, to reflect this reduction.

Sec. 8. Minnesota Statutes 2012, section 256B.0625, subdivision 18f, is amended to read:

Subd. 18f. **Enrollee assessment process.** (a) The commissioner shall require that the administrator of nonemergency medical transportation adhere to the assessment process recommended by the nonemergency medical transportation advisory committee. The commissioner, ~~in consultation with the Nonemergency Medical Transportation Advisory Committee,~~ shall develop and implement, by July 1, ~~2013~~ 2014, a the comprehensive, statewide, standard assessment process for medical assistance enrollees seeking nonemergency medical transportation services recommended by the nonemergency medical transportation advisory committee. The assessment process must identify a client's level of needs, abilities, and resources, and match the client with the mode of transportation in the client's service area that best meets those needs.

(b) The assessment process must:

(1) address mental health diagnoses when determining the most appropriate mode of transportation;

(2) base decisions on clearly defined criteria that are available to clients, providers, and counties;

(3) be standardized across the state and be aligned with other similar existing processes;

(4) allow for extended periods of eligibility for certain types of nonemergency transportation when a client's condition is unlikely to change; and

(5) increase the use of public transportation when appropriate and cost-effective, including offering monthly bus passes to clients."

Page 4, line 6, after the period, insert "Use of criteria or standards to select providers for whom prior authorization is required shall not impede access to the service involved for any group of individuals with unique or special needs due to disability or functional condition."

Page 4, after line 26, insert:

"Sec. 10. Minnesota Statutes 2012, section 256B.0755, subdivision 7, is amended to read:

Subd. 7. **Expansion.** The commissioner shall ~~explore the expansion of~~ expand the demonstration project to include additional medical assistance and MinnesotaCare enrollees, and shall seek participation of Medicare in demonstration projects. The commissioner shall seek to include participation of privately insured persons and Medicare recipients in the health care delivery demonstration. As part of the demonstration expansion, the commissioner may procure the services of the health care delivery systems authorized under this section by geographic area, to supplement or replace the services provided by managed care plans operating under section 256B.69.

Sec. 11. **REPEALER.**

Minnesota Rules, part 9505.0315, subpart 7, item D, is repealed."

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.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 828, A bill for an act relating to public safety; authorizing access to secure communications network; providing minimum standards; clarifying use of network; amending Minnesota Statutes 2012, section 299C.46, subdivisions 1, 2, 2a, 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 299C.11, subdivision 1, is amended to read:

Subdivision 1. **Identification data other than DNA.** (a) Each sheriff and chief of police shall furnish the bureau, upon such form as the superintendent shall prescribe, with such finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data as may be requested or required by the superintendent of the bureau, which must be taken under the provisions of section 299C.10. In addition, sheriffs and chiefs of police shall furnish this identification data to the bureau for individuals found to have been convicted of a felony, gross misdemeanor, or targeted misdemeanor, within the ten years immediately preceding their arrest. When the bureau learns that an individual who is the subject of a background check has used, or is using, identifying information, including, but not limited to, name and date of birth, other than those listed on the criminal history, the bureau may add the new identifying information to the criminal history when supported by fingerprints.

(b) No petition under chapter 609A is required if the person has not been convicted of any felony or gross misdemeanor, either within or without the state, within the period of ten years immediately preceding the determination of all pending criminal actions or proceedings in favor of the arrested person, and either of the following occurred:

- (1) all charges were dismissed prior to a determination of probable cause; or
- (2) the prosecuting authority declined to file any charges and a grand jury did not return an indictment.

Where these conditions are met, the bureau or agency shall, upon demand, ~~return to~~ destroy the arrested person finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data, and all copies and duplicates of them.

(c) Except as otherwise provided in paragraph (b), upon the determination of all pending criminal actions or proceedings in favor of the arrested person, and the granting of the petition of the arrested person under chapter 609A, the bureau shall seal finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data, and all copies and duplicates of them if the arrested person has not been convicted of any felony or gross misdemeanor, either within or without the state, within the period of ten years immediately preceding such determination.

Sec. 2. Minnesota Statutes 2012, section 299C.46, subdivision 1, is amended to read:

Subdivision 1. **Establishment; interconnection.** The commissioner of public safety shall establish a criminal justice data communications network ~~which that will enable the interconnection of the criminal justice agencies within the state~~ provide secure access to systems and services available from or through the Bureau of Criminal Apprehension. The commissioner of public safety is authorized to lease or purchase facilities and equipment as may be necessary to establish and maintain the data communications network.

Sec. 3. Minnesota Statutes 2012, section 299C.46, subdivision 2, is amended to read:

Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46 to 299C.49, "criminal justice agency" means an agency of the state or ~~an agency of a political subdivision or the federal government~~ charged with detection, enforcement, prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this state. This definition also includes all sites identified and licensed as a detention facility by the commissioner of corrections under section 241.021 and those federal agencies that serve part or all of the state from an office located outside the state.

Sec. 4. Minnesota Statutes 2012, section 299C.46, subdivision 2a, is amended to read:

Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections 299C.46 to 299C.49, "noncriminal justice agency" means an agency of ~~a the~~ state or ~~an agency of a~~ political subdivision of ~~a the~~ state charged with the responsibility of performing checks of state databases connected to the criminal justice data communications network.

Sec. 5. Minnesota Statutes 2012, section 299C.46, subdivision 3, is amended to read:

Subd. 3. **Authorized use, fee.** (a) The criminal justice data communications network shall be used exclusively by:

- (1) criminal justice agencies in connection with the performance of duties required by law;
- (2) agencies investigating federal security clearances of individuals for assignment or retention in federal employment with duties related to national security, as required by ~~Public Law 99-169~~ United States Code, title 5, section 9101;
- (3) other agencies to the extent necessary to provide for protection of the public or property in ~~an~~ a declared emergency or disaster situation;

(4) noncriminal justice agencies statutorily mandated, by state or national law, to conduct checks into state databases prior to disbursing licenses or providing benefits;

(5) the public authority responsible for child support enforcement in connection with the performance of its duties;

(6) the public defender, as provided in section 611.272; ~~and~~

(7) a county attorney or the attorney general, as the county attorney's designee, for the purpose of determining whether a petition for the civil commitment of a proposed patient as a sexual psychopathic personality or as a sexually dangerous person should be filed, and during the pendency of the commitment proceedings;

(8) an agency of the state or a political subdivision whose access to systems or services provided from or through the bureau is specifically authorized by federal law or regulation or state statute; and

(9) by a court for access to data as authorized by federal law or regulation or state statute and related to the disposition of a pending case.

(b) The commissioner of public safety shall establish a monthly network access charge to be paid by each participating criminal justice agency. The network access charge shall be a standard fee established for each terminal, computer, or other equipment directly addressable by the data communications network, as follows: January 1, 1984 to December 31, 1984, \$40 connect fee per month; January 1, 1985 and thereafter, \$50 connect fee per month.

(c) The commissioner of public safety is authorized to arrange for the connection of the data communications network with the criminal justice information system of the federal government, any ~~adjacent~~ state, or ~~Canada~~ country for the secure exchange of information for any of the purposes authorized in paragraph (a), clauses (1), (2), (3), (8), and (9).

(d) Prior to establishing a secure connection, a criminal justice agency must:

(1) agree to comply with all applicable policies governing access to, submission of, or use of the data;

(2) meet the bureau's security requirements;

(3) agree to pay any required fees; and

(4) conduct fingerprint-based state and national background checks on the agency's employees and contractors as required by the Federal Bureau of Investigation.

(e) Prior to establishing a secure connection, a noncriminal justice agency must:

(1) agree to comply with all applicable policies governing access to, submission of, or use of the data;

(2) meet the bureau's security requirements;

(3) agree to pay any required fees; and

(4) conduct fingerprint-based state and national background checks on the agency's employees and contractors.

(f) Those noncriminal justice agencies that do not have a secure network connection yet receive data either retrieved over the secure network by an authorized criminal justice agency or as a result of a state or federal criminal history records check shall conduct a background check as provided in paragraph (g) of those individuals who receive and review the data to determine another individual's eligibility for employment, housing, a license, or another legal right dependent on a statutorily mandated background check.

(g) The background check required by paragraph (e) or (f) is accomplished by submitting a request to the superintendent of the Bureau of Criminal Apprehension that includes a signed, written consent for the Minnesota and national criminal history records check, fingerprints, and the required fee. The superintendent may exchange the fingerprints with the Federal Bureau of Investigation for purposes of obtaining the individual's national criminal history record information.

The superintendent shall return the results of the national criminal history records check to the noncriminal justice agency to determine if the individual is qualified to have access to state and federal criminal history record information or the secure network. An individual is disqualified when the state and federal criminal history record information show any of the disqualifiers that the individual will apply to the records of others.

When the individual is to have access to the secure network, the noncriminal justice agency shall review the criminal history of each employee or contractor with the Criminal Justice Information Services systems officer at the bureau, or the systems officer's designee, to determine if the employee or contractor qualifies for access to the secure network. The Criminal Justice Information Services systems officer or the designee shall make the access determination based on Federal Bureau of Investigation policy and Bureau of Criminal Apprehension policy.

Sec. 6. **[299C.72] MINNESOTA CRIMINAL HISTORY CHECKS.**

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

(b) "Applicant for employment" means an individual who seeks either county or city employment or has applied to serve as a volunteer in the county or city.

(c) "Applicant for licensure" means the individual seeks a license issued by the county or city which is not subject to a federal or state-mandated background check.

(d) "Authorized law enforcement agency" means the county sheriff for checks conducted for county purposes, the police department for checks conducted for city purposes, or the county sheriff for checks conducted for city purposes where there is no police department.

(e) "Criminal history check" means retrieval of criminal history data via the secure network described in section 299C.46.

(f) "Criminal history data" means adult convictions and adult open arrests less than one year old found in the Minnesota computerized criminal history repository.

(g) "Informed consent" has the meaning given in section 13.05, subdivision 4, paragraph (d).

Subd. 2. **Criminal history check authorized.** (a) The criminal history check authorized by this section may not be used in place of a statutorily mandated or authorized background check.

(b) An authorized law enforcement agency may conduct a criminal history check of an individual who is an applicant for employment or applicant for licensure. Prior to conducting the criminal history check, the authorized law enforcement agency must receive the informed consent of the individual.

(c) The authorized law enforcement agency may not disseminate criminal history data and must maintain it securely with the agency's office. The authorized law enforcement agency may indicate whether the applicant for employment or applicant for licensure has a criminal history that would prevent hire, acceptance as a volunteer to a hiring authority, or would prevent the issuance of a license to the department that issues the license.

Sec. 7. Minnesota Statutes 2012, section 299F.035, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Minnesota criminal history data" ~~has the meaning given in section 13.87~~ means adult convictions and juvenile adjudications.

~~(c) "Criminal justice agency" has the meaning given in section 299C.46, subdivision 2.~~

~~(d)~~ (c) "Fire department" has the meaning given in section 299N.01, subdivision 2.

~~(e)~~ (d) "Private data" has the meaning given in section 13.02, subdivision 12.

Sec. 8. Minnesota Statutes 2012, section 299F.035, subdivision 2, is amended to read:

Subd. 2. **Plan for Access to data.** (a) ~~The superintendent of the Bureau of Criminal Apprehension, in consultation with the state fire marshal, shall develop and implement a plan for fire departments to have access to criminal history data.~~ A background check must be conducted on all applicants for employment and may be conducted on current employees at a fire department. The fire chief must conduct a Minnesota criminal history record check. For applicants for employment who have lived in Minnesota for less than five years, or on the request of the fire chief, a national criminal history record check must also be conducted.

(b) ~~The plan must include:~~

~~(1) security procedures to prevent unauthorized use or disclosure of private data; and~~

~~(2) a procedure for the hiring or employing authority in each fire department to fingerprint job applicants or employees, submit requests to the Bureau of Criminal Apprehension, and obtain state and federal criminal history data reports for a nominal fee.~~

(b) For a Minnesota criminal history record check, the fire chief must either (1) submit the signed informed consent of the applicant or employee and the required fee to the superintendent, or (2) submit the signed informed consent to the chief of police. The superintendent or chief must retrieve Minnesota criminal history data and provide it to the fire chief for review.

(c) For a national criminal history record check, the fire chief must submit the signed informed consent and fingerprints of the applicant or employee, and the required fee to the superintendent. The superintendent may exchange the fingerprints with the Federal Bureau of Investigation to obtain the individual's national criminal history record information. The superintendent must return the results of the national criminal history record check to the fire chief for the purpose of determining if the applicant is qualified to be employed or if a current employee is able to retain the employee's position.

Sec. 9. Minnesota Statutes 2012, section 299F.77, is amended to read:

299F.77 ISSUANCE TO CERTAIN PERSONS PROHIBITED.

Subdivision 1. Disqualifiers. The following persons shall not be entitled to receive an explosives license or permit:

(1) a person under the age of 18 years;

(2) a person who has been convicted in this state or elsewhere of a crime of violence, as defined in section 299F.72, subdivision 1b, unless ten years have elapsed since the person's civil rights have been restored or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions that would have been crimes of violence if they had been committed in this state;

(3) a person who is or has ever been confined or committed in Minnesota or elsewhere as a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the public, as defined in section 253B.02, to a treatment facility, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person is no longer suffering from this disability;

(4) a person who has been convicted in Minnesota or elsewhere for the unlawful use, possession, or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years; and

(5) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as chemically dependent, as defined in section 253B.02, unless the person has completed treatment.

Subd. 2. Background check. (a) For licenses issued by the commissioner under section 299F.73, the applicant for licensure must provide the commissioner with all of the information required by Code of Federal Regulations, title 28, section 25.7. The commissioner shall forward the information to the superintendent of the Bureau of Criminal Apprehension so that criminal records, histories, and warrant information on the applicant may be retrieved from the Minnesota Crime Information System and the National Instant Criminal Background Check System as well as the civil commitment records maintained by the Department of Human Services. The results must be returned to the commissioner to determine if the individual applicant is qualified to receive a license.

(b) For permits issued by a county sheriff or chief of police under section 299F.75, the applicant for a permit must provide the county sheriff or chief of police with all of the information required by Code of Federal Regulations, title 28, section 25.7. The county sheriff or chief of police must check, by means of electronic data transfer, criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System and the National Instant Criminal Background Check System as well as the civil commitment records maintained by the Department of Human Services. The county sheriff or chief of police shall use the results of the query to determine if the individual applicant is qualified to receive a permit.

Sec. 10. Minnesota Statutes 2012, section 340A.301, subdivision 2, is amended to read:

Subd. 2. Persons eligible. (a) Licenses under this section may be issued only to a person who:

(1) is of good moral character and repute;

(2) is 21 years of age or older;

(3) has not had a license issued under this chapter revoked within five years of the date of license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested; and

(4) has not been convicted within five years of the date of license application of a felony, or of a willful violation of a federal or state law, or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of alcoholic beverages. The Alcohol and Gambling Enforcement Division may require that fingerprints be taken and may forward the fingerprints to the Federal Bureau of Investigation for purposes of a criminal history check.

(b) In order to determine if an individual has a felony or willful violation of federal or state law governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage, the applicant for a license to manufacture or sell at wholesale must provide the commissioner with the applicant's signed, written informed consent to conduct a background check. The commissioner may query the Minnesota Criminal History Repository for records on the applicant. If the commissioner conducts a national criminal history record check, the commissioner must obtain fingerprints from the applicant and forward them and the required fee to the superintendent of the Bureau of Criminal Apprehension. The superintendent may exchange the fingerprints with the Federal Bureau of Investigation for purposes of obtaining the applicant's national criminal history record information. The superintendent shall return the results of the national criminal history records check to the commissioner for the purpose of determining if the applicant is qualified to receive a license.

Sec. 11. Minnesota Statutes 2012, section 340A.402, is amended to read:

340A.402 PERSONS ELIGIBLE.

Subdivision 1. Disqualifiers. No retail license may be issued to:

(1) a person under 21 years of age;

(2) a person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested;

(3) a person not of good moral character and repute; or

(4) a person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler.

In addition, no new retail license may be issued to, and the governing body of a municipality may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage. The Alcohol and Gambling Enforcement Division or licensing authority may require that fingerprints be taken and forwarded to the Federal Bureau of Investigation for purposes of a criminal history check.

Subd. 2. Background check. (a) A retail liquor license may be issued by a city, a county, or the commissioner. The chief of police is responsible for the background checks prior to a city issuing a retail liquor license. A county sheriff is responsible for the background checks prior to the county issuing a retail liquor license and for those cities that do not have a police department. The commissioner is responsible for the background checks prior to the state issuing a retail liquor license.

(b) The applicant for a retail license must provide the appropriate authority with the applicant's signed, written informed consent to conduct a background check. The appropriate authority is authorized to query the Minnesota Criminal History Repository for records on the applicant. If the appropriate authority conducts a national criminal history record check, the appropriate authority must obtain fingerprints from the applicant and forward them and the

required fee to the superintendent of the Bureau of Criminal Apprehension. The superintendent may exchange the fingerprints with the Federal Bureau of Investigation for purposes of obtaining the applicant's national criminal history record information. The superintendent shall return the results of the national criminal history records check to the appropriate authority for the purpose of determining if the applicant is qualified to receive a license.

Sec. 12. **REPEALER.**

Minnesota Statutes 2012, section 299A.28, is repealed."

Delete the title and insert:

"A bill for an act relating to public safety; authorizing and modifying access to secure communications network; providing minimum standards; clarifying use of network; amending Minnesota Statutes 2012, sections 299C.11, subdivision 1; 299C.46, subdivisions 1, 2, 2a, 3; 299F.035, subdivisions 1, 2; 299F.77; 340A.301, subdivision 2; 340A.402; proposing coding for new law in Minnesota Statutes, chapter 299C; repealing Minnesota Statutes 2012, section 299A.28."

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.

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

H. F. No. 833, A bill for an act relating to education finance; clarifying the transfer of the Harambee community school from the East Metro Integration District to the Roseville school district.

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

The report was adopted.

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

H. F. No. 838, A bill for an act relating to public safety; providing access to court services, detention, and corrections data for domestic fatality review teams; amending Minnesota Statutes 2012, section 611A.203, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 17, delete the new language

With the recommendation that when so amended the bill pass.

The report was adopted.

Lesch from the Committee on Civil Law 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; regulating individual providers of direct support services; proposing coding for new law in Minnesota Statutes, chapters 179A; 256B.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Labor, Workplace and Regulated Industries.

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 854, A bill for an act relating to energy; regulating conservation improvement investments for low-income programs; amending Minnesota Statutes 2012, section 216B.241, subdivision 7.

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. 865, A bill for an act relating to environment; providing for product stewardship programs; requiring a report; amending Minnesota Statutes 2012, section 13.7411, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Page 3, line 36, delete everything after "in" and insert "the seven-county metropolitan area initially and expanding to areas outside of the seven-county metropolitan area starting July 1, 2016;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 867, A bill for an act relating to education finance; modifying the definition of general education revenue; amending Minnesota Statutes 2012, section 126C.10, subdivision 1.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 879, A bill for an act relating to energy; extending funding for research on renewable energy to the University of Minnesota; amending Minnesota Statutes 2012, section 116C.779, subdivision 3.

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. 890, A bill for an act relating to human services; establishing a family child care pilot program in Anoka County.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"(c) Responsibilities related to the investigation of alleged or suspected maltreatment of minors under Minnesota Statutes, section 626.556, related to family child care settings shall remain with the county.

(d) All authorities specifically assigned to counties under Minnesota Statutes and Rules related to the licensing of family child care providers are also assigned to the commissioner.

(e) Background studies related to family child care providers under this pilot program shall be completed by the commissioner according to Minnesota Statutes, section 245C.08, subdivision 1, and after a background study has been completed on each person by the Department of Human Services, no repeat background studies by the commissioner on an individual related to the particular licensed site is required unless the commissioner has reasonable cause as defined under Minnesota Statutes, section 245C.02, subdivision 15.

(f) Family child care providers under this pilot program shall remain responsible for annual inspection and background study fees identified under Minnesota Statutes, section 245A.10, subdivision 2, except that providers shall pay the combined total of \$150 per year to the commissioner."

Page 1, line 20, delete "(c)" and insert "(g)"

Page 2, delete lines 8 and 9 and insert:

"Any funds received by the commissioner according to this paragraph that remain unspent at the end of any fiscal year shall be retained by the commissioner and carried over to the next fiscal year.

(h) The commissioner shall propose a fee to the 2015 legislature that recovers the actual costs for the commissioner's direct oversight and licensing of family child care providers in Anoka County under this pilot program.

(i) The commissioner, in consultation with Anoka County, shall submit a report to the legislature by January 15, 2018, that provides a comparative analysis of the efficiency and effectiveness of the pilot program under this section compared to the current model of county oversight of family child care providers under Minnesota Statutes, section 245A.16. The report shall include recommendations as to whether the pilot program should be continued or expanded to additional counties, and recommendations for fees necessary to recover costs of licensing oversight."

Page 2, line 10, delete "July 1, 2013" and insert "January 1, 2014, except that subdivision 2, paragraph (e), is effective the day following final enactment"

Amend the title as follows:

Page 1, line 3, before the period, insert "; requiring a report"

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.

Lesch from the Committee on Civil Law to which was referred:

H. F. No. 892, A bill for an act relating to families; updating the Uniform Interstate Family Support Act; amending Minnesota Statutes 2012, sections 518C.101; 518C.102; 518C.103; 518C.201; 518C.202; 518C.203; 518C.204; 518C.205; 518C.206; 518C.207; 518C.208; 518C.209; 518C.301; 518C.303; 518C.304; 518C.305; 518C.306; 518C.307; 518C.308; 518C.310; 518C.311; 518C.312; 518C.313; 518C.314; 518C.316; 518C.317; 518C.318; 518C.319; 518C.401; 518C.501; 518C.503; 518C.504; 518C.505; 518C.506; 518C.508; 518C.601; 518C.602; 518C.603; 518C.604; 518C.605; 518C.606; 518C.607; 518C.608; 518C.609; 518C.610; 518C.611; 518C.612; 518C.613; 518C.701; 518C.801; 518C.902; proposing coding for new law in Minnesota Statutes, chapter 518C; repealing Minnesota Statutes 2012, section 518C.502.

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

The report was adopted.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 946, A bill for an act relating to public safety; providing immunity for underage possession or consumption of alcohol for a person seeking assistance for self or another; amending Minnesota Statutes 2012, section 340A.503, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 947, A bill for an act relating to human services; distinguishing and clarifying law regarding civil commitment to the Minnesota sex offender program from other civil commitments; amending Minnesota Statutes 2012, sections 253B.02, subdivisions 18a, 24; 253B.03, subdivision 1a; 253B.045, subdivision 1a; 253B.092, subdivision 1; 253B.17, subdivision 1; 253B.185; 253B.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 253D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 253B.02, subdivision 18a, is amended to read:

Subd. 18a. **Secure treatment facility.** "Secure treatment facility" means the Minnesota Security Hospital ~~and the Minnesota sex offender program facility in Moose Lake and any portion of the Minnesota sex offender program operated by the Minnesota sex offender program at the Minnesota Security Hospital,~~ but does not include services or programs administered by the ~~secure treatment facility~~ Minnesota Security Hospital outside a secure environment.

Sec. 2. Minnesota Statutes 2012, section 253B.02, subdivision 24, is amended to read:

Subd. 24. **Administrative restriction.** "Administrative restriction" means any measure utilized by the commissioner to maintain safety and security, protect possible evidence, and prevent the continuation of suspected criminal acts. Administrative restriction does not mean protective isolation as defined by Minnesota Rules, part 9515.3090, subpart 4. Administrative restriction may include increased monitoring, program limitations, loss of privileges, restricted access to and use of possessions, and separation of a patient committed person from the normal living environment, as determined by the commissioner or the commissioner's designee. Administrative restriction applies only to patients committed persons in a secure treatment facility as defined in ~~subdivision 18a~~ section 253D.02, subdivision 9, who:

- (1) are suspected of committing a crime or charged with a crime;
- (2) are the subject of a criminal investigation;
- (3) are awaiting sentencing following a conviction of a crime; or
- (4) are awaiting transfer to a correctional facility.

~~The commissioner shall establish policies and procedures according to section 246.014, paragraph (d), regarding the use of administrative restriction. The policies and procedures shall identify the implementation and termination of administrative restrictions. Use of administrative restriction and the reason associated with the use shall be documented in the patient's medical record.~~

Sec. 3. Minnesota Statutes 2012, section 253B.03, subdivision 1a, is amended to read:

Subd. 1a. **Administrative restriction.** (a) A patient committed person has the right to be free from unnecessary or excessive administrative restriction. Administrative restriction shall not be used for the convenience of staff, for retaliation for filing complaints, or as a substitute for program treatment. Administrative restriction may not involve any further deprivation of privileges than is necessary.

- (b) Administrative restriction may include separate and secure housing.
- (c) Patients Committed Persons under administrative restriction shall not be limited in access to their attorney.

(d) If a patient committed person is placed on administrative restriction because the patient committed person is suspected of committing a crime, the secure treatment facility must report the crime to the appropriate police agency within 24 hours of the beginning of administrative restriction. The patient committed person must be released from administrative restriction if a police agency does not begin an investigation within 72 hours of the report.

(e) A patient committed person placed on administrative restriction because the patient committed person is a subject of a criminal investigation must be released from administrative restriction when the investigation is completed. If the patient committed person is charged with a crime following the investigation, administrative restriction may continue until the charge is disposed of.

(f) The secure treatment facility must notify the ~~patient's~~ committed person's attorney of the ~~patient~~ committed person being placed on administrative restriction within 24 hours after the beginning of administrative restriction.

(g) The commissioner shall establish policies and procedures according to section 246.014, paragraph (d), regarding the use of administrative restriction. The policies and procedures shall identify the implementation and termination of administrative restrictions. Use of administration restriction and the reason associated with the use shall be documented in the committed person's medical record.

Sec. 4. Minnesota Statutes 2012, section 253B.045, subdivision 1a, is amended to read:

Subd. 1a. **Exception Correctional facilities.** (a) A person who is being petitioned for commitment under ~~section 253B.185~~ this chapter and who is placed under a judicial hold order under section 253B.07, subdivision 2b or 7, may be confined at a Department of Corrections or a county correctional or detention facility, rather than a secure treatment facility, until a determination of the commitment petition as specified in this subdivision.

(b) A court may order that a person who is being petitioned for commitment under ~~section 253B.185~~ this chapter be confined in a Department of Corrections facility pursuant to the judicial hold order under the following circumstances and conditions:

(1) The person is currently serving a sentence in a Department of Corrections facility and the court determines that the person has made a knowing and voluntary (i) waiver of the right to be held in a secure treatment facility and (ii) election to be held in a Department of Corrections facility. The order confining the person in the Department of Corrections facility shall remain in effect until the court vacates the order or the person's criminal sentence and conditional release term expire.

In no case may the person be held in a Department of Corrections facility pursuant only to this subdivision, and not pursuant to any separate correctional authority, for more than 210 days.

(2) A person who has elected to be confined in a Department of Corrections facility under this subdivision may revoke the election by filing a written notice of intent to revoke the election with the court and serving the notice upon the Department of Corrections and the county attorney. The court shall order the person transferred to a secure treatment facility within 15 days of the date that the notice of revocation was filed with the court, except that, if the person has additional time to serve in prison at the end of the 15-day period, the person shall not be transferred to a secure treatment facility until the person's prison term expires. After a person has revoked an election to remain in a Department of Corrections facility under this subdivision, the court may not adopt another election to remain in a Department of Corrections facility without the agreement of both parties and the Department of Corrections.

(3) Upon petition by the commissioner of corrections, after notice to the parties and opportunity for hearing and for good cause shown, the court may order that the person's place of confinement be changed from the Department of Corrections to a secure treatment facility.

(4) While at a Department of Corrections facility pursuant to this subdivision, the person shall remain subject to all rules and practices applicable to correctional inmates in the facility in which the person is placed including, but not limited to, the powers and duties of the commissioner of corrections under section 241.01, powers relating to use of force under section 243.52, and the right of the commissioner of corrections to determine the place of confinement in a prison, reformatory, or other facility.

(5) A person may not be confined in a Department of Corrections facility under this provision beyond the end of the person's executed sentence or the end of any applicable conditional release period, whichever is later. If a person confined in a Department of Corrections facility pursuant to this provision reaches the person's supervised release date and is subject to a period of conditional release, the period of conditional release shall commence on the

supervised release date even though the person remains in the Department of Corrections facility pursuant to this provision. At the end of the later of the executed sentence or any applicable conditional release period, the person shall be transferred to a secure treatment facility.

(6) Nothing in this section may be construed to establish a right of an inmate in a state correctional facility to participate in sex offender treatment. This section must be construed in a manner consistent with the provisions of section 244.03.

(c) The committing county may offer a person who is being petitioned for commitment under ~~section 253B.185 this chapter~~ and who is placed under a judicial hold order under section 253B.07, subdivision 2b or 7, the option to be held in a county correctional or detention facility rather than a secure treatment facility, under such terms as may be agreed to by the county, the commitment petitioner, and the commitment respondent. If a person makes such an election under this paragraph, the court hold order shall specify the terms of the agreement, including the conditions for revoking the election.

Sec. 5. Minnesota Statutes 2012, section 253B.092, subdivision 1, is amended to read:

Subdivision 1. **General.** Neuroleptic medications may be administered, only as provided in this section, to patients subject to early intervention or civil commitment as mentally ill ~~or~~ mentally ill and dangerous ~~only as provided in this section~~, a sexually dangerous person, or a person with a sexual psychopathic personality. For purposes of this section, "patient" includes a proposed patient who is the subject of a petition for early intervention or commitment and a committed person as defined in section 253D.02, subdivision 3.

Sec. 6. Minnesota Statutes 2012, section 253B.17, subdivision 1, is amended to read:

Subdivision 1. **Petition.** Any patient, except one committed as a sexually dangerous person or a person with a sexual psychopathic personality or as a person who is mentally ill and dangerous to the public ~~or as a sexually dangerous person or person with a sexual psychopathic personality~~ as provided in section 253B.18, subdivision 3, or any interested person may petition the committing court or the court to which venue has been transferred for an order that the patient is not in need of continued care and treatment or for an order that an individual is no longer a person who is mentally ill, developmentally disabled, or chemically dependent, or for any other relief. A patient committed as a person who is mentally ill or mentally ill and dangerous or a sexually dangerous person or person with a sexual psychopathic personality may petition the committing court or the court to which venue has been transferred for a hearing concerning the administration of neuroleptic medication.

Sec. 7. Minnesota Statutes 2012, section 253B.185, is amended to read:

253B.185 SEXUAL PSYCHOPATHIC PERSONALITY; SEXUALLY DANGEROUS; SEXUAL PSYCHOPATHIC PERSONALITY.

Subdivision 1. **Commitment generally.** ~~(a) Except as otherwise provided in this section, the provisions of this chapter pertaining to persons who are mentally ill and dangerous to the public apply with like force and effect to persons who are alleged or found to be sexually dangerous persons or persons with a sexual psychopathic personality. For purposes of this section, "sexual psychopathic personality" includes any individual committed as a "psychopathic personality" under Minnesota Statutes 1992, section 526.10.~~

~~(b)~~ (a) Before commitment proceedings are instituted, the facts shall first be submitted to the county attorney, who, if satisfied that good cause exists, will prepare the petition. The county attorney may request a prepetition screening report. The petition is to be executed by a person having knowledge of the facts and filed with the district court of the county of financial responsibility, as defined in section 253B.02, subdivision 4c, or the county where the ~~patient~~ respondent is present. If the ~~patient~~ respondent is in the custody of the commissioner of corrections, the petition may be filed in the county where the conviction for which the person is incarcerated was entered.

(~~e~~) (b) Upon the filing of a petition alleging that a proposed patient respondent is a sexually dangerous person or is a person with a sexual psychopathic personality, the court shall hear the petition as provided in ~~section 253B.18, except that section 253B.18, subdivisions 2 and 3, shall not apply~~ sections 253B.07 and 253B.08.

~~(d) In commitments under this section,~~ (c) If the court finds by clear and convincing evidence that the respondent is a sexually dangerous person or a person with a sexual psychopathic personality, the court shall commit the patient person to a secure treatment facility unless the patient person establishes by clear and convincing evidence that a less restrictive treatment program is available ~~that, is willing to accept the respondent under commitment, and is consistent with the patient's person's treatment needs and the requirements of public safety.~~

(~~e~~) (d) After a ~~final~~ determination that a patient respondent is a sexually dangerous person or a person with a sexual psychopathic personality, the court shall order commitment for an indeterminate period of time and the patient committed person shall be transferred, provisionally discharged, or discharged, only as provided in this ~~section~~ chapter.

Subd. 1a. ~~Temporary confinement Jails.~~ During any hearing held under this ~~section~~ chapter, or pending ~~emergency~~ revocation of a provisional discharge, the court may order the patient committed person or proposed patient committed person temporarily confined in a jail or lockup but only if:

(1) there is no other feasible place of confinement for the patient person within a reasonable distance;

(2) the confinement is for less than 24 hours or, if during a hearing, less than 24 hours prior to commencement and after conclusion of the hearing; and

(3) there are protections in place, including segregation of the patient person, to ensure the safety of the patient person.

Subd. 1b. **County attorney access to data.** Notwithstanding sections 144.291 to 144.298; 245.467, subdivision 6; 245.4876, subdivision 7; 260B.171; 260B.235, subdivision 8; 260C.171; and 609.749, subdivision 6, or any provision of chapter 13 or other state law, prior to filing a petition for commitment ~~as a sexual psychopathic personality or as a sexually dangerous person~~ of a sexually dangerous person or a person with a sexual psychopathic personality, and upon notice to the proposed patient committed person, the county attorney or the county attorney's designee may move the court for an order granting access to any records or data, to the extent it relates to the proposed patient committed person, for the purpose of determining whether good cause exists to file a petition and, if a petition is filed, to support the allegations set forth in the petition.

The court may grant the motion if: (1) the Department of Corrections refers the case for commitment ~~as a sexual psychopathic personality or as a sexually dangerous person~~ of a sexually dangerous person or a person with a sexual psychopathic personality; or (2) upon a showing that the requested category of data or records may be relevant to the determination by the county attorney or designee. The court shall decide a motion under this ~~subdivision~~ section within 48 hours after a hearing on the motion. Notice to the proposed patient committed person need not be given upon a showing that such notice may result in harm or harassment of interested persons or potential witnesses.

Notwithstanding any provision of chapter 13 or other state law, a county attorney considering the civil commitment of a person under this ~~section~~ chapter may obtain records and data from the Department of Corrections or any probation or parole agency in this state upon request, without a court order, for the purpose of determining whether good cause exists to file a petition and, if a petition is filed, to support the allegations set forth in the petition. At the time of the request for the records, the county attorney shall provide notice of the request to the person who is the subject of the records.

Data collected pursuant to this ~~subdivision~~ section shall retain their original status and, if not public, are inadmissible in any court proceeding unrelated to civil commitment, unless otherwise permitted.

Subd. 2. **Transfer to correctional facility.** (a) If a person has been committed under this ~~section~~ chapter and later is committed to the custody of the commissioner of corrections for any reason, including but not limited to, being sentenced for a crime or revocation of the person's supervised release or conditional release under section 244.05; 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, the person shall be transferred to a facility designated by the commissioner of corrections without regard to the procedures provided in ~~subdivision 11~~ section 253D.29, subdivision 1.

(b) If a person is committed under this ~~section~~ chapter after a commitment to the commissioner of corrections, the person shall first serve the sentence in a facility designated by the commissioner of corrections. After the person has served the sentence, the person shall be transferred to a treatment program designated by the commissioner of human services.

Subd. 3. **Not to constitute defense.** The existence in any person of a condition of a sexual psychopathic personality or the fact that a person is a sexually dangerous person shall not in any case constitute a defense to a charge of crime, nor relieve such person from liability to be tried upon a criminal charge.

Subd. 4. **Statewide judicial panel; commitment proceedings.** (a) The Supreme Court may establish a panel of district judges with statewide authority to preside over commitment proceedings of ~~sexual psychopathic personalities and sexually dangerous persons~~ sexually dangerous persons or persons with sexual psychopathic personalities. Only one judge of the panel is required to preside over a particular commitment proceeding. Panel members shall serve for one-year terms. One of the judges shall be designated as the chief judge of the panel, and is vested with the power to designate the presiding judge in a particular case, to set the proper venue for the proceedings, and to otherwise supervise and direct the operation of the panel. The chief judge shall designate one of the other judges to act as chief judge whenever the chief judge is unable to act.

(b) If the Supreme Court creates the judicial panel authorized by this section, all petitions for civil commitment brought under ~~subdivision 1~~ section 253D.07 shall be filed with the supreme court instead of with the district court in the county where the proposed patient is present, notwithstanding any provision of ~~subdivision 1~~ section 253D.07 to the contrary. Otherwise, all of the other applicable procedures contained in this chapter and sections 253B.07 and 253B.08 apply to commitment proceedings conducted by a judge on the panel.

Subd. 5. **Financial responsibility.** (a) For purposes of this subdivision, "state facility" has the meaning given in section 246.50 and also includes a Department of Corrections facility when the ~~proposed patient~~ respondent is confined in such a facility pursuant to section ~~253B.045, subdivision 1a~~ 253D.10, subdivision 2.

(b) Notwithstanding sections 246.54, ~~253B.045~~ 253D.10, and any other law to the contrary, when a petition is filed for commitment under this ~~section~~ chapter pursuant to the notice required in section 244.05, subdivision 7, the state and county are each responsible for 50 percent of the cost of the person's confinement at a state facility or county jail, prior to commitment.

(c) The county shall submit an invoice to the state court administrator for reimbursement of the state's share of the cost of confinement.

(d) Notwithstanding paragraph (b), the state's responsibility for reimbursement is limited to the amount appropriated for this purpose.

Subd. 7. **Rights of ~~patients~~ persons committed under this ~~section~~ chapter.** (a) The commissioner ~~or the commissioner's designee~~ may limit the statutory rights described in paragraph (b) for ~~patients~~ persons committed to the Minnesota sex offender program under this ~~section~~ chapter or with the commissioner's consent under section 246B.02. The statutory rights described in paragraph (b) may be limited only as necessary to maintain a therapeutic environment or the security of the facility or to protect the safety and well-being of ~~patients~~ committed persons, staff, and the public.

(b) The statutory rights that may be limited in accordance with paragraph (a) are those set forth in section 144.651, subdivision 19, personal privacy; section 144.651, subdivision 21, private communications; section 144.651, subdivision 22, retain and use of personal property; section 144.651, subdivision 25, manage personal financial affairs; section 144.651, subdivision 26, meet with visitors and participate in groups; section 253B.03, subdivision 2, correspond with others; and section 253B.03, subdivision 3, receive visitors and make telephone calls. Other statutory rights enumerated by sections 144.651 and 253B.03, or any other law, may be limited as provided in those sections.

Subd. 8. **Petition ~~and report~~ required.** (a) Within 120 days of receipt of a preliminary determination from a court under section 609.1351, or a referral from the commissioner of corrections pursuant to section 244.05, subdivision 7, a county attorney shall determine whether good cause under ~~this section~~ section 253D.07 exists to file a petition, and if good cause exists, the county attorney or designee shall file the petition with the court.

(b) Failure to meet the requirements of paragraph (a) does not bar filing a petition under ~~subdivision 4~~ section 253D.07, subdivision 2, any time the county attorney determines pursuant to ~~subdivision 4~~ section 253D.07 that good cause for such a petition exists.

Subd. 9. **Petition for reduction in custody.** (a) This subdivision applies only to committed persons as defined in ~~paragraph (b)~~ section 253D.02, subdivision 4. The procedures in ~~subdivision 4~~ section 253D.14 for victim notification and right to submit a statement apply to petitions filed and reductions in custody recommended under this subdivision.

(b) ~~As used in this subdivision:~~

(1) ~~"committed person" means an individual committed under this section, or under this section and under section 253B.18, as mentally ill and dangerous. It does not include persons committed only as mentally ill and dangerous under section 253B.18; and~~

(2) ~~For the purposes of this section,~~ "reduction in custody" means transfer out of a secure treatment facility, a provisional discharge, or a discharge from commitment. A reduction in custody is considered to be a commitment proceeding under section 8.01.

(c) A petition for a reduction in custody or an appeal of a revocation of provisional discharge may be filed by either the committed person or by the ~~head of the treatment facility~~ executive director and must be filed with and considered by a panel of the special review board authorized under section 253B.18, subdivision 4c. A committed person may not petition the special review board any sooner than six months following either:

(1) the entry of judgment in the district court of the order for commitment issued under section ~~253B.18, subdivision 3~~ 253D.07, subdivision 5, or upon the exhaustion of all related appeal rights in state court relating to that order, whichever is later; or

(2) any recommendation of the special review board or order of the judicial appeal panel, or upon the exhaustion of all appeal rights in state court, whichever is later. The ~~head of the treatment facility~~ executive director may petition at any time. The special review board proceedings are not contested cases as defined in chapter 14.

(d) The special review board shall hold a hearing on each petition before issuing a recommendation and report under ~~paragraph (f)~~ section 253D.30, subdivision 4. Fourteen days before the hearing, the committing court, the county attorney of the county of commitment, the ~~designated agency~~ county attorney of the county of financial responsibility, an interested person, the petitioner and the petitioner's counsel, and the committed person and the committed person's counsel must be given written notice by the commissioner of the time and place of the hearing before the special review board. Only those entitled to statutory notice of the hearing or those administratively required to attend may be present at the hearing. The ~~patient~~ committed person may designate interested persons to receive notice by providing the names and addresses to the commissioner at least 21 days before the hearing.

(e) A person or agency receiving notice that submits documentary evidence to the special review board before the hearing must also provide copies to the committed person, the committed person's counsel, the county attorney of the county of commitment, and the ~~ease manager, and the commissioner~~ county attorney of the county of financial responsibility. The special review board must consider any statements received from victims under ~~subdivision 10~~ section 253D.14.

(f) Within 30 days of the hearing, the special review board shall issue a report with written findings of fact and shall recommend denial or approval of the petition to the judicial appeal panel established under section 253B.19. The commissioner shall forward the ~~recommendation~~ report of the special review board to the judicial appeal panel and to every person entitled to statutory notice. No reduction in custody or reversal of a revocation of provisional discharge recommended by the special review board is effective until it has been reviewed by the judicial appeal panel and until 15 days after an order from the judicial appeal panel affirming, modifying, or denying the recommendation.

Subd. 10. **Victim notification of petition and release; right to submit statement.** (a) As used in this ~~subdivision~~ section:

(1) "crime" has the meaning given to "violent crime" in section 609.1095, and includes criminal sexual conduct in the fifth degree and offenses within the definition of "crime against the person" in section 253B.02, subdivision 4a, and also includes offenses listed in section 253B.02, subdivision 7a, paragraph (b), regardless of whether they are sexually motivated;

(2) "victim" means a person who has incurred loss or harm as a result of a crime, the behavior for which forms the basis for a commitment under this ~~section or section 253B.18~~ chapter; and

(3) "convicted" and "conviction" have the meanings given in section 609.02, subdivision 5, and also include juvenile court adjudications, findings under Minnesota Rules of Criminal Procedure, rule 20.02, that the elements of a crime have been proved, and findings in commitment cases under this section or section 253B.18, that an act or acts constituting a crime occurred.

(b) A county attorney who files a petition to commit a person under this ~~section~~ chapter shall make a reasonable effort to provide prompt notice of filing the petition to any victim of a crime for which the person was convicted. In addition, the county attorney shall make a reasonable effort to promptly notify the victim of the resolution of the petition.

(c) Before provisionally discharging, discharging, granting pass-eligible status, approving a pass plan, or otherwise permanently or temporarily releasing a person committed under this ~~section~~ chapter from a treatment facility, the ~~head of the treatment facility~~ executive director shall make a reasonable effort to notify any victim of a crime for which the person was convicted that the person may be discharged or released and that the victim has a right to submit a written statement regarding decisions of the ~~head of the treatment facility or designee~~ executive director, or special review board, with respect to the person. To the extent possible, the notice must be provided at least 14 days before any special review board hearing or before a determination on a pass plan. Notwithstanding section 611A.06, subdivision 4, the commissioner shall provide the judicial appeal panel with victim information in order to comply with the provisions of this section. The judicial appeal panel shall ensure that the data on victims remains private as provided for in section 611A.06, subdivision 4.

(d) This subdivision applies only to victims who have requested notification through the Department of Corrections electronic victim notification system, or by contacting, in writing, the county attorney in the county where the conviction for the crime occurred or where the civil commitment was filed or, following commitment, the ~~head of the treatment facility~~ executive director. A request for notice under this subdivision received by the commissioner of corrections through the Department of Corrections electronic victim notification system shall be promptly forwarded to the prosecutorial authority with jurisdiction over the offense to which the notice relates or, following commitment, the ~~head of the treatment facility~~ executive director. A county attorney who receives a request for notification under this ~~paragraph~~ subdivision following commitment shall promptly forward the request to the commissioner of human services.

(e) Rights under this ~~subdivision~~ section are in addition to rights available to a victim under chapter 611A. This provision does not give a victim all the rights of a "notified person" or a person "entitled to statutory notice" under ~~subdivision 12 or 13 or~~ section 253B.18, subdivision 4a, 4b, or 5; 253D.23; or 253D.27.

Subd. 10a. **Scope of community notification.** (a) Notification of the public and disclosure of information under section 244.052, subdivision 4, regarding an individual who was committed under this ~~section~~ chapter or Minnesota Statutes 1992, section 526.10, is as provided under section 244.052, subdivision 4, paragraphs (b), clause (3), and (g), and subdivision 4b, regardless of the individual's assigned risk level. The restrictions under section 244.052, subdivision 4, paragraph (b), clause (3), placed on disclosing information on individuals living in residential facilities do not apply to persons committed under this section or Minnesota Statutes 1992, section 526.10. The local law enforcement agency may proceed with the broadest disclosure authorized under section 244.052, subdivision 4.

(b) After four years from the date of an order for provisional discharge or discharge of civil commitment, the individual may petition the ~~head of the treatment facility from which the individual was provisionally discharged or discharged~~ executive director to have the scope of notification and disclosure based solely upon the individual's assigned risk level under section 244.052.

(c) If an individual's provisional discharge is revoked for any reason, the four-year time period under paragraph (b) starts over from the date of a subsequent order for provisional discharge or discharge except that the ~~head of the treatment facility or designee~~ executive director may, in the that person's sole discretion ~~of the head or designee~~, determine that the individual may petition before four years have elapsed from the date of the order of the subsequent provisional discharge or discharge and notify the individual of that determination.

(d) The ~~head of the treatment facility~~ executive director shall appoint a multidisciplinary committee to review and make a recommendation on a petition made under paragraph (b). The ~~head of the treatment facility or designee~~ executive director may grant or deny the petition. There is no review or appeal of the decision. If a petition is denied, the individual may petition again after two years from the date of denial.

(e) Nothing in this ~~subdivision~~ section shall be construed to give an individual an affirmative right to petition the ~~head of the treatment facility~~ executive director earlier than four years after the date of an order for provisional discharge or discharge.

(f) The ~~head of the treatment facility~~ executive director shall act in place of the individual's corrections agent for the purpose of section 244.052, subdivision 3, paragraph (h), when the individual is not assigned to a corrections agent.

Subd. 11. **Transfer.** (a) A ~~patient person~~ person who is committed as a sexually dangerous person or a person with a sexual psychopathic personality shall not be transferred out of a secure treatment facility unless ~~it appears to the satisfaction of the judicial appeal panel, after a hearing and recommendation by a majority of the special review board,~~ that the transfer is appropriate. Transfer may be to other treatment programs under the commissioner's control.

(b) The following factors must be considered in determining whether a transfer is appropriate:

- (1) the person's clinical progress and present treatment needs;
- (2) the need for security to accomplish continuing treatment;
- (3) the need for continued institutionalization;
- (4) which facility can best meet the person's needs; and
- (5) whether transfer can be accomplished with a reasonable degree of safety for the public.

Subd. 11a. **Transfer; Voluntary readmission to a secure facility.** (a) After a patient committed person has been transferred out of a secure facility pursuant to section 253D.29, subdivision 1, and with the consent of the executive director ~~of the Minnesota sex offender program~~, a patient committed person may voluntarily return to a secure facility ~~operated by the Minnesota sex offender program~~ for a period of up to 60 days.

(b) If the patient committed person is not returned to the facility to which the patient person was originally transferred pursuant to section 253D.29, subdivision 1, within 60 days of being readmitted to a secure facility, the transfer is revoked and the patient committed person shall remain in a secure facility. The patient committed person shall immediately be notified in writing of the revocation.

(c) Within 15 days of receiving notice of the revocation, the patient committed person may petition the special review board for a review of the revocation. The special review board shall review the circumstances of the revocation and shall recommend to the judicial appeal panel whether or not the revocation shall be upheld. The special review board may also recommend a new transfer at the time of the revocation hearing.

(d) If the transfer has not been revoked and the patient committed person is to be returned to the facility to which the patient committed person was originally transferred pursuant to section 253D.29, subdivision 1, with no substantive change to the conditions of the transfer ordered pursuant to section 253D.29, subdivision 1, no action by the special review board or judicial appeal panel is required.

Subd. 11b. **Transfer; Revocation.** (a) The executive director ~~of the Minnesota sex offender program or designee~~ may revoke a transfer made pursuant to section 253D.29, subdivision 1, and require a patient committed person to return to a secure treatment facility if:

- (1) remaining in a nonsecure setting will not provide a reasonable degree of safety to the patient committed person or others; or
- (2) the patient committed person has regressed in clinical progress so that the facility to which the patient committed person was transferred is no longer sufficient to meet the patient's committed person's needs.

(b) Upon the revocation of the transfer, the patient committed person shall be immediately returned to a secure treatment facility. A report documenting reasons for revocation shall be issued by the executive director ~~or designee~~ within seven days after the patient committed person is returned to the secure treatment facility. Advance notice to the patient committed person of the revocation is not required.

(c) The patient committed person must be provided a copy of the revocation report and informed, orally and in writing, of the rights of a patient committed person under this ~~subdivision~~ section. The revocation report shall be served upon the patient committed person and the patient's committed person's counsel. The report shall outline the specific reasons for the revocation including, but not limited to, the specific facts upon which the revocation ~~recommendation~~ is based.

(d) ~~If a patient whose committed person's transfer is revoked must successfully re-petition the special review board and judicial appeal panel prior to being transferred out of a secure facility, the committed person may re-petition for transfer according to section 253D.27.~~

(e) Any ~~patient~~ committed person aggrieved by a transfer revocation decision may petition the special review board within seven days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of the revocation report for a review of the revocation. The matter shall be scheduled within 30 days. The special review board shall review the circumstances leading to the revocation and, after considering the factors in section 253D.29, subdivision ~~4~~ 1, paragraph (b), shall recommend to the judicial appeal panel whether or not the revocation shall be upheld. The special review board may also recommend a new transfer out of a secure facility at the time of the revocation hearing.

Subd. 12. ~~Provisional discharge Factors.~~ (a) A ~~patient~~ person who is committed as a ~~sexual psychopathic personality or sexually dangerous person~~ sexually dangerous person or a person with a sexual psychopathic personality shall not be provisionally discharged unless ~~it appears to the satisfaction of the judicial appeal panel, after a hearing and a recommendation by a majority of the special review board, that the patient committed person is~~ capable of making an acceptable adjustment to open society.

(b) The following factors are to be considered in determining whether a provisional discharge shall be ~~recommended granted~~:

(1) whether the ~~patient's~~ committed person's course of treatment and present mental status indicate there is no longer a need for treatment and supervision in the ~~patient's~~ committed person's current treatment setting; and

(2) whether the conditions of the provisional discharge plan will provide a reasonable degree of protection to the public and will enable the ~~patient~~ committed person to adjust successfully to the community.

Subd. 13. ~~Provisional discharge Plan.~~ A provisional discharge plan shall be developed, implemented, and monitored by the ~~head of the treatment facility or designee~~ executive director in conjunction with the ~~patient~~ committed person and other appropriate persons. The ~~head of the treatment facility or designee~~ executive director shall, at least quarterly, review the plan with the ~~patient~~ committed person and submit a written report to the ~~designated agency county attorneys of the county of commitment and the county of financial responsibility~~ concerning the ~~patient's~~ committed person's status and compliance with each term of the plan.

Subd. 14. ~~Provisional discharge; Review.~~ A provisional discharge pursuant to this ~~section~~ chapter shall not automatically terminate. A full discharge shall occur only as provided in ~~subdivision 18~~ section 253D.31. The ~~commissioner shall notify the patient that the~~ terms of a provisional discharge continue unless the ~~patient~~ committed person requests and is granted a change in the conditions of provisional discharge or unless the ~~patient~~ committed person petitions the special review board for a full discharge and the discharge is granted by the judicial appeal panel.

Subd. 14a. ~~Provisional discharge; Voluntary readmission.~~ (a) With the consent of the executive director ~~of the Minnesota sex offender program~~, a ~~patient~~ committed person may voluntarily return to the Minnesota sex offender program from provisional discharge for a period of up to 60 days.

(b) If the ~~patient~~ committed person is not returned to provisional discharge status within 60 days of being readmitted to the Minnesota sex offender program, the provisional discharge is revoked. The ~~patient~~ committed person shall immediately be notified of the revocation in writing. Within 15 days of receiving notice of the revocation, the ~~patient~~ committed person may request a review of the matter before the special review board. The special review board shall review the circumstances of the revocation and, after applying the standards in section 253D.30, subdivision ~~4~~ 5, paragraph (a), shall recommend to the judicial appeal panel whether or not the revocation shall be upheld. The board may recommend a return to provisional discharge status.

(c) If the provisional discharge has not been revoked and the patient committed person is to be returned to provisional discharge, the Minnesota sex offender program is not required to petition for a further review by the special review board unless the patient's committed person's return to the community results in substantive change to the existing provisional discharge plan.

Subd. 15. **Provisional discharge; Revocation.** (a) The ~~head of the treatment facility~~ executive director may revoke a provisional discharge if either of the following grounds exist:

- (1) the patient committed person has departed from the conditions of the provisional discharge plan; or
- (2) the patient committed person is exhibiting behavior which may be dangerous to self or others.

(b) The ~~head of the treatment facility~~ executive director may revoke the provisional discharge and, either orally or in writing, order that the patient committed person be immediately returned to ~~the~~ a Minnesota sex offender program treatment facility. A report documenting reasons for revocation shall be issued by the ~~head of the treatment facility~~ executive director within seven days after the patient committed person is returned to the treatment facility. Advance notice to the patient committed person of the revocation is not required.

(c) The patient committed person must be provided a copy of the revocation report and informed, orally and in writing, of the rights of a patient committed person under this section. The revocation report shall be served upon the patient committed person, the patient's committed person's counsel, and the ~~designated agency~~ county attorneys of the county of commitment and the county of financial responsibility. The report shall outline the specific reasons for the revocation, including but not limited to the specific facts upon which the revocation ~~recommendation~~ is based.

(d) An individual who is revoked from provisional discharge must successfully re-petition the special review board and judicial appeal panel prior to being placed back on provisional discharge.

Subd. 16. **Return of absent patient person.** (a) If a patient committed person is absent without authorization, including failure to return to the custody of the Minnesota sex offender program upon the revocation of a provisional discharge, the ~~head of the treatment facility or designee~~ executive director shall report the absence to the local law enforcement agency. The ~~head of the treatment facility~~ executive director shall inform the committing court of the revocation or absence, and the committing court or other district court shall issue an order for the apprehension and holding of the patient committed person by a peace officer in any jurisdiction and transportation of the patient committed person to a facility operated by the Minnesota sex offender program or otherwise returned to the custody of the Minnesota sex offender program.

(b) An employee of the Department of Human Services may apprehend, detain, or transport an absent patient committed person at ~~anytime~~ any time. The immunity provided under section 253B.23, subdivision 4, applies to the apprehension, detention, and transport of an absent patient committed person.

(c) Upon receiving either the report or the apprehend and hold order in paragraph (a), a law enforcement agency shall enter information on the patient committed person into the missing persons file of the National Crime Information Center database according to the missing persons practices. Where probable cause exists of a violation of section 609.485, a law enforcement agency shall also seek a felony arrest warrant and enter the warrant in the National Crime Information Center database.

(d) For the purposes of ensuring public safety and the apprehension of an absent patient committed person, and notwithstanding state and federal data privacy laws, the Minnesota sex offender program shall disclose information about the absent patient committed person relevant to the patient's person's apprehension and return to law enforcement agencies where the absent patient committed person is likely to be located or likely to travel through and to agencies with statewide jurisdiction.

(e) Upon receiving either the report or the apprehend and hold order in paragraph (a), a patient committed person shall be apprehended and held by a peace officer in any jurisdiction pending return to a facility operated by the Minnesota sex offender program or otherwise returned to the custody of the Minnesota sex offender program.

(f) A patient committed person detained solely under this subdivision may be held in a jail or lockup only if:

(1) there is no other feasible place of detention for the patient person;

(2) the detention is for less than 24 hours; and

(3) there are protections in place, including segregation of the patient person, to ensure the safety of the patient person.

These limitations do not apply to a patient committed person being held for criminal prosecution, including for violation of section 609.485.

(g) If a patient committed person is detained under this ~~subdivision~~ section, the Minnesota sex offender program shall arrange to pick up the patient person within 24 hours of the time detention was begun and shall be responsible for securing transportation for the patient person to a facility operated by the Minnesota sex offender program, as determined by ~~its~~ the executive director. The expense of detaining and transporting a patient committed person shall be the responsibility of the Minnesota sex offender program.

(h) Immediately after an absent patient committed person is apprehended, the Minnesota sex offender program or the law enforcement agency that apprehended or returned the absent patient committed person shall notify the law enforcement agency that first received the absent patient committed person report under this ~~subdivision~~ section, and that agency shall cancel the missing persons entry from the National Crime Information Center computer.

Subd. 17. **Appeal.** Any patient committed person aggrieved by a revocation decision or any interested person may petition the special review board within seven days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of the revocation report for a review of the revocation. The matter shall be scheduled within 30 days. The special review board shall review the circumstances leading to the revocation and shall recommend to the judicial appeal panel whether or not the revocation shall be upheld. The special review board may also recommend a new provisional discharge at the time of the revocation hearing.

Subd. 18. **Discharge.** A patient person who is committed as a ~~sexual psychopathic personality or sexually dangerous person~~ sexually dangerous person or a person with a sexual psychopathic personality shall not be discharged unless it appears to the satisfaction of the judicial appeal panel, after a hearing and recommendation by a majority of the special review board, that the patient committed person is capable of making an acceptable adjustment to open society, is no longer dangerous to the public, and is no longer in need of inpatient treatment and supervision.

In determining whether a discharge shall be recommended, the special review board and judicial appeal panel shall consider whether specific conditions exist to provide a reasonable degree of protection to the public and to assist the patient committed person in adjusting to the community. If the desired conditions do not exist, the discharge shall not be granted.

Subd. 19. **Aftercare services.** (a) The Minnesota sex offender program shall provide the supervision, aftercare, and case management services for a person under commitment as ~~sexual psychopathic personalities and sexually dangerous persons discharged after July 1, 1999~~ a sexually dangerous person or a person with a sexual psychopathic personality. The designated agency, as defined in section 253B.02, subdivision 5, shall assist with ~~client~~ eligibility for public welfare benefits and will provide those services that are ~~currently~~ available exclusively through county government.

~~(b)~~ Prior to the date of discharge or provisional discharge of any ~~patient person~~ committed as a ~~sexual psychopathic personality or sexually dangerous person~~ sexually dangerous person or a person with a sexual psychopathic personality, the ~~head of the treatment facility or designee~~ executive director shall establish a continuing plan of aftercare services for the patient committed person, including a plan for medical and behavioral health services, financial sustainability, housing, social supports, or other assistance the patient committed person needs. The Minnesota sex offender program shall provide case management services and shall assist the patient committed person in finding employment, suitable shelter, and adequate medical and behavioral health services and otherwise assist in the patient's committed person's readjustment to the community.

Sec. 8. Minnesota Statutes 2012, section 253B.19, subdivision 2, is amended to read:

Subd. 2. **Petition; hearing.** (a) A person committed as mentally ill and dangerous to the public under section 253B.18, or the county attorney of the county from which the person was committed or the county of financial responsibility, may petition the judicial appeal panel for a rehearing and reconsideration of a decision by the commissioner under section 253B.18, subdivision 5. The judicial appeal panel must not consider petitions for relief other than those considered by the commissioner from which the appeal is taken. The petition must be filed with the Supreme Court within 30 days after the decision of the commissioner is signed. The hearing must be held within 45 days of the filing of the petition unless an extension is granted for good cause.

~~(b) A person committed as a sexual psychopathic personality or as a sexually dangerous person under section 253B.185, or committed as both mentally ill and dangerous to the public under section 253B.18 and as a sexual psychopathic personality or as a sexually dangerous person under section 253B.185; the county attorney of the county from which the person was committed or the county of financial responsibility; or the commissioner may petition the judicial appeal panel for a rehearing and reconsideration of a decision of the special review board under section 253B.185, subdivision 9. The petition must be filed with the Supreme Court within 30 days after the decision is mailed by the commissioner as required in section 253B.185, subdivision 9, paragraph (f). The hearing must be held within 180 days of the filing of the petition unless an extension is granted for good cause. If no party petitions the judicial appeal panel for a rehearing or reconsideration within 30 days, the judicial appeal panel shall either issue an order adopting the recommendations of the special review board or set the matter on for a hearing pursuant to this paragraph.~~

~~(e)~~ For an appeal under paragraph (a) ~~or (b)~~, the Supreme Court shall refer the petition to the chief judge of the judicial appeal panel. The chief judge shall notify the patient, the county attorney of the county of commitment, the designated agency, the commissioner, the head of the treatment facility, any interested person, and other persons the chief judge designates, of the time and place of the hearing on the petition. The notice shall be given at least 14 days prior to the date of the hearing.

~~(d)~~ (c) Any person may oppose the petition. The patient, the patient's counsel, the county attorney of the committing county or the county of financial responsibility, and the commissioner shall participate as parties to the proceeding pending before the judicial appeal panel and shall, except when the patient is committed solely as mentally ill and dangerous, no later than 20 days before the hearing on the petition, inform the judicial appeal panel and the opposing party in writing whether they support or oppose the petition and provide a summary of facts in support of their position. The judicial appeal panel may appoint examiners and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all proceedings. The patient, the patient's counsel, and the county attorney of the committing county or the county of financial responsibility have the right to be present and may present and cross-examine all witnesses and offer a factual and legal basis in support of their positions. The petitioning party seeking discharge or provisional discharge bears the burden of going forward with the evidence, which means presenting a prima facie case with competent evidence to show that the person is entitled to the requested relief. If the petitioning party has met this burden, the party opposing discharge or provisional discharge bears the burden of proof by clear and convincing evidence that the discharge or provisional discharge should be denied. A party seeking transfer under section 253B.18, subdivision 6, ~~or 253B.185, subdivision 11~~, must establish by a preponderance of the evidence that the transfer is appropriate.

Sec. 9. **[253D.01] CITATION.**

This chapter may be cited as the "Minnesota Commitment and Treatment Act: Sexually Dangerous Persons and Sexual Psychopathic Personalities."

Sec. 10. **[253D.02] DEFINITIONS.**

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

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of human services or the commissioner's designee.

Subd. 3. **Committed person.** "Committed person" means an individual committed under this chapter, or under this chapter and under section 253B.18. It includes individuals described in section 246B.01, subdivision 1a, and any person committed as a sexually dangerous person, a person with a psychopathic personality, or a person with a sexual psychopathic personality under any previous statute including section 526.10 or chapter 253B.

Subd. 4. **Committing court.** "Committing court" means the district court where a petition for commitment was decided.

Subd. 5. **Examiner.** "Examiner" has the meaning given in section 253B.02, subdivision 7.

Subd. 6. **Executive director.** "Executive director" has the meaning given in section 246B.01, subdivision 2c.

Subd. 7. **Interested person.** "Interested person" has the meaning given in section 253B.02, subdivision 10.

Subd. 8. **Peace officer.** "Peace officer" has the meaning given in section 253B.02, subdivision 16.

Subd. 9. **Respondent.** "Respondent" means an individual who is the subject of a petition for commitment as a sexually dangerous person or a person with a sexual psychopathic personality.

Subd. 10. **Secure treatment facility.** "Secure treatment facility" means the Minnesota sex offender program facility in Moose Lake and any portion of the Minnesota sex offender program operated by the Minnesota sex offender program at the Minnesota Security Hospital, but does not include services or programs administered by the Minnesota sex offender program outside a secure environment.

Sec. 11. **[253D.03] GENERAL PROVISIONS.**

The provisions of section 253B.23 apply to commitments under this chapter except where inconsistent with this chapter.

Sec. 12. **[253D.04] REVIEW BOARD.**

The commissioner shall establish a review board under section 253B.22 for facilities of the Minnesota sex offender program.

Sec. 13. **[253D.13] PROCEDURES UPON COMMITMENT.**

Upon commitment under this chapter, admission procedures shall be carried out under section 253B.10.

Sec. 14. **[253D.17] RIGHTS OF COMMITTED PERSONS; GENERALLY.**

Persons committed under this chapter have the rights described in section 253B.03, except as limited under section 253D.19.

Sec. 15. **[253D.20] RIGHT TO COUNSEL.**

A committed person has the right to be represented by counsel at any proceeding under this chapter. The court shall appoint a qualified attorney to represent the committed person if neither the committed person nor others provide counsel. The attorney shall be appointed at the time a petition for commitment is filed. In all proceedings under this chapter, the attorney shall:

(1) consult with the person prior to any hearing;

(2) be given adequate time and access to records to prepare for all hearings;

(3) continue to represent the person throughout any proceedings under this chapter unless released as counsel by the court; and

(4) be a vigorous advocate on behalf of the person.

Sec. 16. **[253D.21] NEUROLEPTIC MEDICATION.**

Neuroleptic medications may be administered to a person committed under this chapter only as provided in section 253B.092.

Sec. 17. **[253D.23] PASSES.**

A committed person may be released on a pass only as provided by section 253B.18, subdivisions 4a and 4b.

Sec. 18. **[253D.28] JUDICIAL APPEAL PANEL.**

Subdivision 1. **Rehearing and reconsideration.** (a) A person committed as a sexually dangerous person or a person with a sexual psychopathic personality under section 253B.185, or committed as both mentally ill and dangerous to the public under section 253B.18 and as a sexually dangerous person or a person with a sexual psychopathic personality under this chapter; the county attorney of the county from which the person was committed or the county of financial responsibility; or the commissioner may petition the judicial appeal panel established under section 253B.19, subdivision 1, for a rehearing and reconsideration of a recommendation of the special review board under section 253D.27.

(b) The petition must be filed with the Supreme Court within 30 days after the recommendation is mailed by the commissioner as required in section 253D.27, subdivision 4. The hearing must be held within 180 days of the filing of the petition unless an extension is granted for good cause.

(c) If no party petitions the judicial appeal panel for a rehearing or reconsideration within 30 days, the judicial appeal panel shall either issue an order adopting the recommendations of the special review board or set the matter on for a hearing pursuant to this section.

Subd. 2. **Procedure.** (a) The Supreme Court shall refer a petition for rehearing and reconsideration to the chief judge of the judicial appeal panel. The chief judge shall notify the committed person, the county attorneys of the county of commitment and county of financial responsibility, the commissioner, the executive director, any interested person, and other persons the chief judge designates, of the time and place of the hearing on the petition. The notice shall be given at least 14 days prior to the date of the hearing.

(b) Any person may oppose the petition. The committed person, the committed person's counsel, the county attorneys of the committing county and county of financial responsibility, and the commissioner shall participate as parties to the proceeding pending before the judicial appeal panel and shall, no later than 20 days before the hearing on the petition, inform the judicial appeal panel and the opposing party in writing whether they support or oppose the petition and provide a summary of facts in support of their position.

(c) The judicial appeal panel may appoint examiners and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all proceedings. The committed person, the committed person's counsel, and the county attorney of the committing county or the county of financial responsibility have the right to be present and may present and cross-examine all witnesses and offer a factual and legal basis in support of their positions.

(d) The petitioning party seeking discharge or provisional discharge bears the burden of going forward with the evidence, which means presenting a prima facie case with competent evidence to show that the person is entitled to the requested relief. If the petitioning party has met this burden, the party opposing discharge or provisional discharge bears the burden of proof by clear and convincing evidence that the discharge or provisional discharge should be denied.

(e) A party seeking transfer under section 253D.29 must establish by a preponderance of the evidence that the transfer is appropriate.

Subd. 3. **Decision.** A majority of the judicial appeal panel shall rule upon the petition. The panel shall consider the petition de novo. No order of the judicial appeal panel granting a transfer, discharge, or provisional discharge shall be made effective sooner than 15 days after it is issued. The panel may not consider petitions for relief other than those considered by the special review board from which the appeal is taken. The judicial appeal panel may not grant a transfer or provisional discharge on terms or conditions that were not presented to the special review board.

Subd. 4. **Appeal.** A party aggrieved by an order of the appeal panel may appeal that order as provided under section 253B.19, subdivision 5.

Sec. 19. **[253D.36] DISCHARGE; ADMINISTRATIVE PROCEDURES.**

Upon discharge from commitment under this chapter, administrative procedures shall be carried out, to the extent applicable, under section 253B.20.

Sec. 20. **COURT RULES.**

Nothing in this act shall be construed to change the application of the Special Rules of Procedure Governing Proceedings under the Minnesota Commitment and Treatment Act.

Sec. 21. **CONSTRUCTION.**

Nothing in this act shall be construed to create grounds for relief or a cause of action for persons previously committed under Minnesota Statutes, chapter 253B, or its predecessors. Nothing in this act shall be construed to make any substantive change in the provisions of chapter 253B relating to the treatment, commitment, and procedures applicable to a chemically dependent person, person who is mentally ill, person who is developmentally disabled, or person who is mentally ill and dangerous to the public.

Sec. 22. **REVISOR'S INSTRUCTION.**

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

Column A

253B.02, subd. 7a
253B.02, subd. 18b
253B.02, subd. 18c
253B.02, subd. 24
253B.02, subd. 25
253B.02, subd. 26
253B.03, subd. 1a
253B.045, subd. 1a
253B.185, subd. 1, paragraph (a)
253B.185, subd. 1, paragraph (b)
253B.185, subd. 1, paragraph (c)
253B.185, subd. 1, paragraph (d)
253B.185, subd. 1a
253B.185, subd. 1b
253B.185, subd. 2
253B.185, subd. 3
253B.185, subd. 4, paragraph (a)
253B.185, subd. 4, paragraph (b)
253B.185, subd. 5, paragraph (a)
253B.185, subd. 5, paragraph (b)
253B.185, subd. 5, paragraph (c)
253B.185, subd. 5, paragraph (d)
253B.185, subd. 7, paragraph (a)
253B.185, subd. 7, paragraph (b)
253B.185, subd. 8
253B.185, subd. 9, paragraph (a)
253B.185, subd. 9, paragraph (b)
253B.185, subd. 9, paragraph (c)
253B.185, subd. 9, paragraph (d)
253B.185, subd. 9, paragraph (e)
253B.185, subd. 9, paragraph (f)
253B.185, subd. 10, paragraph (a)
253B.185, subd. 10, paragraph (b)
253B.185, subd. 10, paragraph (c)
253B.185, subd. 10, paragraph (d)
253B.185, subd. 10, paragraph (e)
253B.185, subd. 10a, paragraph (a)
253B.185, subd. 10a, paragraph (b)
253B.185, subd. 10a, paragraph (c)
253B.185, subd. 10a, paragraph (d)
253B.185, subd. 10a, paragraph (e)
253B.185, subd. 10a, paragraph (f)
253B.185, subd. 11

Column B

253D.02, subd. 7
253D.02, subd. 11
253D.02, subd. 12
253D.02, subd. 2
253D.02, subd. 8
253D.02, subd. 10
253D.18
253D.10, subd. 2
253D.07, subd. 1
253D.07, subd. 2
253D.07, subd. 3
253D.07, subd. 4
253D.10, subd. 1
253D.08
253D.22
253D.07, subd. 5
253D.11, subd. 1
253D.11, subd. 2
253D.12, subd. 1
253D.12, subd. 2
253D.12, subd. 3
253D.12, subd. 4
253D.19, subd. 1
253D.19, subd. 2
253D.09
253D.27, subd. 1, paragraph (a)
253D.27, subd. 1, paragraph (b)
253D.27, subd. 2
253D.27, subd. 3, paragraph (a)
253D.27, subd. 3, paragraph (b)
253D.27, subd. 4
253D.14, subd. 1
253D.14, subd. 2
253D.14, subd. 3
253D.14, subd. 4
253D.14, subd. 5
253D.32, subd. 1
253D.32, subd. 2, paragraph (a)
253D.32, subd. 2, paragraph (b)
253D.32, subd. 2, paragraph (c)
253D.32, subd. 2, paragraph (d)
253D.32, subd. 3
253D.29, subd. 1

<u>253B.185, subd. 11a</u>	<u>253D.29, subd. 2</u>
<u>253B.185, subd. 11b</u>	<u>253D.29, subd. 3</u>
<u>253B.185, subd. 12</u>	<u>253D.30, subd. 1</u>
<u>253B.185, subd. 13</u>	<u>253D.30, subd. 2</u>
<u>253B.185, subd. 14</u>	<u>253D.30, subd. 3</u>
<u>253B.185, subd. 14a</u>	<u>253D.30, subd. 4</u>
<u>253B.185, subd. 15</u>	<u>253D.30, subd. 5</u>
<u>253B.185, subd. 16, paragraph (a)</u>	<u>253D.24, subd. 1</u>
<u>253B.185, subd. 16, paragraph (b)</u>	<u>253D.24, subd. 2</u>
<u>253B.185, subd. 16, paragraph (c)</u>	<u>253D.24, subd. 3</u>
<u>253B.185, subd. 16, paragraph (d)</u>	<u>253D.24, subd. 4</u>
<u>253B.185, subd. 16, paragraph (e)</u>	<u>253D.24, subd. 5</u>
<u>253B.185, subd. 16, paragraph (f)</u>	<u>253D.24, subd. 6</u>
<u>253B.185, subd. 16, paragraph (g)</u>	<u>253D.24, subd. 7</u>
<u>253B.185, subd. 16, paragraph (h)</u>	<u>253D.24, subd. 8</u>
<u>253B.185, subd. 17</u>	<u>253D.30, subd. 6</u>
<u>253B.185, subd. 18</u>	<u>253D.31</u>
<u>253B.185, subd. 19, paragraph (a)</u>	<u>253D.35, subd. 1</u>
<u>253B.185, subd. 19, paragraph (b)</u>	<u>253D.35, subd. 2</u>
<u>253D.02, subd. 2</u>	<u>253D.02, subd. 3</u>
<u>253D.02, subd. 3</u>	<u>253D.02, subd. 4</u>
<u>253D.02, subd. 4</u>	<u>253D.02, subd. 5</u>
<u>253D.02, subd. 5</u>	<u>253D.02, subd. 6</u>
<u>253D.02, subd. 6</u>	<u>253D.02, subd. 9</u>

(b) The revisor of statutes, in consultation with the Minnesota sex offender program in the Department of Human Services, shall make necessary language changes to clarify and conform statutory provisions relating to the Minnesota sex offender program in Minnesota Statutes with this act."

Delete the title and insert:

"A bill for an act relating to human services; distinguishing and clarifying law regarding civil commitment of sexually dangerous persons and persons with sexual psychopathic personalities from other civil commitments; amending Minnesota Statutes 2012, sections 253B.02, subdivisions 18a, 24; 253B.03, subdivision 1a; 253B.045, subdivision 1a; 253B.092, subdivision 1; 253B.17, subdivision 1; 253B.185; 253B.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 253D."

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.

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

H. F. No. 949, A bill for an act relating to natural resources; requiring participation and payment of assessments for consolidated conservation land drainage projects undertaken by local drainage authorities; amending Minnesota Statutes 2012, section 84A.55, subdivision 9.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment, Natural Resources and Agriculture Finance.

The report was adopted.

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

H. F. No. 969, A bill for an act relating to human services; modifying provisions related to chemical and mental health and state-operated services; allowing for data sharing; repealing a task force; updating terminology and repealing obsolete provisions; making technical changes; amending Minnesota Statutes 2012, sections 13.461, by adding a subdivision; 245.036; 246.014; 246.0141; 246.0251; 246.12; 246.128; 246.33, subdivision 4; 246.51, subdivision 3; 246.54, subdivision 2; 246.64, subdivision 1; 252.41, subdivision 7; 253.015, subdivision 1; 253B.045, subdivision 2; 253B.18, subdivision 4c; 254.05; 256.976, subdivision 3; 256B.0943, subdivisions 1, 3, 6, 9; 256B.0944, subdivision 5; 272.02, subdivision 94; 281.04; 295.50, subdivision 10b; 322.24; 357.28, subdivision 1; 387.20, subdivision 1; 462A.03, subdivision 13; 481.12; 508.79; 508A.79; 518.04; 525.092, subdivision 2; 555.04; 558.31; 580.20; 609.06, subdivision 1; 609.36, subdivision 2; 611.026; 628.54; repealing Minnesota Statutes 2012, sections 246.04; 246.05; 246.125; 246.21; 246.57, subdivision 5; 246.58; 246.59; 251.011, subdivisions 3, 6; 253.015, subdivision 4; 253.018; 253.28.

Reported the same back with the following amendments:

Page 18, delete section 17

Page 18, line 13, delete "18" and insert "17"

Page 20, line 10, strike "developmentally disabled" and insert "with a developmental disability"

Page 22, lines 21 and 31, delete "with a mental illness" and insert "who lacks mental capacity to make decisions"

Page 23, lines 8 and 29, delete "with a mental illness" and insert "who lacks mental capacity to make decisions"

Page 24, line 12, delete "with"

Page 24, line 13, delete "a mental illness" and insert "who lack mental capacity to make decisions" and strike "developmentally disabled" and insert "with a developmental disability"

Page 25, line 10, strike "who is mentally ill" and insert "with a mental illness"

Page 25, line 19, strike "is" and delete "a" and insert "lacks mental capacity"

Page 25, line 20, delete everything before the comma

Page 26, line 14, delete everything after "administered"

Page 26, line 15, delete "services" and before the period, insert "and any change in language does not expand or contract eligibility"

Page 26, line 28, delete "illness" and insert "illnesses"

Page 26, line 31, delete "nervous and" and insert "a"

Page 26, lines 35 and 37, after "with" insert "a"

With the recommendation that when so amended the bill pass.

The report was adopted.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 997, A bill for an act relating to public safety; requiring the Statewide Radio Board to study and report on long-term funding strategies for the ARMER and 911 systems.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1000, A bill for an act relating to energy; requiring the commissioner of commerce to make assessments to fund clean energy resource teams; amending Minnesota Statutes 2012, section 216B.241, subdivision 1e.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1001, A bill for an act relating to utilities; regulating notice to cities of certain utility disconnections; amending Minnesota Statutes 2012, section 216B.0976, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 20, strike "affects the"

Page 1, line 21, strike everything before "is"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1006, A bill for an act relating to education; clarifying continuing education clock hour requirements for teachers licensed to teach deaf and hard-of-hearing students in prekindergarten through grade 12; amending Minnesota Statutes 2012, section 122A.28, subdivision 1.

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. 1020, A bill for an act relating to human services; creating the Emerging Adulthood Task Force.

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

The report was adopted.

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

H. F. No. 1028, A bill for an act relating to local government; discontinuing the Hennepin Soil and Water Conservation District and transferring its duties; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1029, A bill for an act relating to commerce; weights and measures; clarifying use of petroleum inspection fee revenues; amending Minnesota Statutes 2012, section 239.101, subdivision 3.

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.

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

H. F. No. 1031, A bill for an act relating to insurance; requiring refund of premiums paid on life insurance policies in certain circumstances; authorizing the judicial declaration of the validity of a policy in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 61A.

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

The report was adopted.

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

H. F. No. 1041, A bill for an act relating to education finance; clarifying the alternative attendance program adjustment; amending Minnesota Statutes 2012, section 127A.47, subdivision 7.

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

The report was adopted.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 1043, A bill for an act relating to public safety; creating new crimes relating to 911 emergency calls; providing criminal penalties; amending Minnesota Statutes 2012, section 609.78.

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

The report was adopted.

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

H. F. No. 1057, A bill for an act relating to natural resources; modifying provisions for all-terrain vehicles; amending Minnesota Statutes 2012, sections 84.922, by adding subdivisions; 84.9256, subdivision 1; 84.928, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2012, section 84.788, is amended by adding a subdivision to read:

Subd. 13. **Grant-in-aid donations.** (a) At the time of registration, a person may agree to add a donation of any amount to the off-highway motorcycle registration fee for grant-in-aid off-highway motorcycle trails. An additional commission may not be assessed on the donation. The commissioner shall offer the opportunity to make a donation under this subdivision to all registrants and shall issue a recognition grant-in-aid trail sticker to registrants contributing \$20 or more.

(b) Money donated under this subdivision shall be deposited in the off-highway motorcycle account in the natural resources fund and shall be used for the grant-in-aid program as provided under section 84.794, subdivision 2, paragraph (a), clause (3).

Sec. 2. Minnesota Statutes 2012, section 84.794, subdivision 1, is amended to read:

Subdivision 1. **Registration revenue.** Fees from the registration of off-highway motorcycles, donations received under section 84.788, subdivision 13, and the unrefunded gasoline tax attributable to off-highway motorcycle use under section 296A.18 must be deposited in the state treasury and credited to the off-highway motorcycle account in the natural resources fund.

Sec. 3. Minnesota Statutes 2012, section 84.798, is amended by adding a subdivision to read:

Subd. 11. **Grant-in-aid trail donations.** (a) At the time of registration, a person may agree to add a donation of any amount to the off-road vehicle registration fee for grant-in-aid off-road vehicle trails. An additional commission may not be assessed on the donation. The commissioner shall offer the opportunity to make a donation under this subdivision to all registrants and shall issue a recognition grant-in-aid trail sticker to registrants contributing \$20 or more.

(b) Money donated under this subdivision shall be deposited in the off-road vehicle account in the natural resources fund and shall be used for the grant-in-aid program as provided under section 84.803, subdivision 2, clause (3).

Sec. 4. Minnesota Statutes 2012, section 84.803, subdivision 1, is amended to read:

Subdivision 1. **Registration revenue.** Fees from the registration of off-road vehicles, donations received under section 84.798, subdivision 11, and unrefunded gasoline tax attributable to off-road vehicle use under section 296A.18 must be deposited in the state treasury and credited to the off-road vehicle account in the natural resources fund.

Sec. 5. Minnesota Statutes 2012, section 84.82, is amended by adding a subdivision to read:

Subd. 12. **Grant-in-aid trail donations.** (a) At the time of registration, a person may agree to add a donation of any amount to the snowmobile registration fee for grant-in-aid snowmobile trails. An additional commission may not be assessed on the donation. The commissioner shall offer the opportunity to make a donation under this subdivision to all registrants and shall issue a recognition grant-in-aid trail sticker to registrants contributing \$20 or more.

(b) Money donated under this subdivision shall be deposited in the snowmobile trails and enforcement account in the natural resources fund and shall be used for the grant-in-aid program as provided under section 84.83, subdivision 3, paragraph (a), clause (1).

Sec. 6. Minnesota Statutes 2012, section 84.83, subdivision 2, is amended to read:

Subd. 2. **Money deposited in the account.** Fees from the registration of snowmobiles and from the issuance of snowmobile state trail stickers, donations received under section 84.82, subdivision 12, and the unrefunded gasoline tax attributable to snowmobile use pursuant to section 296A.18 shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account."

Page 3, line 6, delete "ride" and insert "operate"

Page 3, line 25, delete everything after "(2)" and insert "on the bank, slope, or ditch of a public road right-of-way of a trunk highway"

Page 3, line 26, delete "side of the road"

Page 4, after line 35, insert:

"Sec. 11. Minnesota Statutes 2012, section 85.41, is amended by adding a subdivision to read:

Subd. 6. **Grant-in-aid trail donations.** (a) At the time of purchasing the pass required under subdivision 1, a person may agree to add a donation of any amount to the cross-country ski pass fee for grant-in-aid cross-country ski trails. An additional commission may not be assessed on the donation. The commissioner shall offer the opportunity to make a donation under this subdivision to all pass purchasers and shall issue a recognition grant-in-aid trail sticker to a person contributing \$20 or more.

(b) Money donated under this subdivision shall be deposited in the cross-country ski account in the natural resources fund and shall be used for the grant-in-aid program as provided under section 85.43, paragraph (a), clause (1).

Sec. 12. Minnesota Statutes 2012, section 85.43, is amended to read:

85.43 DISPOSITION OF RECEIPTS; PURPOSE.

(a) Fees from cross-country ski passes and donations received under section 85.41, subdivision 6, shall be deposited in the state treasury and credited to a cross-country ski account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, are appropriated to the commissioner of natural resources for the following purposes:

(1) grants-in-aid for cross-country ski trails to:

(i) counties and municipalities for construction and maintenance of cross-country ski trails; and

(ii) special park districts as provided in section 85.44 for construction and maintenance of cross-country ski trails; and

(2) administration of the cross-country ski trail grant-in-aid program.

(b) Development and maintenance of state cross-country ski trails are eligible for funding from the cross-country ski account if the money is appropriated by law.

Sec. 13. Minnesota Statutes 2012, section 85.46, subdivision 6, is amended to read:

Subd. 6. **Disposition of receipts.** Fees and donations collected under this section, except for the issuing fee, shall be deposited in the state treasury and credited to the horse pass account in the natural resources fund. Except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, the fees are appropriated to the commissioner of natural resources for trail acquisition, trail and facility development, and maintenance, enforcement, and rehabilitation of horse trails or trails authorized for horse use, whether for riding, leading, or driving, on land administered by the commissioner.

Sec. 14. Minnesota Statutes 2012, section 85.46, is amended by adding a subdivision to read:

Subd. 8. **Trail donations.** At the time of purchasing the pass required under subdivision 1, a person may agree to add a donation of any amount to the horse pass fee for horse trails. An additional commission may not be assessed on the donation. The commissioner shall offer the opportunity to make a donation under this subdivision to all pass purchasers and shall issue a recognition trail sticker to a person contributing \$20 or more."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, after the first semicolon, insert "providing for contributions to trail programs;"

Correct the title numbers accordingly

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.

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

H. F. No. 1067, A bill for an act relating to school district lands; authorizing transfer of land from Red Lake School District to the Red Lake Band of Chippewa Indians.

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. 1069, A bill for an act relating to state government; ratifying labor agreements and compensation plans.

Reported the same back with the following amendments:

Page 1, lines 7, 11, 14, and 18, delete "submitted to" and insert "recommended for approval by"

Page 1, lines 8, 12, 15, and 19, delete "....." and insert "March 11"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance and Veterans Affairs.

The report was adopted.

Poppe from the Committee on Agriculture Policy to which was referred:

H. F. No. 1071, A bill for an act relating to agriculture; making policy, technical, conforming, and clarifying changes to provisions related to agricultural law; modifying provisions related to pesticide control, agricultural resource loan and ethanol development, the Rural Finance Authority, grain buyers, and other agriculture-related provisions; establishing the Minnesota agricultural water quality program; modifying noxious weed law; modifying definition of E85; authorizing rulemaking; amending Minnesota Statutes 2012, sections 17.118, subdivision 2; 18.77, subdivisions 3, 4, 10, 12; 18.78, subdivision 3; 18.79, subdivisions 6, 13; 18.82, subdivision 1; 18.91, subdivisions 1, 2; 18B.01, by adding a subdivision; 18B.065, subdivision 2a; 18B.07, subdivisions 4, 5, 7; 18B.26, subdivision 3; 18B.316, subdivisions 1, 3, 4, 8, 9; 18B.37, subdivision 4; 31.94; 41A.105, subdivision 5; 41A.12, by adding a subdivision; 41B.04, subdivision 9; 223.17, by adding a subdivision; 232.22, by adding a subdivision; 296A.01, subdivision 19; proposing coding for new law in Minnesota Statutes, chapters 17; 18; repealing Minnesota Statutes 2012, sections 18.91, subdivisions 3, 5; 18B.07, subdivision 6; Minnesota Rules, parts 1505.0751, subparts 7, 8; 1510.0011, subparts 1, 4; 1510.0020; 1510.0030; 1510.0040; 1510.0050; 1510.0060; 1510.0070; 1510.0080; 1510.0090; 1510.0100; 1510.0111; 1510.0161; 1510.0171; 1510.0180; 1510.0200; 1510.0210; 1510.0220; 1510.0231; 1510.0241; 1510.0261; 1510.0340; 1510.0350; 1510.0360.

Reported the same back with the following amendments:

Page 3, line 32, delete "2014" and insert "the remainder of 2013, 2014,"

Page 4, after line 2, insert:

"EFFECTIVE DATE. This section is effective the day following final enactment and applies to waste pesticide collected on or after that date through the end of 2015."

Page 4, line 26, delete ", clean, unload, or park" and insert "or clean"

Page 11, after line 4, insert:

"Sec. 15. Minnesota Statutes 2012, section 41A.105, subdivision 1a, is amended to read:

Subd. 1a. **Definitions.** For the purpose of this section:

(1) "biobased content" means a chemical, polymer, monomer, or plastic that is not sold primarily for use as food, feed, or fuel and that has a biobased percentage of at least 51 percent as determined by testing representative samples using American Society for Testing and Materials specification D6866;

(2) "biobased formulated product" means a product that is not sold primarily for use as food, feed, or fuel and that has a biobased content percentage of at least ten percent as determined by testing representative samples using American Society for Testing and Materials specification D6866, or that contains a biobased chemical constituent that displaces a known hazardous or toxic constituent previously used in the product formulation;

~~(3)~~ (3) "biobutanol facility" means a facility at which biobutanol is produced; and

~~(4)~~ (4) "biobutanol" means fermentation isobutyl alcohol that is derived from agricultural products, including potatoes, cereal grains, cheese whey, and sugar beets; forest products; or other renewable resources, including residue and waste generated from the production, processing, and marketing of agricultural products, forest products, and other renewable resources.

Sec. 16. Minnesota Statutes 2012, section 41A.105, subdivision 3, is amended to read:

Subd. 3. **Duties.** The board shall research and report to the commissioner of agriculture and to the legislature recommendations as to how the state can invest its resources to most efficiently achieve energy independence, agricultural and natural resources sustainability, and rural economic vitality. The board shall:

(1) examine the future of fuels, such as synthetic gases, biobutanol, hydrogen, methanol, biodiesel, and ethanol within Minnesota;

(2) examine the opportunity for biobased content and biobased formulated product production at integrated biorefineries or stand alone facilities using agricultural and forestry feedstocks;

~~(2)~~ (3) develop equity grant programs to assist locally owned facilities;

~~(3)~~ (4) study the proper role of the state in creating financing and investing and providing incentives;

(4) (5) evaluate how state and federal programs, including the Farm Bill, can best work together and leverage resources;

~~(5)~~ (6) work with other entities and committees to develop a clean energy program; and

~~(6)~~ (7) report to the legislature before February 1 each year with recommendations as to appropriations and results of past actions and projects."

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

Page 13, delete lines 3 to 7

Page 13, delete Article 2

Page 21, after line 4, insert:

"ARTICLE 3

BIOFUEL MINIMUM CONTENT REQUIREMENT

Section 1. Minnesota Statutes 2012, section 41A.10, subdivision 2, is amended to read:

Subd. 2. **Cellulosic biofuel production goal.** The state cellulosic biofuel production goal is one-quarter of the total amount necessary for ~~ethanol biofuel~~ use required under section 239.791, subdivision ~~4a~~ 1, by 2015 or when cellulosic biofuel facilities in the state attain a total annual production level of 60,000,000 gallons, whichever is first.

Sec. 2. Minnesota Statutes 2012, section 41A.10, is amended by adding a subdivision to read:

Subd. 3. **Expiration.** This section expires January 1, 2015.

Sec. 3. Minnesota Statutes 2012, section 116J.437, subdivision 1, is amended to read:

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

(b) "Green economy" means products, processes, methods, technologies, or services intended to do one or more of the following:

(1) increase the use of energy from renewable sources, including through achieving the renewable energy standard established in section 216B.1691;

(2) achieve the statewide energy-savings goal established in section 216B.2401, including energy savings achieved by the conservation investment program under section 216B.241;

(3) achieve the greenhouse gas emission reduction goals of section 216H.02, subdivision 1, including through reduction of greenhouse gas emissions, as defined in section 216H.01, subdivision 2, or mitigation of the greenhouse gas emissions through, but not limited to, carbon capture, storage, or sequestration;

(4) monitor, protect, restore, and preserve the quality of surface waters, including actions to further the purposes of the Clean Water Legacy Act as provided in section 114D.10, subdivision 1;

(5) expand the use of biofuels, including by expanding the feasibility or reducing the cost of producing biofuels or the types of equipment, machinery, and vehicles that can use biofuels, including activities to achieve the ~~biofuels 25 by 2025 initiative in sections 41A.10, subdivision 2, and 41A.11~~ petroleum replacement goal in section 239.7911; or

(6) increase the use of green chemistry, as defined in section 116.9401.

For the purpose of clause (3), "green economy" includes strategies that reduce carbon emissions, such as utilizing existing buildings and other infrastructure, and utilizing mass transit or otherwise reducing commuting for employees.

Sec. 4. Minnesota Statutes 2012, section 239.051, is amended by adding a subdivision to read:

Subd. 1a. **Advanced biofuel.** "Advanced biofuel" has the meaning given in Public Law 110-140, title 2, subtitle A, section 201.

Sec. 5. Minnesota Statutes 2012, section 239.051, is amended by adding a subdivision to read:

Subd. 5a. **Biofuel.** "Biofuel" means a renewable fuel with an approved pathway under authority of the federal Energy Policy Act of 2005, Public Law 109-58, as amended by the federal Energy Independence and Security Act of 2007, Public Law 110-140, and approved for sale by the United States Environmental Protection Agency. As such, biofuel includes both advanced and conventional biofuels.

Sec. 6. Minnesota Statutes 2012, section 239.051, is amended by adding a subdivision to read:

Subd. 7a. **Conventional biofuel.** "Conventional biofuel" means ethanol derived from cornstarch, as defined in Public Law 110-140, title 2, subtitle A, section 201.

Sec. 7. Minnesota Statutes 2012, section 239.791, subdivision 1, is amended to read:

Subdivision 1. **Minimum ethanol biofuel content required.** (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least the quantity of ethanol biofuel required by clause (1) or (2), ~~whichever is greater~~ at the option of the person responsible for the product:

(1) the greater of:

(i) 10.0 percent ~~denatured ethanol~~ conventional biofuel by volume; or

(2) ~~(ii) the maximum percent of denatured ethanol~~ conventional biofuel by volume authorized in a waiver granted by the United States Environmental Protection Agency; or

(2) 10.0 percent of a biofuel, other than a conventional biofuel, by volume authorized in a waiver granted by the United States Environmental Protection Agency or a biofuel formulation registered by the United States Environmental Protection Agency under United States Code, title 42, section 7545.

(b) For purposes of enforcing the ~~minimum ethanol~~ requirement of paragraph (a), clause (1), ~~item (i), or clause (2), a gasoline/ethanol~~ gasoline/biofuel blend will be construed to be in compliance if the ~~ethanol biofuel~~ content, exclusive of denaturants and other permitted components, comprises not less than 9.2 percent by volume and not more than 10.0 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis ~~of alcohol/ether content in engine fuels.~~

~~(c) The provisions of this subdivision are suspended during any period of time that subdivision 1a, paragraph (a), is in effect. The aggregate amount of biofuel blended pursuant to this subdivision may be any biofuel; however, conventional biofuel must comprise no less than the portion specified on and after the specified dates:~~

<u>(1)</u>	<u>July 1, 2013</u>	<u>90 percent</u>
<u>(2)</u>	<u>January 1, 2015</u>	<u>80 percent</u>
<u>(3)</u>	<u>January 1, 2017</u>	<u>70 percent</u>
<u>(4)</u>	<u>January 1, 2020</u>	<u>60 percent</u>
<u>(5)</u>	<u>January 1, 2025</u>	<u>no minimum</u>

Sec. 8. Minnesota Statutes 2012, section 239.791, subdivision 2a, is amended to read:

Subd. 2a. **Federal Clean Air Act waivers; conditions.** (a) Before a waiver granted by the United States Environmental Protection Agency under ~~section 211(f)(4) of the Clean Air Act,~~ United States Code, title 42, section 7545, ~~subsection (f), paragraph (4),~~ may alter the minimum content level required by subdivision 1, paragraph (a), clause ~~(2), or subdivision 1a, paragraph (a), clause (2)~~ (1), item (ii), the waiver must:

(1) apply to all gasoline-powered motor vehicles irrespective of model year; and

(2) allow for special regulatory treatment of Reid vapor pressure under Code of Federal Regulations, title 40, section 80.27, paragraph (d), for blends of gasoline and ethanol up to the maximum percent of denatured ethanol by volume authorized under the waiver.

(b) The minimum ~~ethanol biofuel~~ requirement in subdivision 1, paragraph (a), clause (2), ~~or subdivision 1a, paragraph (a), clause (2),~~ shall, upon the grant of the federal waiver or authority specified in United States Code, title 42, section 7545, that allows for greater blends of gasoline and biofuel in this state, be effective the day after the commissioner of commerce publishes notice in the State Register. In making this determination, the commissioner shall consider the amount of time required by refiners, retailers, pipeline and distribution terminal companies, and other fuel suppliers, acting expeditiously, to make the operational and logistical changes required to supply fuel in compliance with the minimum ~~ethanol biofuel~~ requirement.

Sec. 9. Minnesota Statutes 2012, section 239.791, subdivision 2b, is amended to read:

Subd. 2b. **Limited liability waiver.** No motor fuel shall be deemed to be a defective product by virtue of the fact that the motor fuel is formulated or blended pursuant to the requirements of subdivision 1, paragraph (a), clause (2), ~~or subdivision 1a,~~ under any theory of liability except for simple or willful negligence or fraud. This subdivision does not preclude an action for negligent, fraudulent, or willful acts. This subdivision does not affect a person whose liability arises under chapter 115, water pollution control; 115A, waste management; 115B, environmental response and liability; 115C, leaking underground storage tanks; or 299J, pipeline safety; under public nuisance law for damage to the environment or the public health; under any other environmental or public health law; or under any environmental or public health ordinance or program of a municipality as defined in section 466.01.

Sec. 10. Minnesota Statutes 2012, section 239.7911, is amended to read:

239.7911 PETROLEUM REPLACEMENT PROMOTION.

Subdivision 1. **Petroleum replacement goal.** The tiered petroleum replacement goal of the state of Minnesota is that biofuel comprises at least the specified portion of total gasoline sold or offered for sale in this state by each specified year:

~~(1) at least 20 percent of the liquid fuel sold in the state is derived from renewable sources by December 31, 2015; and~~

~~(2) at least 25 percent of the liquid fuel sold in the state is derived from renewable sources by December 31, 2025.~~

<u>(1)</u>	<u>2015</u>	<u>14 percent</u>
<u>(2)</u>	<u>2017</u>	<u>18 percent</u>
<u>(3)</u>	<u>2020</u>	<u>25 percent</u>
<u>(4)</u>	<u>2025</u>	<u>30 percent</u>

Subd. 2. **Promotion of renewable liquid fuels.** (a) The commissioner of agriculture, in consultation with the commissioners of commerce and the Pollution Control Agency, shall identify and implement activities necessary ~~for the widespread use of renewable liquid fuels in the state to achieve the goals in subdivision 1.~~ Beginning November 1, 2005, and continuing through 2015, the commissioners, or their designees, shall ~~work with~~ convene a task force pursuant to section 15.014 that includes representatives from the renewable fuels industry, petroleum retailers, refiners, automakers, small engine manufacturers, and other interested groups, ~~to~~. The task force shall assist the commissioners in carrying out the activities in paragraph (b) and eliminating barriers to the use of greater biofuel blends in this state. The task force must coordinate efforts with the NextGen Energy Board, the biodiesel task force, and the Renewable Energy Roundtable and develop annual recommendations for administrative and legislative action.

(b) The activities of the commissioners under this subdivision shall include, but not be limited to:

(1) developing recommendations for specific, cost-effective incentives necessary to expedite the use of greater biofuel blends in this state including, but not limited to, incentives for retailers to install equipment necessary ~~for dispensing to dispense~~ renewable liquid fuels to the public;

(2) expanding the renewable-fuel options available to Minnesota consumers by obtaining federal approval for the use of ~~E20 and~~ additional blends that contain a greater percentage of ~~ethanol, including but not limited to E30 and E50,~~ as gasoline biofuel;

(3) developing recommendations ~~for ensuring to ensure~~ that motor vehicles and small engine equipment have access to an adequate supply of fuel;

(4) working with the owners and operators of large corporate automotive fleets in the state to increase their use of renewable fuels; ~~and~~

(5) working to maintain an affordable retail price for liquid fuels;

(6) facilitating the production and use of advanced biofuels in this state; and

(7) developing procedures for reporting the amount and type of biofuel under subdivision 1, and section 239.791, subdivision 1, paragraph (c).

(c) Notwithstanding section 15.014, the task force required under paragraph (a) expires on December 31, 2015.

Sec. 11. Minnesota Statutes 2012, section 296A.01, is amended by adding a subdivision to read:

Subd. 8b. **Biobutanol.** "Biobutanol" means isobutyl alcohol produced by fermenting agriculturally generated organic material that is to be blended with gasoline and meets either:

(1) the initial ASTM Standard Specification for Butanol for Blending with Gasoline for use as an Automotive Spark-Ignition Engine Fuel once it has been released by ASTM for general distribution; or

(2) in the absence of an ASTM Standard Specification, the following list of requirements:

(i) visually free of sediment and suspended matter;

(ii) clear and bright at the ambient temperature of 21 degrees Celsius or the ambient temperature whichever is higher;

(iii) free of any adulterant or contaminant that can render it unacceptable for its commonly used applications;

(iv) contains not less than 96 volume percent isobutyl alcohol;

(v) contains not more than 0.4 volume percent methanol;

(vi) contains not more than 1.0 volume percent water as determined by ASTM standard test method E203 or E1064;

(vii) acidity (as acetic acid) of not more than 0.007 mass percent as determined by ASTM standard test method D1613;

(viii) solvent washed gum content of not more than 5.0 milligrams per 100 milliliters as determined by ASTM standard test method D381;

(ix) sulfur content of not more than 30 parts per million as determined by ASTM standard test method D2622 or D5453; and

(x) contains not more than 4 parts per million total inorganic sulfate.

Sec. 12. **REPEALER.**

Minnesota Statutes 2012, section 239.791, subdivision 1a, is repealed."

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

Amend the title as follows:

Page 1, line 6, delete "establishing the Minnesota agricultural water quality program" and insert "modifying provisions related to biofuel; directing the NextGen Energy Board to examine biobased chemical production from agricultural and forestry feedstocks"

Page 1, line 7, delete "authorizing rulemaking;"

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.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1079, A bill for an act relating to energy; renewable energy; allowing geothermal heating and cooling systems to apply to a utility's renewable energy obligation under certain conditions; amending Minnesota Statutes 2012, section 216B.1691, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 25, delete the colon

Page 2, delete line 1

Page 2, line 2, delete "(ii)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 1083, A bill for an act relating to judicial selection; proposing an amendment to the Minnesota Constitution, article VI, sections 7 and 8; establishing retention elections for judges; creating a judicial performance evaluation commission; appropriating money; amending Minnesota Statutes 2012, sections 10A.01, subdivisions 7, 10, 15; 10A.14, subdivision 1; 10A.20, subdivision 2; 204B.06, subdivision 6; 204B.11, by adding a subdivision; 204B.34, subdivision 3; 204B.36, subdivision 4; 480B.01, subdivisions 1, 10; proposing coding for new law in Minnesota Statutes, chapters 204D; 480B; 490A; repealing Minnesota Statutes 2012, sections 204B.36, subdivision 5; 204D.14, subdivision 3.

Reported the same back with the following amendments:

Page 6, delete section 14

Renumber the sections in sequence

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.

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

H. F. No. 1095, A bill for an act relating to public safety; motor vehicles; clarifying registration rules and periods; modifying rules pertaining to trip permits; modifying the design for veterans special plates; modifying record retention requirements; making changes to conform with federal requirements; authorizing background checks of certain department employees; clarifying language pertaining to senior identification cards; making technical corrections; amending Minnesota Statutes 2012, sections 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2; 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by adding a subdivision; 168A.153, subdivisions 1, 2; 171.01, subdivision 49b; 171.07, subdivisions 3a, 4; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Statutes 2012, section 168.094.

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

The report was adopted.

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

H. F. No. 1100, A bill for an act relating to environment; modifying water supply management; modifying environmental assessment worksheet requirements related to water use; amending Minnesota Statutes 2012, sections 103G.265, subdivisions 2, 3; 103G.287, subdivision 5; 116D.04, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, strike the colon

Page 1, line 14, strike "(1)"

Page 1, line 17, strike "; and"

Page 1, line 18, strike everything before the period

Page 1, line 23, strike the colon

Page 2, line 1, strike "(1)"

Page 2, line 4, strike "; and"

Page 2, line 5, strike everything before the period

Page 2, after line 13, insert:

"Sec. 3. Minnesota Statutes 2012, section 103G.287, subdivision 1, is amended to read:

Subdivision 1. **Applications for groundwater appropriations; preliminary well construction approval.**

(a) Groundwater use permit applications are not complete until the applicant has supplied:

(1) a water well record as required by section 103I.205, subdivision 9, information on the subsurface geologic formations penetrated by the well and the formation or aquifer that will serve as the water source, and geologic information from test holes drilled to locate the site of the production well;

(2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

(3) information on groundwater quality in terms of the measures of quality commonly specified for the proposed water use and details on water treatment necessary for the proposed use;

(4) an inventory of existing wells within 1-1/2 miles of the proposed production well or within the area of influence, as determined by the commissioner. The inventory must include information on well locations, depths, geologic formations, depth of the pump or intake, pumping and nonpumping water levels, and details of well construction; ~~and~~

(5) the results of an aquifer test completed according to specifications approved by the commissioner. The test must be conducted at the maximum pumping rate requested in the application and for a length of time adequate to assess or predict impacts to other wells and surface water and groundwater resources. The permit applicant is responsible for all costs related to the aquifer test, including the construction of groundwater and surface water monitoring installations, and water level readings before, during, and after the aquifer test; and

(6) the results of any assessments conducted by the commissioner under paragraph (c).

(b) The commissioner may waive an application requirement in this subdivision if the information provided with the application is adequate to determine whether the proposed appropriation and use of water is sustainable and will protect ecosystems, water quality, and the ability of future generations to meet their own needs.

(c) The commissioner shall provide an assessment of a proposed well needing a groundwater appropriation permit. The commissioner shall evaluate the information submitted as required under section 103I.205, subdivision 1, paragraph (f), and determine whether the anticipated appropriation request is likely to meet the applicable requirements of this chapter. If the appropriation request is likely to meet applicable requirements, the commissioner shall provide the person submitting the information with a letter providing preliminary approval to construct the well."

Page 2, after line 20, insert:

"Sec. 5. Minnesota Statutes 2012, section 103I.205, subdivision 1, is amended to read:

Subdivision 1. **Notification required.** (a) Except as provided in paragraphs (d) and (e), a person may not construct a well until a notification of the proposed well on a form prescribed by the commissioner is filed with the commissioner with the filing fee in section 103I.208, and, when applicable, the person has met the requirements of paragraph (f). If after filing the well notification an attempt to construct a well is unsuccessful, a new notification is not required unless the information relating to the successful well has substantially changed.

(b) The property owner, the property owner's agent, or the well contractor where a well is to be located must file the well notification with the commissioner.

(c) The well notification under this subdivision preempts local permits and notifications, and counties or home rule charter or statutory cities may not require a permit or notification for wells unless the commissioner has delegated the permitting or notification authority under section 103I.111.

(d) A person who is an individual that constructs a drive point well on property owned or leased by the individual for farming or agricultural purposes or as the individual's place of abode must notify the commissioner of the installation and location of the well. The person must complete the notification form prescribed by the commissioner and mail it to the commissioner by ten days after the well is completed. A fee may not be charged for the notification. A person who sells drive point wells at retail must provide buyers with notification forms and informational materials including requirements regarding wells, their location, construction, and disclosure. The commissioner must provide the notification forms and informational materials to the sellers.

(e) A person may not construct a monitoring well until a permit is issued by the commissioner for the construction. If after obtaining a permit an attempt to construct a well is unsuccessful, a new permit is not required as long as the initial permit is modified to indicate the location of the successful well.

(f) When the operation of a well will require an appropriation permit from the commissioner of natural resources, a person may not begin construction of the well until the person submits the following information to the commissioner of natural resources:

(1) the location of the well;

(2) the formation or aquifer that will serve as the water source;

(3) the maximum daily, seasonal, and annual pumpage rates and volumes that will be requested in the appropriation permit; and

(4) other information requested by the commissioner of natural resources that is necessary to conduct the preliminary assessment required under section 103G.287, subdivision 1, paragraph (c).

The person may begin construction after receiving preliminary approval from the commissioner of natural resources."

Page 2, delete section 4 and insert:

"Sec. 6. Minnesota Statutes 2012, section 116D.04, is amended by adding a subdivision to read:

Subd. 16. **Groundwater; environmental assessment worksheets.** When an environmental assessment worksheet is required for a proposed action that has the potential to require a groundwater appropriation permit from the commissioner of natural resources, the board shall require that the environmental assessment worksheet include an assessment of the water resources available for appropriation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying provisions for groundwater appropriations;"

Correct the title numbers accordingly

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.

Wagenius from the Committee on Environment, Natural Resources and Agriculture Finance to which was referred:

H. F. No. 1113, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2012, sections 116P.15; 116P.16; proposing coding for new law in Minnesota Statutes, chapter 116P.

Reported the same back with the following amendments:

Page 8, line 27, delete "Hennepin" and insert "Carver"

Page 10, line 14, delete "....." and insert "natural resources"

Page 11, line 8, delete "....." and insert "natural resources"

Page 11, after line 11, insert:

(1) Restoration Evaluations

\$200,000 from Laws 2009, chapter 143, section 2, subdivision 8, paragraph (b), Legislative-Citizen Commission on Minnesota Resources, as amended by Laws 2011, First Special Session, chapter 2, article 3, section 2, subdivision 18, paragraph (a), clause (8), is transferred to the Board of Regents of the University of Minnesota for evaluation of lands restored using money from the trust fund. The lands to be evaluated shall be identified and prioritized in consultation with the Legislative-Citizen Commission on Minnesota Resources."

Page 12, line 23, after "for" insert "up to"

Page 12, line 31, delete "....." and insert "natural resources"

Page 13, line 33, delete "....." and insert "natural resources"

Page 15, line 26, delete "....." and insert "natural resources"

Page 16, line 7, delete "....." and insert "natural resources"

Page 16, line 30, delete "....." and insert "natural resources"

Page 17, line 14, delete "....." and insert "commissioner of natural resources"

Page 17, line 33, after the period, insert "Costs that are directly related to and necessary for an appropriation, including financial services, human resources, information services, rent, and utilities, are eligible only if the costs can be clearly justified and individually documented specific to the appropriation's purpose and would not be generated by the recipient but for the receipt of the appropriation. No broad allocations for costs in either dollars or percentages are allowed."

Page 26, line 8, delete "and"

Page 26, line 12, delete the period and insert a semicolon

Page 26, after line 12, insert:

"(3) Laws 2010, chapter 362, section 2, subdivision 3, paragraph (b), Updating Minnesota Wetlands Inventory: Phase 2;

(4) Laws 2010, chapter 362, section 2, subdivision 4, paragraph (b), Scientific and Natural Areas and Native Prairie Restoration, Enhancement, and Acquisition;

(5) Laws 2010, chapter 362, section 2, subdivision 4, paragraph (i), Reconnecting Fragmented Prairie Landscapes;

(6) Laws 2010, chapter 362, section 2, subdivision 6, paragraph (a), Biological Control of European Buckthorn and Garlic Mustard;

(7) Laws 2010, chapter 362, section 2, subdivision 8, paragraph (e), Get Outside – Urban Woodland for Kids; and

(8) Laws 2010, chapter 362, section 2, subdivision 5, paragraph (e), Assessing Septic System Discharge to Lakes."

Page 26, before line 13, insert:

"Sec. 3. Minnesota Statutes 2012, section 116P.05, subdivision 1, is amended to read:

Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota Resources of 17 members is created in the legislative branch, consisting of the chairs of the house of representatives and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, four members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and four members of the house of representatives appointed by the speaker.

At least two members from the senate and two members from the house of representatives must be from the minority caucus. Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

Seven citizens are members of the commission, five appointed by the governor, one appointed by the Senate Subcommittee on Committees of the Committee on Rules and Administration, and one appointed by the speaker of the house. The citizen members are selected and recommended to the appointing authorities according to subdivision 1a and must:

(1) have experience or expertise in the science, policy, or practice of the protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources;

(2) have strong knowledge in the state's environment and natural resource issues around the state; and

(3) have demonstrated ability to work in a collaborative environment.

(b) Members shall develop procedures to elect a chair that rotates between legislative and citizen members. The chair shall preside and convene meetings as often as necessary to conduct duties prescribed by this chapter.

(c) Appointed legislative members shall serve on the commission for two-year terms, beginning in January of each odd-numbered year and continuing through the end of December of the next even-numbered year. Appointed citizen members shall serve four-year terms, beginning in January of the first year and continuing through the end of December of the final year. Citizen and legislative members continue to serve until their successors are appointed.

(d) A citizen member may be removed by an appointing authority for cause. Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out their duties, and vacancies shall be filled for the remainder of the term in the same manner under paragraph (a).

(e) Citizen members shall be initially appointed according to the following schedule of terms:

(1) two members appointed by the governor for a term ending the first Monday in January 2010;

(2) one member appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration for a term ending the first Monday in January 2010 and one member appointed by the speaker of the house for a term ending the first Monday in January 2010;

(3) two members appointed by the governor for a term ending the first Monday in January 2009; and

(4) one member appointed by the governor for a term ending the first Monday in January 2008.

(f) Citizen members are entitled to per diem and reimbursement for expenses incurred in the services of the commission, as provided in section 15.059, subdivision 3.

(g) The governor's appointments are subject to the advice and consent of the senate.

Sec. 4. Minnesota Statutes 2012, section 116P.05, subdivision 2, is amended to read:

Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial legislative bill for appropriations from the environment and natural resources trust fund and shall adopt a strategic plan as provided in section 116P.08. Approval of the recommended legislative bill requires an affirmative vote of at least 12 members of the commission.

(b) It is a condition of acceptance of the appropriations made from the Minnesota environment and natural resources trust fund, and oil overcharge money under section 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit a work ~~program~~ plan and semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources, and comply with applicable reporting requirements under section 116P.16. None of the money provided may be spent unless the commission has approved the pertinent work ~~program~~ plan. Modifications to the approved work plan and budget expenditures shall be made through the amendment process established by the commission.

(c) The peer review panel created under section 116P.08 must also review, comment, and report to the commission on research proposals applying for an appropriation from the oil overcharge money under section 4.071, subdivision 2.

(d) The commission may adopt operating procedures to fulfill its duties under this chapter.

(e) As part of the operating procedures, the commission shall:

(1) ensure that members' expectations are to participate in all meetings related to funding decision recommendations;

(2) recommend adequate funding for increased citizen outreach and communications for trust fund expenditure planning;

(3) allow administrative expenses as part of individual project expenditures based on need;

(4) provide for project outcome evaluation;

(5) keep the grant application, administration, and review process as simple as possible; and

(6) define and emphasize the leveraging of additional sources of money that project proposers should consider when making trust fund proposals.

Sec. 5. Minnesota Statutes 2012, section 116P.09, subdivision 2, is amended to read:

Subd. 2. **Liaison officers.** The commission ~~shall~~ may request each department or agency head of all state agencies with a direct interest and responsibility in any phase of environment and natural resources to appoint, and the latter shall appoint for the agency, a liaison officer who shall work closely with the commission and its staff."

Page 28, after line 10, insert:

"Sec. 8. Minnesota Statutes 2012, section 116P.17, is amended to read:

116P.17 ACQUISITION OF LANDS TO BE CONVEYED TO THE STATE OR INTEREST IN LANDS; COMMISSIONER APPROVAL.

(a) A recipient of an appropriation from the trust fund who acquires an interest in real property must receive written approval from the commissioner of natural resources prior to the acquisition, if the interest:

~~(1) is acquired in whole or in part with the appropriation; and~~

~~(2) will be conveyed to the state for management by the commissioner.~~ Conservation easements to be held by the Board of Water and Soil Resources are not subject to commissioner approval under this section.

(b) The commissioner shall approve acquisitions (b) under this section only when the interest in real property:

(1) is identified as a high priority by the commissioner and meets the objectives and criteria identified in the applicable acquisition plan for the intended management status of the property; or

~~(2) meets the objectives and criteria identified in the applicable acquisition plan for the intended management status of the property~~ is otherwise identified by the commissioner as a priority for state financing."

Page 28, line 19, after "approved" insert ", prior to the acquisition."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying provisions for Legislative-Citizen Commission on Minnesota Resources;"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1117, A bill for an act relating to human services; modifying provisions related to chemical and mental health and human services licensing; establishing methadone treatment program standards; modifying drug treatment provisions; amending Minnesota Statutes 2012, sections 254B.04, by adding a subdivision; 254B.05, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 245A.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

"Section 1. **[245A.1915] OPIOID ADDICTION TREATMENT EDUCATION REQUIREMENT FOR PROVIDERS LICENSED TO PROVIDE CHEMICAL DEPENDENCY TREATMENT SERVICES.**

All programs licensed by the commissioner must provide educational information concerning treatment options for opioid addiction, including the use of a medication for the use of opioid addiction, to clients identified as having or seeking treatment for opioid addiction. The commissioner shall develop educational materials that are supported by research and updated periodically that must be used by programs to comply with this requirement."

Page 1, line 12, before "This" insert "(a)"

Page 1, line 15, after the period, insert "(b)" and delete everything after "standard" and insert "in this section differs from a standard in an otherwise applicable"

Page 1, after line 16, insert:

"(c) When federal guidance or interpretations have been issued on federal standards or requirements also required under this section, the federal guidance or interpretations shall apply."

Page 2, line 27, delete everything after "(a)" and insert:

"To limit the potential for diversion of medication used for the treatment of opioid addiction to the illicit market, any such medications dispensed to patients for unsupervised use shall be subject to the following requirements:

(1) any patient in an opioid treatment program may receive a single take-home dose for a day that the clinic is closed for business, including Sundays and state and federal holidays; and

(2) treatment program decisions on dispensing medications used to treat opioid addiction to patients for unsupervised use beyond that set forth in paragraph (a), clause (1), shall be determined by the medical director."

Page 2, delete line 28

Page 2, line 29, delete everything before "The" and insert "(b)"

Page 2, line 30, delete "this" and after "paragraph" insert "(a)"

Page 3, line 10, delete "(b)" and insert "(c)"

Page 3, line 11, after "(a)" insert ", clause (2)."

Page 3, line 12, after "use" insert "of methadone hydrochloride"

Page 3, line 13, after "5" insert ", paragraph (a), clause (2)."

Page 3, line 15, before the period, insert "when the medication to be dispensed is methadone hydrochloride"

Page 3, line 30, after "doses" insert "of methadone hydrochloride"

Page 4, line 19, delete "Amount of" and insert "Nonmedication" and after "services" insert "; documentation" and before "The" insert "(a)"

Page 4, line 20, delete "two" and insert "one hour of"

Page 4, line 21, delete everything after "week" and insert "for the first ten weeks following admission, and at least one hour per month thereafter. The program may provide additional levels of services when deemed clinically necessary"

Page 4, line 22, delete everything before the period

Page 4, after line 23, insert:

"(b) Notwithstanding the requirements of individual treatment plans set forth in Minnesota Rules, part 9530.6425:

(1) treatment plan contents for maintenance clients are not required to include goals the client must reach to complete treatment and have services terminated;

(2) treatment plans for clients in a taper or detox status must include goals the client must reach to complete treatment and have services terminated;

(3) progress notes must be entered in a client's file at least weekly and be recorded in each of the six dimensions for the initial ten weeks after admission for all new admissions, readmissions, and transfers. Subsequently, the counselor must document progress no less than one time monthly, recorded in the six dimensions, or when clinical need warrants more frequent notations; and

(4) treatment plan reviews must occur weekly, or after each treatment service, which is less frequent, for the first ten weeks of treatment for all new admissions, readmissions, and transfers. Following the first ten weeks of treatment, treatment plan reviews may occur monthly unless the client has needs that warrant more frequent revisions or documentation."

Page 4, line 24, after "(a)" insert "Upon admission to a methadone clinic outpatient treatment program, clients shall be notified that the medical director will monitor the prescription monitoring program to review the prescribed controlled drugs the clients have received."

Page 4, line 27, delete "prescribed" and insert "ordered"

Page 4, line 32, after the period, insert "A review of the PMP is not required for every medication dose adjustment."

Page 5, line 10, delete "exceeds that in" and insert "in this section differs from a standard in otherwise applicable"

Page 5, line 16, before the period, insert "as required under subdivision 5, paragraph (a), clause (1)"

Page 5, line 24, after "addiction" insert ", excluding those approved solely under subdivision 5, paragraph (a), clause (1)."

Page 6, delete lines 4 to 12

Page 7, line 8, before "Notwithstanding" insert "(a)"

Page 7, line 11, after the third comma, insert "and after taking into account an individual's preference for placement in an opioid treatment program," and after "may" insert ", but is not required to."

Page 7, line 12, after the period, insert:

"Prior to making a determination of placement for an individual, the placing authority must consult with the current treatment provider, if any.

(b) Prior to placement of an individual who is determined by the assessor to require treatment for opioid addiction, the assessor must provide educational information concerning treatment options for opioid addiction, including the use of a medication for the use of opioid addiction. The commissioner shall develop educational materials supported by research and updated periodically that must be used by assessors to comply with this requirement."

Page 7, after line 12, insert:

"ARTICLE 3

CONTROLLED SUBSTANCES PRESCRIPTION MONITORING PROGRAM

Section 1. Minnesota Statutes 2012, section 152.126, subdivision 6, is amended to read:

Subd. 6. **Access to reporting system data.** (a) Except as indicated in this subdivision, the data submitted to the board under subdivision 4 is private data on individuals as defined in section 13.02, subdivision 12, and not subject to public disclosure.

(b) Except as specified in subdivision 5, the following persons shall be considered permissible users and may access the data submitted under subdivision 4 in the same or similar manner, and for the same or similar purposes, as those persons who are authorized to access similar private data on individuals under federal and state law:

(1) a prescriber or an agent or employee of the prescriber to whom the prescriber has delegated the task of accessing the data, to the extent the information relates specifically to a current patient, to whom the prescriber is prescribing or considering prescribing any controlled substance and with the provision that the prescriber remains responsible for the use or misuse of data accessed by a delegated agent or employee;

(2) a dispenser or an agent or employee of the dispenser to whom the dispenser has delegated the task of accessing the data, to the extent the information relates specifically to a current patient to whom that dispenser is dispensing or considering dispensing any controlled substance and with the provision that the dispenser remains responsible for the use or misuse of data accessed by a delegated agent or employee;

(3) an individual who is the recipient of a controlled substance prescription for which data was submitted under subdivision 4, or a guardian of the individual, parent or guardian of a minor, or health care agent of the individual acting under a health care directive under chapter 145C;

(4) personnel of the board specifically assigned to conduct a bona fide investigation of a specific licensee;

(5) personnel of the board engaged in the collection of controlled substance prescription information as part of the assigned duties and responsibilities under this section;

(6) authorized personnel of a vendor under contract with the board who are engaged in the design, implementation, operation, and maintenance of the electronic reporting system as part of the assigned duties and responsibilities of their employment, provided that access to data is limited to the minimum amount necessary to carry out such duties and responsibilities;

(7) federal, state, and local law enforcement authorities acting pursuant to a valid search warrant; and

(8) personnel of the medical assistance program assigned to use the data collected under this section to identify recipients whose usage of controlled substances may warrant restriction to a single primary care physician, a single outpatient pharmacy, or a single hospital.

For purposes of clause (3), access by an individual includes persons in the definition of an individual under section 13.02.

(c) Any permissible user identified in paragraph (b), who directly accesses the data electronically, shall implement and maintain a comprehensive information security program that contains administrative, technical, and physical safeguards that are appropriate to the user's size and complexity, and the sensitivity of the personal information obtained. The permissible user shall identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of personal information that could result in the unauthorized disclosure, misuse, or other compromise of the information and assess the sufficiency of any safeguards in place to control the risks.

(d) The board shall not release data submitted under this section unless it is provided with evidence, satisfactory to the board, that the person requesting the information is entitled to receive the data.

(e) The board shall not release the name of a prescriber without the written consent of the prescriber or a valid search warrant or court order. The board shall provide a mechanism for a prescriber to submit to the board a signed consent authorizing the release of the prescriber's name when data containing the prescriber's name is requested.

(f) The board shall maintain a log of all persons who access the data and shall ensure that any permissible user complies with paragraph (c) prior to attaining direct access to the data.

(g) Section 13.05, subdivision 6, shall apply to any contract the board enters into pursuant to subdivision 2. A vendor shall not use data collected under this section for any purpose not specified in this section.

(h) The commissioner of human services shall establish and implement a system through which the Department of Human Services shall routinely access the data for the purpose of determining whether any client enrolled in an opioid treatment program licensed according to chapter 245A has been prescribed or dispensed a controlled substance in addition to that administered or dispensed by the opioid treatment program. When the commissioner determines there have been multiple prescribers or multiple prescriptions of controlled substances, the commissioner shall:

(1) inform the medical director of the opioid treatment program only that the commissioner determined the existence of multiple prescribers or multiple prescriptions of controlled substances; and

(2) direct the medical director of the opioid treatment program to access the data directly, review the effect of the multiple prescribers or multiple prescriptions, and document the review.

If determined necessary, the commissioner of human services shall seek a federal waiver of, or exception to, any applicable provision of Code of Federal Regulations, title 42, part 2.34, item (c), prior to implementing this paragraph."

Page 7, delete section 2

Renumber the sections in sequence

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.

Nelson from the Committee on Government Operations to which was referred:

H. F. No. 1120, A bill for an act relating to state government; requiring service on all parties for judicial review of contested case; amending Minnesota Statutes 2012, section 14.63.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary 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. 1121, A bill for an act relating to human services; modifying prepaid health plans to improve screening, diagnosis, and treatment of young children with autism spectrum disorder or other developmental conditions; amending Minnesota Statutes 2012, sections 256.01, by adding a subdivision; 256B.69, subdivisions 5a, 9, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

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

H. F. No. 1124, A bill for an act relating to nursing; modifying definitions in the Minnesota Nurse Practicing Act; amending Minnesota Statutes 2012, sections 148.171, subdivisions 14, 15, by adding subdivisions; 148.271; repealing Minnesota Statutes 2012, section 148.171, subdivision 12; Minnesota Rules, part 6321.0100.

Reported the same back with the following amendments:

Page 1, line 14, before "unlicensed" insert "competent,"

Page 2, line 13, strike "for"

Page 2, line 19, delete "incorporates" and insert "incorporate"

Page 2, line 20, after "for" insert "individual"

Page 2, line 23, delete the second "a" and insert "an individual"

Page 2, line 24, after "the" insert "individual"

Page 3, line 3, delete "for the maintenance of"

Page 3, line 17, strike "for"

Page 3, line 29, delete "incorporates" and insert "incorporate"

Page 4, delete lines 18 and 19, and insert:

"(13) designing and implementing teaching plans based on patient need, and evaluating their effectiveness;"

Page 4, line 33, delete "overseeing,"

Page 5, line 19, after "delegated" insert "or assigned"

Amend the title as follows:

Page 1, line 2, delete "Practicing" and insert "Practice"

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson from the Committee on Government Operations to which was referred:

H. F. No. 1138, A bill for an act relating to the military; updating the Minnesota Code of Military Justice; providing clarifying language; amending Minnesota Statutes 2012, sections 192A.02, subdivision 1; 192A.045, subdivision 3; 192A.095; 192A.10; 192A.105; 192A.11, subdivision 1; 192A.111; 192A.13; 192A.20; 192A.235, subdivision 3; 192A.605; 192A.62; 192A.66; proposing coding for new law in Minnesota Statutes, chapter 192A; repealing Minnesota Statutes 2012, sections 192A.085; 192A.11, subdivisions 2, 3.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1147, A bill for an act relating to energy; defining terms in the energy improvements program for local governments; amending Minnesota Statutes 2012, sections 216C.435, subdivision 8, by adding a subdivision; 216C.436, subdivision 2; 429.101, subdivision 2.

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

The report was adopted.

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

H. F. No. 1162, A bill for an act relating to transportation; highways; amending MnPASS authority and revenue allocation; amending Minnesota Statutes 2012, sections 160.845; 160.93, subdivisions 1, 2.

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.

Lesch from the Committee on Civil Law 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 4, line 10, before "Once" insert "(a)"

Page 4, delete lines 11 to 12 and insert:

"(1) will retain certification for up to ten years from the date of certification if the producer complies with the certification agreement even if the producer does not comply with new state water protection laws or rules that take effect during the certification period."

Page 4, after line 17, insert:

"(b) Paragraph (a) does not preclude enforcement of a local ordinance by a local unit of government."

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

The report was adopted.

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

H. F. No. 1206, A bill for an act relating to health; modifying body art regulations; providing criminal penalties; amending Minnesota Statutes 2012, sections 146B.02, subdivisions 2, 8; 146B.03, by adding a subdivision; 146B.07, subdivision 5; repealing Minnesota Statutes 2012, section 146B.03, subdivision 10.

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

The report was adopted.

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

H. F. No. 1214, A bill for an act relating to commerce; regulating motor vehicles; amending regulation of scrap metal processing; requiring proof of ownership or hold period for vehicles purchased for scrap; creating the automated property system; creating criminal penalties; amending Minnesota Statutes 2012, sections 168.27, subdivisions 1a, 19a, 23, 24; 168A.153, subdivisions 1, 3; 325E.21, subdivisions 1, 1a, 3, 6, 8, 9, by adding subdivisions; repealing Minnesota Statutes 2012, section 168A.153, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 168.27, subdivision 1a, is amended to read:

Subd. 1a. **Dealer license categories.** (a) No person shall engage in the business of selling new motor vehicles or shall offer to sell, solicit, deliver, or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license.

(b) No person shall engage in the business of selling used motor vehicles or shall offer to sell, solicit, deliver, or advertise the sale of used motor vehicles without first acquiring a used motor vehicle dealer license.

(c) No person shall engage in the business of buying or otherwise acquiring vehicles ~~other than hulks~~; or offering to buy or otherwise acquire, or soliciting or advertising the buying or acquiring of, vehicles ~~other than hulks~~ for processing and selling the metal for remelting without first acquiring a scrap metal processor license.

~~For purposes of this paragraph, a "hulk" is a motor vehicle that is incapable, under its own power, of moving and is incapable of transporting persons or property and has had valuable used parts removed. Its sole value is its metallic content.~~

(d) No person shall be primarily engaged in the business of buying or otherwise acquiring vehicles for the purpose of dismantling the vehicles and selling used parts and the remaining scrap metals without first acquiring a used vehicle parts dealer license.

(e) No person shall engage in the business of storing and displaying, offering to store or display, or soliciting or advertising the storing or displaying, for sale, of damaged or junked vehicles as an agent or escrow agent of an insurance company without first acquiring a vehicle salvage pool license.

(f) No person shall engage in the business of leasing motor vehicles or shall offer to lease, solicit or advertise to lease motor vehicles without first acquiring a motor vehicle lessor license.

(g) No person shall engage in the business of wholesaling motor vehicles to dealers for resale or shall offer to sell, solicit or advertise the sale of motor vehicles to dealers for resale without first acquiring a motor vehicle wholesaler license.

(h) No person shall engage in the business of auctioning motor vehicles for more than one owner at an auction or shall offer to sell, solicit or advertise the sale of motor vehicles at auction without first acquiring a motor vehicle auctioneer license.

(i) No person shall engage in the business of brokering motor vehicles without first acquiring a motor vehicle broker's license.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 2. Minnesota Statutes 2012, section 168.27, subdivision 19a, is amended to read:

Subd. 19a. **Injunction.** The commissioner or a county attorney may institute a civil action in the name of the state in district court for an injunction prohibiting a violation of this section and for civil penalties not to exceed \$1,000 for each violation of subdivision 1a, clause (d) or (e), 2, 3, 3a, 4, 5a, 6, 7, or 7a, or section 325E.21. The court, upon proper proof that the defendant has engaged in a practice prohibited by this section, may enjoin the future commission of that practice and award civil penalties for violations of subdivision 1a, clause (d) or (e), 2, 3, 3a, 4, 5a, 6, 7, or 7a, or section 325E.21. It is not a defense to an action that the state may have adequate remedies at law. Service of process must be as in any other civil suit, except that where a defendant in the action is a natural person or firm residing outside the state, or is a foreign corporation, service of process may also be made by personal service outside the state; in the manner provided by section 5.25; or as the court may direct. Process is valid if it satisfies the requirements of due process of law, whether or not the defendant is doing business in Minnesota regularly or habitually. Nothing in this subdivision limits the rights or remedies otherwise available to persons under common law or other statutes of this state.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 3. Minnesota Statutes 2012, section 168.27, subdivision 23, is amended to read:

Subd. 23. ~~Registrar may file charges~~ **County or city attorney to prosecute.** ~~The registrar or the registrar's appointed inspectors may file charges with the city or county attorney may file charges~~ against any licensee who violates any of the provisions of this section or section 325E.21, including, but not limited to, the grounds for suspension or revocation set out in subdivision 12.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 4. Minnesota Statutes 2012, section 168A.153, subdivision 3, is amended to read:

Subd. 3. **Notification on vehicle to be dismantled or destroyed; service fee.** ~~Within the time frames prescribed in subdivisions 1 and 2 of acquiring a vehicle titled and registered in Minnesota, a dealer shall notify the registrar that the dealership purchased the vehicle to be dismantled or destroyed. The dealer must maintain the certificate of title on the vehicle for three years before destroying the title as prescribed by the commissioner.~~ The notification under subdivision 1 must be made electronically as prescribed by the registrar. The dealer may contract this service to a deputy registrar and the registrar may charge a fee not to exceed \$7 per transaction to provide this service.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 5. Minnesota Statutes 2012, section 325E.21, subdivision 1, is amended to read:

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

(b) "Law enforcement agency" or "agency" means a duly authorized municipal, county, state, or federal law enforcement agency.

(c) "Person" means an individual, partnership, limited partnership, limited liability company, corporation, or other entity.

(d) "Scrap metal" means:

(1) wire and cable commonly and customarily used by communication and electric utilities; and

(2) copper, aluminum, or any other metal purchased primarily for its reuse or recycling value as raw metal, including metal that is combined with other materials at the time of purchase.

(e) "Scrap metal dealer" or "dealer" means:

(1) any of the following licensees under section 168.27: scrap metal processor, used vehicle parts dealer, or vehicle salvage pool;

(2) a used motor vehicle dealer licensee under section 168.27 who engages in the business of buying or otherwise acquiring vehicles for dismantling and selling used parts and remaining scrap materials; and

(3) a person engaged in the business of buying or selling scrap metal, or both, ~~but does,~~

The terms do not include a person engaged exclusively in the business of buying or selling new ~~or~~ motor vehicles, used motor vehicles ~~or motor vehicle parts~~ for resale and in whole other than as specified in clause (2), paper or wood products, rags or furniture, or secondhand machinery.

(f) "Interchange file specification format" means the most recent version of the Minneapolis automated property system interchange file specification format.

(g) "Billable transaction fee" means the fee assessed by the automated property system to the jurisdiction in which a dealer is located.

(h) "Hold period" means a period of consecutive business days, excluding Saturdays, Sundays, and holidays, during which time a motor vehicle may not be scrapped, resold, dismantled, or destroyed.

(i) "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

(j) "Proof of identification" means a valid driver's license, valid Minnesota identification card, or valid driver's license or identification card issued by another state or a province of Canada, if the document includes the person's photograph, full name, birth date, and signature.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 6. Minnesota Statutes 2012, section 325E.21, subdivision 1a, is amended to read:

Subd. 1a. **Purchase or acquisition record required.** (a) Every scrap metal dealer, including an agent, employee, or representative of the dealer, shall keep a written record at the time of each purchase or acquisition of scrap metal. The record must include:

(1) an accurate account or description, including the weight if customarily purchased by weight, of the scrap metal purchased or acquired;

(2) the date, time, and place of the receipt of the scrap metal purchased or acquired;

(3) the name and address of the person selling or delivering the scrap metal;

(4) the number of the check or electronic transfer used to purchase the scrap metal;

(5) if the scrap metal purchased or acquired is a motor vehicle under subdivision 11, the dates of the hold period and the payment method under subdivision 3, paragraph (b);

~~(5) (6)~~ the number of the seller's or deliverer's driver's license, Minnesota identification card number, or other identification document number of an identification document issued for identification purposes by any state, federal, or foreign government if the document includes the person's photograph, full name, birth date, and signature; ~~and~~

~~(6) (7)~~ the license plate number and description of the vehicle used by the person when delivering the scrap metal, and any identifying marks on the vehicle, such as a business name, decals, or markings, if applicable; and

(8) a statement signed by the seller, under penalty of perjury as provided in section 609.48, attesting that the scrap metal is not stolen and is free of any liens or encumbrances and the seller has the right to sell it.

(b) The record, as well as the scrap metal purchased or received, shall at all reasonable times be open to the inspection of any law enforcement agency.

(c) No record is required for property purchased from merchants, manufacturers or wholesale dealers, having an established place of business, or of any goods purchased at open sale from any bankrupt stock, but a bill of sale or other evidence of open or legitimate purchase of the property shall be obtained and kept by the person, which must be shown upon demand to any law enforcement agency.

(d) Except as otherwise provided in this section, a scrap metal dealer or the dealer's agent, employee, or representative may not disclose personal information concerning a customer without the customer's consent unless the disclosure is made in response to a request from a law enforcement agency. A scrap metal dealer must implement reasonable safeguards to protect the security of the personal information and prevent unauthorized access to or disclosure of the information. For purposes of this paragraph, "personal information" is any individually identifiable information gathered in connection with a record under paragraph (a).

(e) This subdivision expires January 1, 2015.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 7. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 1b. **Purchase or acquisition record required.** (a) Every scrap metal dealer, including an agent, employee, or representative of the dealer, shall create a permanent record written in English, using ink or an electronic record program at the time of each purchase or acquisition of scrap metal. The record must include:

(1) a complete and accurate account or description, including the weight, if customarily purchased by weight, of the scrap metal purchased or acquired;

(2) if the scrap metal purchased or acquired is a motor vehicle, the vehicle identification number; license plate number, if any, including state of issue and month and year of validation; and vehicle make, model, and color;

(3) the date, time, and place of the receipt of the scrap metal purchased or acquired and a unique transaction identifier;

(4) the deliverer's full name, residence, address, primary telephone number, and an accurate description, including sex, height, weight, eye color, hair color, and, if known, race;

(5) the amount paid and the number of the check or electronic transfer used to purchase the scrap metal;

(6) if the scrap metal purchased or acquired is a motor vehicle under subdivision 11, the dates of the hold period and the payment method under subdivision 3, paragraph (b);

(7) the identification number and state of issue of the seller's or deliverer's proof of identification;

(8) the license plate number and description of the vehicle used by the person when delivering the scrap metal, including the vehicle make and model, and any identifying marks on the vehicle, such as a business name, decals, or markings, if applicable;

(9) a digital photograph or single frame image from a video recording that clearly and accurately depicts the scrap metal offered for sale, including the license plate if affixed and the scrap metal is a motor vehicle, and a front facial view of the person selling or delivering the scrap metal. Photographs must be clearly and accurately associated with their respective record;

(10) a statement signed by the seller, under penalty of perjury as provided in section 609.48, attesting that the scrap metal is not stolen and is free of any liens or encumbrances and the seller has the right to sell it;

(11) a duplicate copy of the title, if any, provided by the seller of a motor vehicle; and

(12) a duplicate copy of the receipt, which must include at least the following information: the name and address of the dealer, the date and time the scrap metal was received by the dealer, an accurate description of the scrap metal, the signature of the seller, and the amount paid for the scrap metal.

(b) The record, as well as the scrap metal purchased or received, shall at all reasonable times be open to the inspection of any law enforcement agency.

(c) The records specified under paragraph (a), clauses (1), (2), (3), and (5), are required for property purchased from merchants, manufacturers, salvage pools, insurance companies, rental car companies, financial institutions, charities, dealers licensed under section 168.27, or wholesale dealers having an established place of business, or of any goods purchased at open sale from any bankrupt stock.

(d) The dealer must provide a copy of the receipt required under paragraph (a), clause (12), to the seller in every transaction.

(e) Law enforcement agencies in the jurisdiction where a dealer is located may conduct regular and routine inspections to ensure compliance, refer violations to the city or county attorney for criminal prosecution, and notify the registrar of motor vehicles. The registrar shall inspect a dealer who holds a license under section 168.27 every 18 months to ensure compliance.

(f) Local jurisdictions in which dealers are located are authorized to recover costs associated with compliance activities under paragraph (e) from the dealer, including automated property system billable transaction fees.

(g) Except as otherwise provided in this section, a scrap metal dealer or the dealer's agent, employee, or representative may not disclose personal information concerning a customer without the customer's consent unless the disclosure is made in response to a request from a law enforcement agency. A scrap metal dealer must implement reasonable safeguards to protect the security of the personal information and prevent unauthorized access to or disclosure of the information. For purposes of this paragraph, "personal information" is any individually identifiable information gathered in connection with a record under paragraph (a).

EFFECTIVE DATE. This section is effective January 1, 2015.

Sec. 8. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 1c. **Automated property system.** (a) Dealers must completely and accurately provide all the record information required in subdivision 1b by transferring it from their computer to the automated property system, by the close of business each day, using the interchange file specification format.

(b) A dealer who does not have an electronic point-of-sale program may request to be provided software by the automated property system to record the required information. If the dealer uses a commercially available electronic point-of-sale program to record the information required in this section, it must submit the information using the interchange file specification format. Any record submitted by a dealer that does not conform to the interchange file specification format must be corrected and resubmitted the next business day.

(c) A dealer must display a sign of sufficient size, in a conspicuous place in the premises, which informs all patrons that all transactions are reported to law enforcement daily.

EFFECTIVE DATE. This section is effective January 1, 2015.

Sec. 9. Minnesota Statutes 2012, section 325E.21, subdivision 3, is amended to read:

Subd. 3. **Payment by check or electronic transfer required.** (a) Except as provided in paragraph (b), a scrap metal dealer or the dealer's agent, employee, or representative shall pay for all scrap metal purchases only by check or electronic transfer.

(b) For purchase of a motor vehicle under subdivision 11, payment shall be made by mailed check or by electronic transfer of funds to a bank account. Checks shall be payable only to the individual providing proof of identification at the time of purchase. The dealer shall retain a record of the mailing address or unique transaction identifier for a period of three years and such information shall at all reasonable times be open for inspection by law enforcement.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 10. Minnesota Statutes 2012, section 325E.21, subdivision 6, is amended to read:

Subd. 6. **Criminal ~~penalty~~ penalties.** (a) Except as provided in paragraphs (b) and (c), a scrap metal dealer, or the agent, employee, or representative of the dealer, who intentionally violates a provision of this section, is guilty of a misdemeanor.

(b) A scrap metal dealer, or an agent, employee, or representative of a scrap metal dealer, who is convicted of violating this section a second time within a period of five years, is guilty of a gross misdemeanor.

(c) A scrap metal dealer, or an agent, employee, or representative of a scrap metal dealer, who is convicted of violating this section a third or subsequent time within a period of five years is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both.

(d) Criminal penalties under this section are in addition to other remedies provided by law.

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

Sec. 11. Minnesota Statutes 2012, section 325E.21, subdivision 8, is amended to read:

Subd. 8. **~~Property held by law enforcement~~ Investigative holds; confiscation of vehicles.** (a) Whenever a law enforcement official from any agency has probable cause to believe that property in the possession of a scrap metal dealer is stolen or is evidence of a crime and notifies the dealer not to sell the item, ~~the item may not be sold or removed~~ the scrap metal dealer shall not (1) process or sell the item, or (2) remove or allow its removal from the premises. This investigative hold remains must be confirmed in writing by the originating agency within 72 hours and will remain in effect for 30 days from the date of initial notification, or until # the investigative hold is canceled or a seizure order is issued renewed, or until a law enforcement notification to confiscate or a directive to release is issued, whichever comes first.

(b) If an item is identified as stolen or evidence in a criminal case, ~~the~~ a law enforcement official may:

(1) physically ~~seize~~ confiscate and remove it from the scrap metal dealer, pursuant to a written ~~order from the law enforcement official~~ notification; ~~or~~

(2) place the item on hold or extend the hold ~~as provided in this section and leave it in the shop~~ under paragraph (a) and leave it in the licensed premises; or

(3) direct its release to a registered owner or owner's agent.

~~(e)~~ (c) When an item is ~~seized~~ confiscated, the person doing so shall provide identification upon request of the scrap metal dealer, and shall provide ~~the dealer~~ the name and telephone number of the seizing confiscating agency and investigator, and the case number related to the seizure confiscation.

~~(d)~~ (c) A dealer may request seized property be returned in accordance with section 626.04.

~~(e)~~ (d) When an ~~order to hold or seize~~ investigative hold or notification to confiscate is no longer necessary, the law enforcement official ~~or designee~~ shall so notify the ~~dealer~~ licensee.

(e) A scrap metal dealer may process or otherwise dispose of the motor vehicle if:

(1) a notification to confiscate is not issued during the investigative hold; or

(2) a law enforcement official does not physically remove the motor vehicle from the premises within 15 calendar days from issuance of a notification to confiscate.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 12. Minnesota Statutes 2012, section 325E.21, subdivision 9, is amended to read:

Subd. 9. **Video security cameras required.** (a) Each scrap metal dealer shall install and maintain at each location video surveillance cameras, still digital cameras, or similar devices positioned to record or photograph a frontal view showing a readily identifiable image of the face of each seller or prospective seller of scrap metal who enters the location. The scrap metal dealer shall also photograph the seller's or prospective seller's vehicle, including license plate, either by video camera or still digital camera, so that an accurate and complete description of it may be obtained from the recordings made by the cameras. The video camera or still digital camera must be kept in operating condition and must be shown to a law enforcement officer for inspection upon request. The camera must record and display the accurate date and time. The video camera must be turned on at all times when the location is open for business and at any other time when scrap metal is purchased.

(b) If the scrap metal dealer does not purchase some or any scrap metal at a specific business location, the dealer need not comply with this subdivision with respect to those purchases.

(c) Recordings and images required by paragraph (a) shall be retained by the scrap metal dealer for a minimum period of 30 days and shall at all reasonable times be open to the inspection of any law enforcement agency.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 13. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 10. **Vehicles with proof of ownership.** Except as provided in subdivision 11, no dealer shall purchase a motor vehicle unless the seller:

(1) provides the vehicle title and lien releases, if the vehicle is subject to any liens, or an official bill of sale issued by a public impound lot, each listing the vehicle identification number;

(2) provides proof of identification matching the name listed on the vehicle title or bill of sale issued by a public impound lot; and

(3) signs a statement, under penalty of perjury as provided in section 609.48, attesting that the motor vehicle is not stolen and is free of any liens or encumbrances and that the seller has the right to sell the motor vehicle.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 14. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 11. **Vehicle without proof of ownership; five-day hold period.** (a) If the seller does not provide the information required in subdivision 10, no dealer shall purchase a motor vehicle unless the seller:

(1) agrees in writing to a conditional sale with a five-day hold period prior to completion of the transaction and disbursement of payment;

(2) provides proof of identification; and

(3) signs a statement, under penalty of perjury as provided in section 609.48, attesting that the motor vehicle is not stolen and is free of any liens or encumbrances and that the seller has the right to sell the motor vehicle.

(b) The dealer shall:

(1) hold the vehicle during the five-day hold period;

(2) comply, on or after January 1, 2015, with reporting requirements under subdivision 1c by the end of the first day of the hold period;

(3) not scrap, resell, dismantle, or in any way destroy the vehicle during the five-day hold period;

(4) check the vehicle identification number with the registrar and local law enforcement on the last day of the five-day hold period to confirm that the vehicle has not been reported as stolen;

(5) not complete the vehicle purchase transaction and disburse payment until after the five-day hold period; and

(6) make any payment to the seller in accordance with subdivision 3, paragraph (b).

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 15. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 12. Purchase from other dealers or merchants. (a) Subdivisions 10 and 11 do not apply when a scrap vehicle is purchased from:

(1) an insurance company, a rental car company, a financial institution, or a charity; or

(2) a licensee under section 168.27.

(b) A scrap vehicle dealer acquiring a scrap vehicle under this subdivision shall obtain the information required under subdivision 1b, paragraph (c).

Sec. 16. Minnesota Statutes 2012, section 325E.21, is amended by adding a subdivision to read:

Subd. 13. Model affidavit; right to sell vehicle. By July 15, 2013, the Minnesota Chiefs of Police Association, in consultation with the Minnesota Sheriff's Association, Minnesota Police and Peace Officers Association, and Minnesota County Attorney's Association, shall develop a model affidavit for use by scrap metal dealers under subdivision 1a, paragraph (a), clause (8); subdivision 10, clause (3); and subdivision 11, paragraph (a), clause (3).

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

Sec. 17. **AUTOMATED PROPERTY SYSTEM STANDARDS.**

(a) By July 1, 2014, the Minneapolis Police Department, in consultation with the scrap metal industry, law enforcement, prosecutors, and legislators, shall develop standards for implementation and use of the automated property system as provided under section 325E.21, subdivision 1c. By July 15, 2014, the department shall provide copies of the standards to all scrap metal dealers required to report using the automated property system.

(b) By January 15, 2014, the department shall submit proposed standards to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding.

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

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1217, A bill for an act relating to judiciary; establishing a sentence of life with release when certain juveniles commit a heinous crime; amending Minnesota Statutes 2012, sections 244.05, subdivisions 4, 5; 609.106, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Judiciary Finance and Policy without further recommendation.

The report was adopted.

Nelson from the Committee on Government Operations to which was referred:

H. F. No. 1219, A bill for an act relating to the Metropolitan Airports Commission; requiring certain commission meetings to be held outside of the airport security area; amending Minnesota Statutes 2012, section 473.604, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 9, delete everything before "must"

Page 1, line 11, delete everything after the period

Page 1, delete line 12

Amend the title as follows:

Page 1, line 2, delete "certain"

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

The report was adopted.

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

H. F. No. 1220, A bill for an act relating to education; modifying the Online Learning Advisory Council; amending Minnesota Statutes 2012, section 124D.095, subdivision 10.

Reported the same back with the following amendments:

Page 3, line 15, after "Online" insert "and Digital"

Amend the title as follows:

Page 1, line 2, after "Online" insert "and Digital"

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

The report was adopted.

Paymar from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 1226, A bill for an act relating to public safety; providing enhanced penalties for causing the death of or assaulting a prosecuting attorney; amending Minnesota Statutes 2012, sections 609.185; 609.221, subdivision 2; 609.2231, subdivision 3.

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

The report was adopted.

Murphy, M., from the Committee on State Government Finance and Veterans Affairs to which was referred:

H. F. No. 1241, A bill for an act relating to veterans; appropriating money to public safety for a grant for training community safety personnel about the use of de-escalation techniques for dealing with veterans returning from active military service in combat zones.

Reported the same back with the following amendments:

Page 1, line 9, after "training" insert "Minnesota"

Page 1, line 14, after "state" insert "of Minnesota"

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.

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

H. F. No. 1243, A bill for an act relating to commerce; modifying securities registration and franchise registration provisions; amending Minnesota Statutes 2012, sections 80A.41; 80A.54; 80A.58; 80A.61; 80A.66; 80C.08, by adding a subdivision.

Reported the same back with the following amendments:

Page 12, line 17, delete "and" and insert "or"

Page 12, delete line 18

Page 15, line 24, after the semicolon, insert "and"

Page 15, delete line 25

Page 15, line 26, delete "(iii)" and insert "(ii)"

Page 15, line 28, delete everything after the period

Page 15, delete line 29

Page 19, delete lines 5 to 7

With the recommendation that when so amended 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. 1255, A bill for an act relating to telecommunications; broadband; establishing the Office of Broadband Development in the Department of Employment and Economic Development and assigning it duties; requiring the Department of Transportation to post a database on its Web site; requiring reports; amending Minnesota Statutes 2012, section 237.012, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 161; 237.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 4, after line 18, insert:

"Sec. 3. **[237.85] OFFICE OF BROADBAND DEVELOPMENT.**

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

(b) "Broadband" or "broadband service" means any service providing advanced telecommunications capability and Internet access with transmission speeds that, at a minimum, meet the Federal Communications Commission definition for broadband.

(c) "Local unit of government" has the meaning given in section 116G.03, subdivision 3.

(d) "Office" means the Office of Broadband Development established in subdivision 2, paragraph (a).

Subd. 2. Office established; purpose. (a) An Office of Broadband Development is established within the Department of Commerce.

(b) The purpose of the office is to encourage, foster, develop, and improve broadband within the state in order to:

(1) drive job creation, promote innovation, and expand markets for Minnesota businesses;

(2) serve the ongoing and growing needs of Minnesota's education systems, health care system, public safety system, industries and businesses, governmental operations, and citizens; and

(3) improve accessibility for underserved communities and populations.

Subd. 3. Organization. The office shall consist of a director of the Office of Broadband Development, as well as any staff necessary to carry out the office's duties under subdivision 4.

Subd. 4. Duties. The office shall have the power and duty to:

(1) serve as the central broadband planning body for the state of Minnesota;

(2) coordinate with state, regional, local, and private entities to develop, to the maximum extent practicable, a uniform statewide broadband access and usage policy;

(3) develop, recommend, and implement a statewide plan to encourage cost-effective broadband access, and to make recommendations for increased usage, particularly in rural and other underserved areas;

(4) coordinate efforts, in consultation and cooperation with the commissioner of commerce, local units of government, and private entities, to meet the state's broadband goals in section 237.012;

(5) develop, coordinate, and implement the state's broadband infrastructure development program under section 237.90;

(6) provide consultation services to local units of government or other project sponsors in connection with the planning, acquisition, improvement, construction, or development of any broadband deployment project;

(7) encourage public-private partnerships to increase deployment and adoption of broadband services and applications, including recommending funding options and possible incentives to encourage investment in broadband expansion;

(8) monitor the broadband development efforts of other states and nations in areas such as business, education, public safety, and health;

(9) monitor broadband-related activities at the federal level, including regulatory and policy changes and the potential impact on broadband deployment and sustainability in the state;

(10) serve as an information clearinghouse for federal programs providing financial assistance to institutions located in rural areas seeking to obtain access to high speed broadband service, and use this information as an outreach tool to make institutions located in rural areas that are unserved or underserved with respect to broadband service aware of the existence of federal assistance;

(11) coordinate an ongoing collaborative effort of stakeholders to evaluate and address security, vulnerability, and redundancy issues important to ensure the reliability of broadband networks;

(12) provide an annual report, as required by subdivision 5; and

(13) perform any other activities consistent with the office's purpose.

Subd. 5. **Reporting.** (a) Beginning on January 15, 2014, and each year thereafter, the Office of Broadband Development shall report to the legislative committees having jurisdiction over telecommunications policy and finance on the office's activities during the previous year.

(b) The report shall contain, at a minimum:

(1) an analysis of the current availability and use of broadband, including average broadband speeds, within the state;

(2) information gathered from schools, libraries, hospitals, and public safety facilities across the state, determining the actual speed and capacity of broadband currently in use and the need, if any, for increases in speed and capacity to meet basic needs;

(3) an analysis of incumbent broadband infrastructure within the state and its ability to spur economic development;

(4) an analysis of the degree to which new, additional, or improved broadband infrastructure would spur economic development in the state;

(5) a summary of the office's activities in coordinating broadband infrastructure development under section 237.90;

(6) any proposed legislative and policy initiatives; and

(7) any other information requested by the legislative committees having jurisdiction over telecommunications policy and finance, or that the office deems necessary.

(c) The report may be submitted electronically and is subject to section 3.195, subdivision 1."

Page 4, line 23, delete "116J.441" and insert "237.85"

Page 4, line 30, delete "116J.441, subdivision 2, paragraph (a)" and insert "237.85"

Page 5, line 18, delete "116J.441" and insert "237.85"

Page 6, after line 15, insert:

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

Sections 1 to 5 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "Employment and Economic Development" and insert "Commerce"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1259, A bill for an act relating to human services; modifying background study requirements for individuals with juvenile court records; modifying the commissioner's authority to grant a variance; amending Minnesota Statutes 2012, sections 13.46, subdivision 4; 245C.04, by adding a subdivision; 245C.17, subdivisions 2, 3; 245C.22, subdivision 5; 245C.24, subdivision 2.

Reported the same back with the following amendments:

Page 10, lines 12 to 14, reinstate the stricken language

Page 10, line 16, reinstate the stricken language and delete the new language

Page 10, delete section 6

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.

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

H. F. No. 1300, A bill for an act relating to environment; directing the Pollution Control Agency to modify a rule on fugitive emissions.

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

The report was adopted.

Hortman from the Committee on Energy Policy to which was referred:

H. F. No. 1301, A bill for an act relating to energy; providing for state energy conservation policies; amending Minnesota Statutes 2012, sections 216B.2401; 216C.05.

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

The report was adopted.

Nelson from the Committee on Government Operations to which was referred:

H. F. No. 1320, A bill for an act relating to mines; making technical, clarifying, and other policy changes to mine inspector provisions; amending Minnesota Statutes 2012, sections 180.01; 180.02; 180.03; 180.04; 180.05; 180.08; 180.10; 180.11; 180.12; 180.13; proposing coding for new law in Minnesota Statutes, chapter 180; repealing Minnesota Statutes 2012, sections 180.06; 180.09.

Reported the same back with the following amendments:

Page 2, line 1, after the period, insert "During periods of transition of up to 12 months, or"

Page 2, line 2, after "operation" insert a comma

Page 3, line 12, strike "SALARY," and strike ", BOND"

Page 3, line 15, after "had" insert "at least two years of"

Page 3, line 26, delete "or" and insert "and"

Page 4, line 8, strike everything after "cause"

Page 4, line 9, strike the old language and delete the new language

Page 4, line 12, reinstate the stricken period

Page 5, line 27, delete "429.011" and insert "429.101"

Page 6, line 12, strike "QUIT" and insert "CEASE"

Page 8, line 17, reinstate the stricken language

Page 8, line 18, reinstate the stricken "names of the officers,"

Page 8, line 19, after "accidents" insert "and description of accidents"

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

The report was adopted.

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

H. F. No. 1338, A bill for an act relating to child protection; requiring parent notification of incidents that may involve child maltreatment in a school facility; amending Minnesota Statutes 2012, sections 13.43, subdivision 14; 626.556, subdivision 7.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence and correct 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.

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

H. F. No. 1358, A bill for an act relating to environment; modifying and creating permitting efficiencies; modifying duties of Pollution Control Agency; requiring rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 84.027, subdivision 14a, by adding a subdivision; 115.03, subdivision 1; 116.03, subdivision 2b; 116.07, subdivision 4d; 116J.035, subdivision 8.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

A roll call was requested and properly seconded on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1358.

The question was taken on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1358 and the roll was called. There were 71 yeas and 57 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The report from the Committee on Rules and Legislative Administration relating to H. F. No. 1358 was adopted.

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

H. F. No. 1359, A bill for an act relating to workers' compensation; making various policy and housekeeping changes; amending Minnesota Statutes 2012, sections 176.102, subdivision 3a; 176.106, subdivision 1; 176.129, subdivision 13; 176.138; 176.183, subdivision 4; 176.245; 176.521.

Reported the same back with the recommendation that 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 Rules and Legislative Administration relating to H. F. No. 1359.

The question was taken on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1359 and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Anderson, S.	Cornish	Dettmer	Franson	Gunther
Albright	Barrett	Daudt	Drazkowski	Garofalo	Hackbarth
Anderson, M.	Bear	Davids	Fabian	Green	Hamilton
Anderson, P.	Benson, M.	Dean, M.	FitzSimmons	Gruenhagen	Hertaus

Holberg	Kiel	McDonald	O'Neill	Schomacker	Wills
Hoppe	Kresha	McNamara	Petersburg	Scott	Zellers
Howe	Leidiger	Myhra	Pugh	Swedzinski	Zerwas
Johnson, B.	Lohmer	Newberger	Quam	Theis	
Kelly	Loon	Nornes	Runbeck	Uglen	
Kieffer	Mack	O'Driscoll	Sanders	Urdahl	

The report from the Committee on Rules and Legislative Administration relating to H. F. No. 1359 was adopted.

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

H. F. No. 1377, A bill for an act relating to real estate; requiring loss mitigation by mortgage lenders and servicers; amending Minnesota Statutes 2012, sections 580.02; 580.041, subdivisions 1b, 1c, 2a.

Reported the same back with the following amendments:

Page 2, delete section 3

Page 4, line 13, delete "to 3" and insert "and 2"

Page 4, line 14, delete "4" and insert "3"

Renumber the sections in sequence

Correct the title numbers accordingly

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.

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

H. F. No. 1378, A bill for an act relating to workers' compensation; modifying Workers' Compensation Court of Appeals personnel provisions; amending Minnesota Statutes 2012, section 175A.07, subdivision 2.

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

The report was adopted.

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

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.

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

A roll call was requested and properly seconded on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1389.

The question was taken on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1389 and the roll was called. There were 70 yeas and 57 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The report from the Committee on Rules and Legislative Administration relating to H. F. No. 1389 was adopted.

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

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.

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

A roll call was requested and properly seconded on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1390.

The question was taken on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1390 and the roll was called. There were 72 yeas and 58 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The report from the Committee on Rules and Legislative Administration relating to H. F. No. 1390 was adopted.

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

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.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Policy.

A roll call was requested and properly seconded on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1448.

The question was taken on the adoption of the report from the Committee on Rules and Legislative Administration relating to H. F. No. 1448 and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Allen	Benson, J.	Brynaert	Davnie	Dorholt	Falk
Anzelc	Bernardy	Carlson	Dehn, R.	Erhardt	Fischer
Atkins	Bly	Clark	Dill	Erickson, R.	Freiberg

Fritz	Johnson, C.	Loeffler	Morgan	Persell	Simon
Halverson	Johnson, S.	Mahoney	Mullery	Poppe	Simonson
Hansen	Kahn	Mariani	Murphy, E.	Radinovich	Sundin
Hausman	Laine	Marquart	Murphy, M.	Rosenthal	Wagenius
Hilstrom	Lenczewski	Masin	Nelson	Sanders	Ward, J.A.
Hornstein	Lesch	McNamar	Newton	Savick	Ward, J.E.
Hortman	Liebling	Melin	Norton	Sawatzky	Winkler
Huntley	Lien	Metsa	Paymar	Schoen	Yarusso
Isaacson	Lillie	Moran	Pelowski	Selcer	Spk. Thissen

Those who voted in the negative were:

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

The report from the Committee on Rules and Legislative Administration relating to H. F. No. 1448 was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 92, 228, 446, 501, 589, 591, 621, 623, 644, 669, 688, 704, 760, 782, 814, 820, 838, 854, 865, 879, 969, 997, 1000, 1001, 1006, 1028, 1067, 1079, 1124, 1147, 1243 and 1301 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dorholt, Erhardt and Beard introduced:

H. F. No. 1480, A bill for an act relating to transportation; establishing annual permits for overweight vehicles; amending Minnesota Statutes 2012, section 169.865.

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

Metsa introduced:

H. F. No. 1481, A bill for an act relating to capital investment; appropriating money for watermain improvements in Eveleth; authorizing the sale and issuance of state bonds.

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

Hansen; Ward, J.E.; Mahoney and Ward, J.A., introduced:

H. F. No. 1482, A bill for an act relating to workforce development; appropriating money for Conservation Corps Minnesota.

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

Metsa, Anzelc, Dill, Fabian and Anderson, M., introduced:

H. F. No. 1483, A bill for an act relating to taxation; sales and use; exempting purchases of certain building materials and supplies; amending Minnesota Statutes 2012, section 297A.71, by adding a subdivision.

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

Sanders, Newton, Hortman, Lillie and Abeler introduced:

H. F. No. 1484, A bill for an act relating to capital investment; appropriating money for expansion of the National Sports Center in Blaine; authorizing the sale and issuance of state bonds.

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

Erickson, R., introduced:

H. F. No. 1485, A bill for an act relating to state lands; clarifying the use of certain payments to counties for consolidated conservation lands; amending Minnesota Statutes 2012, section 84A.51, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Sundin introduced:

H. F. No. 1486, A bill for an act relating to taxation; providing for additional members of the Cloquet Area Fire and Ambulance Special Taxing District; providing for the ambulance services tax levy; amending Laws 2009, chapter 88, article 2, section 46, subdivisions 1, 3.

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

Metsa, Lesch and Zellers introduced:

H. F. No. 1487, A bill for an act relating to tobacco taxes; updating the definition of tobacco products and adding a definition for moist snuff; increasing the fee imposed on the sale of nonsettlement cigarettes; amending Minnesota Statutes 2012, sections 297F.01, subdivision 19, by adding subdivisions; 297F.05, subdivisions 3, 4; 297F.09, subdivisions 2, 3; 297F.24, subdivision 1.

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

Abeler; Ward, J.A., and Lesch introduced:

H. F. No. 1488, A bill for an act relating to human services; modifying background study provisions; requiring the use of NETStudy for background studies; modifying fair hearing provisions; amending Minnesota Statutes 2012, sections 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; 256.045, subdivision 3b.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Torkelson, Swedzinski, Newton and Schomacker introduced:

H. F. No. 1489, A bill for an act relating to human services; requiring a pay increase for employees of community-based services facilities serving individuals with developmental disabilities.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Simonson, Melin and Huntley introduced:

H. F. No. 1490, A bill for an act relating to public safety; appropriating funds to the community offender reentry program.

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

Isaacson, Selcer and Garofalo introduced:

H. F. No. 1491, A bill for an act relating to education finance; authorizing intermediate school districts to sell and issue facility bonds under certain circumstances; amending Minnesota Statutes 2012, sections 136D.281; 136D.741; 136D.88.

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

Nornes and Davids introduced:

H. F. No. 1492, A bill for an act relating to taxation; property; authorizing municipalities to grant property tax exemptions for certain new and expanding business property; amending Minnesota Statutes 2012, section 272.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Lenczewski introduced:

H. F. No. 1493, A bill for an act relating to taxes; individual income, corporate franchise, occupation; requiring additions; modifying subtractions, preferences, rates, and credits; modifying calculation of incentive payments; allowing a charitable contributions credit; providing clarifying authority for political subdivision imposing and collecting local lodging taxes; making conforming changes; repealing certain deductions and credits; amending Minnesota Statutes 2012, sections 289A.08, subdivision 3; 290.01, subdivisions 5, 19a, 19b, 19c, 19d; 290.06,

subdivision 2c, by adding a subdivision; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.068, subdivisions 3, 6a; 290.0802, subdivisions 1, 2; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 1; 290.095, subdivision 2; 290.17, subdivision 4; 290.191, subdivision 5; 290.21, subdivision 4; 290C.02, subdivision 6; 290C.05; 290C.07; 298.01, subdivisions 3, 4; 469.190, by adding a subdivision; repealing Minnesota Statutes 2012, sections 290.01, subdivision 6b; 290.06, subdivisions 22a, 27, 28; 290.0672; 290.0674; 290.0679; 290.0921, subdivision 7.

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

Savick and Poppe introduced:

H. F. No. 1494, A bill for an act relating to capital investment; appropriating money for the Riverland Community College, Albert Lea campus; authorizing the sale and issuance of state bonds.

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

Anderson, M.; Scott; Howe and Kresha introduced:

H. F. No. 1495, A bill for an act relating to civil actions; regulating interest on verdicts, awards, and judgments; amending Minnesota Statutes 2012, section 549.09, subdivision 1.

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

Clark, Wagenius and Allen introduced:

H. F. No. 1496, A bill for an act relating to historic preservation; recognizing the Coldwater Springs area as a property eligible for traditional cultural property designation.

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

Simon introduced:

H. F. No. 1497, A bill for an act relating to elections; modifying provisions related to election law including provisions related to redistricting, absentee voting, registration, ballots, election day activities, municipal elections, school district elections, voting, campaigns, and hospital district elections; amending Minnesota Statutes 2012, sections 103C.305, subdivision 3; 201.071, subdivision 2; 203B.08, subdivision 3; 203B.081; 204B.22, subdivision 1; 204C.14; 204D.11, subdivision 4; 205.10, subdivision 3; 205A.08, subdivision 1; 206.895; 208.04, subdivision 1; 211B.045; 447.32, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 2.

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

Simon introduced:

H. F. No. 1498, A bill for an act relating to elections; making various changes to election law provisions including provisions related to voter registration, absentee ballots, election day activities, state general election ballots, municipal elections, school district elections, voting, campaigns, hospital district elections, and redistricting;

amending Minnesota Statutes 2012, sections 103C.305, subdivision 3; 201.071, subdivision 2; 203B.081; 203B.227; 204B.04, by adding a subdivision; 204B.18, subdivision 2; 204B.32, subdivision 1; 204B.36, subdivision 1; 204C.14; 204C.19, subdivision 2; 204C.25; 204C.27; 204D.08, subdivision 6; 204D.11, subdivisions 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions 1, 3; 204D.15, subdivision 3; 205.13, subdivision 1a; 205.17, subdivisions 1, 3; 205A.05, subdivision 2; 205A.08, subdivision 1; 206.61, subdivision 4; 206.895; 208.04, subdivision 2; 211B.045; 447.32, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 2012, sections 204B.42; 204D.11, subdivisions 2, 3; 205.17, subdivisions 2, 4; 205A.08, subdivision 4.

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

Moran and Allen introduced:

H. F. No. 1499, A bill for an act relating to health; creating culturally targeted tobacco prevention grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Isaacson introduced:

H. F. No. 1500, A bill for an act relating to higher education; creating a pilot program at Minnesota State Colleges and Universities to provide some students with intensive mentoring, counseling, and financial advice; appropriating money.

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

Murphy, M.; Hausman; Gunther; Erickson, S., and Marquart introduced:

H. F. No. 1501, A bill for an act relating to capital investment; appropriating money for the library accessibility and improvement grant program; authorizing the sale and issuance of state bonds.

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

Mullery introduced:

H. F. No. 1502, A bill for an act relating to transportation; requiring a waiver request concerning the federal Disadvantaged Business Enterprise program.

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

Loon introduced:

H. F. No. 1503, A bill for an act relating to commerce; regulating data protection for victims of violence; providing for protection of persons who operate a business out of the person's home; amending Minnesota Statutes 2012, section 5B.03, subdivision 1.

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

Green introduced:

H. F. No. 1504, A bill for an act relating to the Minnesota Legislature; establishing continuing education requirements for members; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Hackbarth and Dill introduced:

H. F. No. 1505, A bill for an act relating to public safety; regulating the manufacture, sale, and use of fireworks; amending Minnesota Statutes 2012, section 624.20, subdivision 1.

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

Erickson, S., and Woodard introduced:

H. F. No. 1506, A bill for an act relating to education; providing for improved career and college readiness; aligning high school graduation exams with college readiness; appropriating money; amending Minnesota Statutes 2012, sections 120B.30, subdivisions 1, 1a, by adding a subdivision; 120B.35, subdivision 3; 124D.09, subdivision 13; 124D.091, by adding a subdivision.

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

Runbeck, Drazkowski, Davids and Erhardt introduced:

H. F. No. 1507, A bill for an act relating to taxes; individual income; providing an exclusion for long-term capital gains; amending Minnesota Statutes 2012, sections 290.01, subdivision 19b; 290.091, subdivision 2.

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

Dehn, R., and Davnie introduced:

H. F. No. 1508, A bill for an act relating to the city of Minneapolis; providing property tax exemption for a public entertainment facility.

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

Anderson, P., introduced:

H. F. No. 1509, A bill for an act relating to transportation; capital investment; appropriating money for a trunk highway interchange; authorizing the sale and issuance of state bonds.

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

Nelson introduced:

H. F. No. 1510, A bill for an act relating to Hennepin County; updating and making technical corrections to county contract provisions; amending Minnesota Statutes 2012, sections 383B.158, subdivisions 1, 5; 383B.1581, subdivisions 2, 3; 383B.1582; 383B.1584; repealing Minnesota Statutes 2012, section 383B.1585.

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

Clark, Norton and Loeffler introduced:

H. F. No. 1511, A bill for an act relating to health; directing medical education and research cost funding; establishing a grant program for foreign-trained health care professionals; appropriating money; amending Minnesota Statutes 2012, section 62J.692, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Urdahl, Swedzinski and Wills introduced:

H. F. No. 1512, A bill for an act relating to public safety; traffic regulations; establishing speed limit on marked Interstate Highway 35E in St. Paul at 50 miles per hour; amending Minnesota Statutes 2012, section 169.14, by adding a subdivision.

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

Hilstrom introduced:

H. F. No. 1513, A bill for an act relating to public safety; clarifying the application of the criminal and traffic surcharge to offenders who enter diversion programs; amending Minnesota Statutes 2012, section 357.021, subdivision 6.

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

Mullery introduced:

H. F. No. 1514, A bill for an act relating to health; requiring continuing medical education credits; proposing coding for new law in Minnesota Statutes, chapter 147.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Masin, Nelson, Abeler, Mahoney and Hornstein introduced:

H. F. No. 1515, A bill for an act relating to transportation; amending regulation of motor carriers of railroad employees; amending Minnesota Statutes 2012, sections 169.781, subdivision 2; 221.0255.

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

Masin, Beard, Hornstein and Morgan introduced:

H. F. No. 1516, A bill for an act relating to transportation; appropriating money for eWorkPlace telework program.

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

Newton introduced:

H. F. No. 1517, A bill for an act relating to capital investment; appropriating money for safety and infrastructure improvements in the BNSF Northtown Yard to increase the speed of Northstar Commuter Rail travel through the yard; authorizing the sale and issuance of state bonds.

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

Howe introduced:

H. F. No. 1518, A bill for an act relating to capital improvements; appropriating money for a community center in St. Joseph; authorizing the sale and issuance of state bonds.

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

Howe introduced:

H. F. No. 1519, A bill for an act relating to capital improvements; appropriating money for Rocori Trail construction; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Howe introduced:

H. F. No. 1520, A bill for an act relating to transportation; modifying provisions relating to permits and to escort drivers for overdimensional loads; amending Minnesota Statutes 2012, section 169.86, subdivision 3b.

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

Schomacker, by request; Swedzinski; Hamilton and Torkelson introduced:

H. F. No. 1521, A bill for an act relating to capital investment; appropriating money for The Casey Jones Trail; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Schomacker introduced:

H. F. No. 1522, A bill for an act relating to education; exempting Hendricks school district from the general reciprocity agreement.

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

Moran introduced:

H. F. No. 1523, A bill for an act relating to workforce development; appropriating money for grants to Lifetrack Resources.

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

Garofalo, Drazkowski and Anderson, M., introduced:

H. F. No. 1524, A bill for an act relating to state government; reducing the number of members of the legislature; amending Minnesota Statutes 2012, sections 2.021; 2.031, subdivision 1.

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

Radinovich introduced:

H. F. No. 1525, A bill for an act relating to taxation; property; repealing the Iron Range fiscal disparities program; correcting cross-references; amending Minnesota Statutes 2012, sections 134.34, subdivision 4; 270C.89, subdivision 2; 275.011, subdivision 1; 275.025, subdivisions 1, 2; 275.065, subdivision 3; 278.14, subdivision 1; 428A.05; 465.82, subdivision 2; 469.175, subdivision 6; 469.177, subdivision 3; 469.1813, subdivision 2; 477A.011, subdivisions 20, 27, 32, 35; repealing Minnesota Statutes 2012, sections 276A.01; 276A.02; 276A.03; 276A.04; 276A.05; 276A.06; 276A.07; 276A.08; 276A.09.

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

Loeffler, Hornstein, Kahn and Erhardt introduced:

H. F. No. 1526, A bill for an act relating to transportation; requiring notice and coordination for certain transportation improvements and major projects; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Bernardy; Urdahl; Morgan; Benson, J.; Woodard; McDonald and Rosenthal introduced:

H. F. No. 1527, A bill for an act relating to the permanent school fund; requiring the costs of the school trust lands director to be paid from the minerals management account; appropriating money; amending Laws 2012, chapter 249, section 11.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Erhardt introduced:

H. F. No. 1528, A bill for an act relating to local government; authorizing local government units to define "dependent" for purposes of group benefits; amending Minnesota Statutes 2012, section 471.61, subdivisions 1, 1a, 2a.

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

Abeler introduced:

H. F. No. 1529, A bill for an act relating to health; regulating laser treatments; requiring transparency in health care advertising; amending Minnesota Statutes 2012, section 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 144; 147.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Erickson, S., introduced:

H. F. No. 1530, A bill for an act relating to clean water; appropriating money for replacement of Malone Bridge.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Erickson, R., and Dill introduced:

H. F. No. 1531, A bill for an act relating to natural resources; providing exception to certain minnow testing requirements; establishing a minnow special harvesting permit; amending Minnesota Statutes 2012, section 84D.03, subdivision 3, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Green introduced:

H. F. No. 1532, A bill for an act relating to natural resources; providing an exception to public waters work permit requirements for certain road projects; amending Minnesota Statutes 2012, section 103G.245, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Beard introduced:

H. F. No. 1533, A bill for an act relating to energy; requiring that cost of service be the primary factor used to determine revenue allocation between customer classes; amending Minnesota Statutes 2012, section 216B.16, by adding a subdivision.

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

Lesch and Paymar introduced:

H. F. No. 1534, A bill for an act relating to capital investment; appropriating money for a multipurpose regional training and public safety facility in St. Paul; authorizing the sale and issuance of state bonds.

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

Allen; Davnie; Zerwas; Dehn, R.; Hornstein; Lesch; Mariani and Clark introduced:

H. F. No. 1535, A bill for an act relating to cultural heritage; appropriating money for civics education.

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

Green introduced:

H. F. No. 1536, A bill for an act relating to legacy funding; eligibility for future funding; amending Minnesota Statutes 2012, sections 85.53, subdivision 2; 97A.056, subdivision 11; 114D.50, subdivision 4; 129D.17, subdivision 2.

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

Abeler, Hausman and Clark introduced:

H. F. No. 1537, A bill for an act relating to human services; appropriating money for the Aliveness Project.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Hornstein; Loeffler; Dehn, R., and Morgan introduced:

H. F. No. 1538, A bill for an act relating to transportation; making a conditional appropriation for school transit passes.

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

Clark introduced:

H. F. No. 1539, A bill for an act relating to housing; appropriating money for a grant to Open Access Connection to provide free voice mail services.

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

McDonald; Barrett; Woodard; Quam; Zerwas; Dean, M.; O'Driscoll; Urdahl; Hertaus; Runbeck; Leidiger; Benson, M.; Myhra; Hamilton and Gruenhagen introduced:

H. F. No. 1540, A bill for an act relating to taxation; sales and use; repealing the rental motor vehicle tax; amending Minnesota Statutes 2012, section 297A.64, subdivisions 2, 3, 4; repealing Minnesota Statutes 2012, section 297A.64, subdivision 1.

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

Hamilton introduced:

H. F. No. 1541, A bill for an act relating to higher education; establishing MnSCU reserves project; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 136F.

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

Moran; Dehn, R.; Allen and Abeler introduced:

H. F. No. 1542, A bill for an act relating to health; appropriating money for federally qualified health centers.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Dehn, R.; Moran and Murphy, M., introduced:

H. F. No. 1543, A bill for an act relating to economic development; creating a full employment initiative in targeted labor surplus areas; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Dehn, R.; Kahn and Loeffler introduced:

H. F. No. 1544, A bill for an act relating to arts and cultural heritage; appropriating money to the Minneapolis Television Network.

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

Dill introduced:

H. F. No. 1545, A bill for an act relating to game and fish; modifying disability level for veterans receiving licenses without a fee; amending Minnesota Statutes 2012, section 97A.441, subdivisions 5, 6, 6a.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Lillie, Hausman, Rosenthal, Freiberg, Carlson, Winkler and Mahoney introduced:

H. F. No. 1546, A bill for an act relating to capital improvements; appropriating money to the Metropolitan Council for regional park and open-space land acquisition and improvements; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Metsa introduced:

H. F. No. 1547, A bill for an act relating to transportation; creating Bridge Coatings Standards Advisory Group.

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

Green introduced:

H. F. No. 1548, A bill for an act relating to transportation; traffic regulations; creating a new special vehicle permit; amending Minnesota Statutes 2012, section 169.86, subdivision 5, by adding a subdivision.

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

Melin and Metsa introduced:

H. F. No. 1549, A bill for an act relating to public safety; allowing participants in original ignition interlock device program to drive employer-owned vehicles not equipped with ignition interlock devices in certain instances.

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

Abeler and Norton introduced:

H. F. No. 1550, A bill for an act relating to health; requiring the commissioner of health to conduct research on the incidence of autism in the Somali population; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Holberg introduced:

H. F. No. 1551, A bill for an act relating to public safety; limiting the authority of local units of government to enact new criminal ordinances; providing for a delayed reduction in the criminal penalties applicable to existing local ordinance violations; amending Minnesota Statutes 2012, sections 366.01, subdivision 10; 375.53; 412.231; proposing coding for new law in Minnesota Statutes, chapters 410; 609; repealing Minnesota Statutes 2012, section 609.034.

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

Zerwas and Hoppe introduced:

H. F. No. 1552, A bill for an act relating to insurance; regulating service cooperative refunds; requiring local government employees to approve participation in or withdrawal from the public employees insurance program; amending Minnesota Statutes 2012, sections 43A.316, subdivision 5; 123A.21, by adding a subdivision; 471.611, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Persell; Erickson, R., and Urdahl introduced:

H. F. No. 1553, A bill for an act relating to state government; requiring executive agencies to take certain actions to guide interactions with sovereign tribal nations in Minnesota; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Hornstein, Hausman, Kahn, Carlson, Clark, Davnie and Erhardt introduced:

H. F. No. 1554, A bill for an act relating to capital improvements; appropriating money to preserve and renovate a facility that provides educational and cultural experiences to students, tourists, and Minnesota residents in the city of Minneapolis; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Johnson, C., introduced:

H. F. No. 1555, A bill for an act relating to capital investment; appropriating money for phase one of the renovation of the Minnesota Security Hospital in St. Peter; 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.

Hilstrom introduced:

H. F. No. 1556, A bill for an act relating to civil commitment; limiting the time period that a person may be held in jail or state correctional facility pending or after civil commitment; amending Minnesota Statutes 2012, section 253B.045, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 2012, section 253B.045, subdivision 1a.

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

Hilstrom introduced:

H. F. No. 1557, A bill for an act relating to civil commitment; requiring simultaneous competency, mental illness or defect, and civil commitment examinations for defendants; facilitating civil commitment hearings for defendants; amending Minnesota Statutes 2012, section 253B.07, subdivision 2a.

The bill was read for the first time and referred to the Committee on Judiciary Finance and 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 File, herewith returned:

H. F. No. 582, A bill for an act relating to health; requiring accreditation of advanced diagnostic imaging services operating in the state; amending Minnesota Statutes 2012, section 144.1225, subdivision 2.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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.

The Senate has appointed as such committee:

Senators Lourey, Sheran, Hayden, Goodwin and Metzen.

Said House File is herewith returned to the House.

JOANNE M. ZOFF, Secretary of the Senate

MOTIONS AND RESOLUTIONS

Dauids moved that his name be stricken as an author on H. F. No. 5. The motion prevailed.

Persell moved that the name of Erickson, R., be added as an author on H. F. No. 149. The motion prevailed.

Liebling moved that the name of Allen be added as an author on H. F. No. 227. The motion prevailed.

Mack moved that the name of Fischer be added as an author on H. F. No. 404. The motion prevailed.

Norton moved that the name of Pelowski be added as an author on H. F. No. 408. The motion prevailed.

Liebling moved that the name of Allen be added as an author on H. F. No. 447. The motion prevailed.

Fritz moved that the name of Fischer be added as an author on H. F. No. 558. The motion prevailed.

Poppe moved that the name of Johnson, C., be added as an author on H. F. No. 595. The motion prevailed.

Abeler moved that the name of Fischer be added as an author on H. F. No. 619. The motion prevailed.

Marquart moved that the name of Nornes be added as an author on H. F. No. 622. The motion prevailed.

Atkins moved that the name of Dehn, R., be added as an author on H. F. No. 644. The motion prevailed.

Liebling moved that the name of Allen be added as an author on H. F. No. 689. The motion prevailed.

Bly moved that the name of Fritz be added as an author on H. F. No. 714. The motion prevailed.

Davnie moved that the name of McNamar be added as an author on H. F. No. 771. The motion prevailed.

Metsa moved that the name of Ward, J.E., be added as an author on H. F. No. 772. The motion prevailed.

Radinovich moved that his name be stricken as an author on H. F. No. 773. The motion prevailed.

Newton moved that the name of Fischer be added as an author on H. F. No. 777. The motion prevailed.

Simon moved that the name of Freiberg be added as an author on H. F. No. 799. The motion prevailed.

Woodard moved that the name of FitzSimmons be added as an author on H. F. No. 803. The motion prevailed.

Davnie moved that the name of Bernardy be added as an author on H. F. No. 826. The motion prevailed.

Hortman moved that the name of Allen be added as an author on H. F. No. 848. The motion prevailed.

Hornstein moved that the name of Allen be added as an author on H. F. No. 880. The motion prevailed.

Liebling moved that the names of Allen and Masin be added as authors on H. F. No. 946. The motion prevailed.

Johnson, S., moved that the name of Radinovich be added as an author on H. F. No. 985. The motion prevailed.

Davids moved that his name be stricken as an author on H. F. No. 1027. The motion prevailed.

Mahoney moved that the name of Uglem be added as an author on H. F. No. 1045. The motion prevailed.

Norton moved that the name of Fischer be added as an author on H. F. No. 1053. The motion prevailed.

Winkler moved that the name of Selcer be added as an author on H. F. No. 1058. The motion prevailed.

McNamar moved that his name be stricken as an author on H. F. No. 1081. The motion prevailed.

Allen moved that the names of O'Neill and Bly be added as authors on H. F. No. 1081. The motion prevailed.

McNamar moved that his name be stricken as an author on H. F. No. 1082. The motion prevailed.

Allen moved that the names of O'Neill and Bly be added as authors on H. F. No. 1082. The motion prevailed.

Simon moved that the name of Fischer be added as an author on H. F. No. 1083. The motion prevailed.

Loeffler moved that the name of Paymar be added as an author on H. F. No. 1125. The motion prevailed.

Anderson, S., moved that the name of Benson, J., be added as an author on H. F. No. 1205. The motion prevailed.

Dettmer moved that the name of O'Driscoll be added as an author on H. F. No. 1241. The motion prevailed.

Fritz moved that the name of Fischer be added as an author on H. F. No. 1248. The motion prevailed.

Beard moved that his name be stricken as an author on H. F. No. 1280. The motion prevailed.

Ward, J.E., moved that the name of FitzSimmons be added as an author on H. F. No. 1304. The motion prevailed.

Isaacson moved that the names of Gunther, Franson, Dorholt, Fischer, Davnie and Sawatzky be added as authors on H. F. No. 1391. The motion prevailed.

Falk moved that the name of Draskowski be added as an author on H. F. No. 1425. The motion prevailed.

Barrett moved that the name of Dettmer be added as an author on H. F. No. 1427. The motion prevailed.

Newton moved that the name of Uglem be added as an author on H. F. No. 1438. The motion prevailed.

Newton moved that the name of Uglem be added as an author on H. F. No. 1439. The motion prevailed.

Hornstein moved that the name of Paymar be added as an author on H. F. No. 1440. The motion prevailed.

Radinovich moved that the name of Hansen be added as an author on H. F. No. 1446. The motion prevailed.

Clark moved that the name of Lillie be added as an author on H. F. No. 1452. The motion prevailed.

Fritz moved that the names of Dean, M., and Zerwas be added as authors on H. F. No. 1462. The motion prevailed.

Clark moved that the name of Abeler be added as an author on H. F. No. 1473. The motion prevailed.

Mariani moved that H. F. No. 640 be recalled from the Committee on Education Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

Laine moved that H. F. No. 662 be recalled from the Committee on Judiciary Finance and Policy and be re-referred to the Committee on Civil Law. The motion prevailed.

Winkler moved that H. F. No. 863, now on the General Register, be re-referred to the Committee on Judiciary Finance and Policy. The motion prevailed.

Sundin moved that H. F. No. 865, now on the General Register, be re-referred to the Committee on Civil Law. The motion prevailed.

Davnie moved that H. F. No. 924 be recalled from the Committee on Education Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

Abeler moved that H. F. No. 1063 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Winkler moved that H. F. No. 1435 be recalled from the Committee on Education Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

Ward, J.A., moved that H. F. No. 1087 be returned to its author. The motion prevailed.

Davids moved that H. F. No. 1229 be returned to its author. The motion prevailed.

Pursuant to rule 4.30, Myhra moved that H. F. No. 604 be recalled from the Committee on Education Policy, be given its second reading and be placed on the General Register. The motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. No. 604 was read for the second time.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 14, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, March 14, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives