

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2014

SEVENTY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 19, 2014

The House of Representatives convened at 12:00 noon and was called to order by Paul Thissen, Speaker of the House.

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

A quorum was present.

Anderson, M.; Hackbarth and Mack were excused.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Huntley from the Committee on Health and Human Services Finance 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 be placed on the General Register.

The report was adopted.

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

H. F. No. 1585, A bill for an act relating to crime; extending the felony of fraudulent or other improper financing statements to include retaliation against a police officer or chief of police for performing official duties; amending Minnesota Statutes 2012, section 609.7475, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 15, strike "judicial" and insert "public" and before the semicolon, insert ", because of that person's performance of official duties"

Page 1, line 17, after the semicolon, insert "or"

Page 1, strike lines 18 to 19

Page 1, delete lines 20 to 21

Page 1, line 22, delete the new language and strike the old language

Page 1, line 23, strike the old language

Page 1, after line 23, insert:

"(iii) an official or employee of the Department of Corrections or a local correctional agency because of that person's performance of official duties; or"

Page 2, line 1, delete "2013" and insert "2014"

Amend the title as follows:

Page 1, line 3, after the second "police" insert "or correctional officer or employee"

With the recommendation that when so amended the bill 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. 1713, A bill for an act relating to capital improvements; appropriating money for a fire station and training facility in Red Wing; authorizing the sale and issuance of state bonds.

Reported the same back with the recommendation that the bill 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. 1845, A bill for an act relating to crime; enacting the Uniform Collateral Consequences of Conviction Act proposed for adoption by the National Conference of Commissioners on Uniform State Laws; conforming other law regarding collateral consequences and the rehabilitation of criminal offenders with the uniform act; amending Minnesota Statutes 2012, section 364.07; proposing coding for new law in Minnesota Statutes, chapter 638; repealing Minnesota Statutes 2012, sections 609B.050; 609B.100; 609B.101; 609B.102; 609B.103; 609B.104; 609B.105; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111; 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125; 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134; 609B.135; 609B.136; 609B.137; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144; 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152; 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.161; 609B.162; 609B.164; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173; 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183; 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193; 609B.194; 609B.195; 609B.200; 609B.201; 609B.202; 609B.203; 609B.205; 609B.206; 609B.216; 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263; 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311; 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340; 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410; 609B.415; 609B.425; 609B.430; 609B.435; 609B.445; 609B.450; 609B.455; 609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515; 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600; 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710; 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; 609B.725.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
UNIFORM COLLATERAL CONSEQUENCES OF CONVICTION ACT

Section 1. **[638.10] SHORT TITLE.**

Sections 638.10 to 638.26 may be cited as the "Uniform Collateral Consequences of Conviction Act."

Sec. 2. **[638.11] DEFINITIONS.**

(a) For the purposes of sections 638.10 to 638.26, the terms defined in this section have the meanings given them.

(b) "Collateral consequence" means a collateral sanction or a disqualification.

(c) "Collateral sanction" means a penalty, disability, or disadvantage, however denominated, imposed on an individual as a result of the individual's conviction of an offense which applies by operation of law whether or not the penalty, disability, or disadvantage is included in the judgment or sentence. The term does not include imprisonment, probation, parole, supervised release, forfeiture, restitution, fine, assessment, or costs of prosecution.

(d) "Conviction" or "Convicted" includes a child adjudicated delinquent.

(e) "Decision maker" means the state acting through a department, agency, officer, or instrumentality, including a political subdivision, educational institution, board, or commission, or its employees, or a government contractor, including a subcontractor, made subject to sections 638.10 to 638.26 by contract, other law, or ordinance.

(f) "Disqualification" means a penalty, disability, or disadvantage, however denominated, that an administrative agency, governmental official, or court in a civil proceeding is authorized, but not required, to impose on an individual on grounds relating to the individual's conviction of an offense.

(g) "Offense" means a felony, gross misdemeanor, misdemeanor, or adjudication as a delinquent under the laws of this state, another state, or the United States.

(h) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(i) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Sec. 3. **[638.12] LIMITATION ON SCOPE.**

(a) Sections 638.10 to 638.26 do not provide a basis for:

(1) invalidating a plea, conviction, or sentence;

(2) a cause of action for money damages; or

(3) a claim for relief from or defense to the application of a collateral consequence based on a failure to comply with section 638.13, 638.14, or 638.15.

(b) Sections 638.10 to 638.26 do not affect:

(1) the duty an individual's attorney owes to the individual;

(2) a claim or right of a victim of an offense; or

(3) a right or remedy under law other than sections 638.10 to 638.26 available to an individual convicted of an offense.

Sec. 4. **[638.13] IDENTIFICATION, COLLECTION, AND PUBLICATION OF LAWS REGARDING COLLATERAL CONSEQUENCES.**

(a) The revisor of statutes shall:

(1) identify or cause to be identified any provision in this state's constitution, statutes, and administrative rules which imposes a collateral sanction or authorizes the imposition of a disqualification, and any provision of law that may afford relief from a collateral consequence;

(2) in a timely manner after the effective date of sections 638.10 to 638.26, prepare a collection of citations to, and the text or short descriptions of, the provisions identified under clause (1); and

(3) annually update the collection in a timely manner after the regular or last special session of the legislature in a calendar year.

In complying with clauses (1) and (2), the revisor may rely on the study of this state's collateral sanctions, disqualifications, and relief provisions prepared by the National Institute of Justice described in section 510 of the Court Security Improvement Act of 2007, Public Law 110-177.

(b) The revisor of statutes shall include the following statements or substantially similar language in a prominent manner at the beginning of the collection required under paragraph (a):

(1) This collection has not been enacted into law and does not have the force of law.

(2) An error or omission in this collection or in any reference work cited in this collection is not a reason for invalidating a plea, conviction, or sentence or for not imposing a collateral sanction or authorizing a disqualification.

(3) The laws of other jurisdictions and local governments which impose additional collateral sanctions and authorize additional disqualifications are not included in this collection.

(4) This collection does not include any law or other provision regarding the imposition of or relief from a collateral sanction or a disqualification enacted or adopted after (date the collection was prepared or last updated.)

(c) The Office of the Revisor of Statutes shall publish the collection prepared and updated as required under paragraph (a). If available, it shall publish as part of the collection, the title and Internet address of the most recent collection of:

(1) the collateral consequences imposed by federal law; and

(2) any provision of federal law that may afford relief from a collateral consequence.

(d) The collection described under paragraph (c) must be available to the public on the Internet without charge in a reasonable time after it is created or updated.

Sec. 5. [638.14] NOTICE OF COLLATERAL CONSEQUENCES IN CITATION, PRETRIAL PROCEEDING, AND AT GUILTY PLEA.

(a) When a peace officer issues a citation to a person for an offense, the officer shall ensure that the person receives a notice of additional legal consequences substantially similar to that described in paragraph (b). This requirement may be satisfied by using the uniform traffic ticket described in section 169.99 or the statewide standard citation if that document addresses collateral consequences of a criminal conviction.

(b) When an individual receives formal notice that the individual is charged with an offense, the prosecuting attorney of the county or city in which the individual is charged shall provide information substantially similar to the following to the individual:

NOTICE OF ADDITIONAL LEGAL CONSEQUENCES

If you plead guilty or are convicted of an offense you may suffer additional legal consequences beyond jail or prison, probation, periods of parole or supervised release, and fines. These consequences may include:

(1) being unable to get or keep some licenses, permits, or jobs;

(2) being unable to get or keep benefits such as public housing or education;

(3) receiving a harsher sentence if you are convicted of another offense in the future;

(4) having the government take your property; and

(5) being unable to vote or possess a firearm.

If you are not a United States citizen, a guilty plea or conviction may also result in your deportation, removal, exclusion from admission to the United States, or denial of citizenship.

The law may provide ways to obtain some relief from these consequences.

Further information about the consequences of conviction is available on the Internet at (Internet address of the collection of laws published under section 638.13, paragraphs (c) and (d).)

(c) Before the court accepts a plea of guilty from an individual, the court shall confirm that the individual received and understands the notice required by paragraphs (a) and (b), and had an opportunity to discuss the notice with counsel.

Sec. 6. [638.15] NOTICE OF COLLATERAL CONSEQUENCES AT SENTENCING AND UPON RELEASE.

(a) As provided in paragraphs (b) and (c), an individual convicted of an offense shall be given the following notice:

(1) that collateral consequences may apply because of this conviction;

(2) the Internet address of the collection of laws published under section 638.13, paragraph (c);

(3) that there may be ways to obtain relief from collateral consequences;

(4) contact information for government or nonprofit agencies, groups, or organizations, if any, offering assistance to individuals seeking relief from collateral consequences; and

(5) when an individual convicted of an offense may vote under state law.

(b) The court shall provide the notice in paragraph (a) as a part of sentencing.

(c) If an individual is sentenced to imprisonment or other incarceration, the officer or agency releasing the individual shall provide the notice in paragraph (a) not more than 30, and, if practicable, at least ten days before release.

Sec. 7. [638.16] AUTHORIZATION REQUIRED FOR COLLATERAL SANCTION; AMBIGUITY.

(a) A collateral sanction may be imposed only by statute or ordinance, or by rule authorized by law and adopted under chapter 14.

(b) A law creating a collateral consequence that is ambiguous as to whether it imposes a collateral sanction or authorizes a disqualification must be construed as authorizing a disqualification.

Sec. 8. **[638.17] DECISION TO DISQUALIFY.**

In deciding whether to impose a disqualification, a decision maker shall undertake an individualized assessment to determine whether the benefit or opportunity at issue shall be denied the individual. In making that decision, the decision maker may consider, if substantially related to the benefit or opportunity at issue, the particular facts and circumstances involved in the offense, and the essential elements of the offense. A conviction itself may not be considered except as having established the elements of the offense. The decision maker shall also consider other relevant information including, at a minimum, the effect on third parties of granting the benefit or opportunity and whether the individual has been granted relief such as an order of limited relief or a certificate of restoration of rights.

Sec. 9. **[638.18] EFFECT OF CONVICTION BY ANOTHER STATE OR THE UNITED STATES; RELIEVED OR PARDONED CONVICTION.**

(a) For purposes of authorizing or imposing a collateral consequence in this state, a conviction of an offense in a court of another state or the United States is deemed a conviction of the offense in this state with the same elements. If there is no offense in this state with the same elements, the conviction is deemed a conviction of the most serious offense in this state which is established by the elements of the offense. A misdemeanor in the jurisdiction of conviction may not be deemed a felony in this state, and an offense lesser than a misdemeanor in the jurisdiction of conviction may not be deemed a conviction of a felony, gross misdemeanor, or misdemeanor in this state.

(b) For purposes of authorizing or imposing a collateral consequence in this state, a juvenile adjudication in another state or the United States may not be deemed a conviction of a felony, gross misdemeanor, misdemeanor, or offense lesser than a misdemeanor in this state, but may be deemed a juvenile adjudication for the delinquent act in this state with the same elements. If there is no delinquent act in this state with the same elements, the juvenile adjudication is deemed an adjudication of the most serious delinquent act in this state which is established by the elements of the offense.

(c) A conviction that is reversed, overturned, or otherwise vacated by a court of competent jurisdiction of this state, another state, or the United States on grounds other than rehabilitation or good behavior may not serve as the basis for authorizing or imposing a collateral consequence in this state.

(d) A pardon issued by another state or the United States has the same effect for purposes of authorizing, imposing, and relieving a collateral consequence in this state as it has in the issuing jurisdiction.

(e) A conviction that has been relieved by expungement, sealing, annulment, set-aside, or vacation by a court of competent jurisdiction of another state or the United States on grounds of rehabilitation or good behavior, or for which civil rights are restored pursuant to statute, has the same effect for purposes of authorizing or imposing collateral consequences in this state as it has in the jurisdiction of conviction. However, this relief or restoration of civil rights does not relieve collateral consequences applicable under the law of this state for which relief could not be granted under section 638.21 or for which relief was expressly withheld by the court order or by the law of the jurisdiction that relieved the conviction. An individual convicted in another jurisdiction may seek relief under section 638.19 or 638.20 from any collateral consequence for which relief was not granted in the issuing jurisdiction, other than those listed in section 638.21, and the administrative law judge shall consider that the conviction was relieved or civil rights restored in deciding whether to issue an order of limited relief or certificate of restoration of rights.

(f) A charge or prosecution in any jurisdiction which has been finally terminated without a conviction and imposition of sentence based on participation in a deferred adjudication or diversion program may not serve as the basis for authorizing or imposing a collateral consequence in this state. This paragraph does not affect the validity of any restriction or condition imposed by law as part of participation in the deferred adjudication or diversion program, before or after the termination of the charge or prosecution.

Sec. 10. **[638.19] ORDER OF LIMITED RELIEF.**

(a) The chief administrative law judge shall conduct proceedings, make determinations, and issue orders on petitions for orders of limited relief filed under this section.

(b) An individual convicted of an offense may petition for an order of limited relief from one or more collateral sanctions related to employment, education, housing, public benefits, or occupational licensing. The petition may be brought before the Office of Administrative Hearings at any time after sentencing.

(c) Except as otherwise provided in section 638.21, the administrative law judge may issue an order of limited relief relieving one or more of the collateral sanctions described in paragraph (b) if, after reviewing the petition, the individual's criminal history, any filing by a victim under section 638.24 or a prosecutor, and any other relevant evidence, the administrative law judge finds the individual has established by a preponderance of the evidence that:

(1) granting the petition will materially assist the individual in obtaining or maintaining employment, education, housing, public benefits, or occupational licensing;

(2) the individual has substantial need for the relief requested in order to live a law-abiding life; and

(3) granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual.

(d) Upon the request of an individual convicted of an offense and if the prosecutor agrees, the sentencing court, at or before sentencing, shall issue an order of limited relief under this section. The court is not required to issue the order if it determines that the interests of the public and public safety in not issuing the order outweigh the disadvantages to the convicted individual in issuing it. When determining whether to agree to the request of a convicted individual, the prosecutor shall consider the criteria listed in paragraph (c), clauses (1) to (3).

(e) The order of limited relief must specify:

(1) the collateral sanction from which relief is granted; and

(2) any restriction imposed pursuant to section 638.22, paragraph (a).

(f) An order of limited relief relieves a collateral sanction to the extent provided in the order.

(g) If a collateral sanction has been relieved pursuant to this section, a decision maker may consider the conduct underlying a conviction as provided in section 638.17.

(h) An individual bringing a petition under paragraph (b) shall pay a fee as determined by the Office of Administrative Hearings. This fee may be retained by the office and used to administer this section.

(i) The limitations described in section 14.03 do not apply to this section.

(j) The filing of a petition under paragraph (b) initiates a contested case under sections 14.57 to 14.69.

Sec. 11. **[638.20] CERTIFICATE OF RESTORATION OF RIGHTS.**

(a) The chief administrative law judge shall conduct proceedings, make determinations, and issue orders on petitions for certificates of restoration of rights filed under this section.

(b) An individual convicted of an offense may petition the Office of Administrative Hearings for a certificate of restoration of rights relieving collateral sanctions not sooner than five years after the individual's most recent conviction of a felony, gross misdemeanor, or misdemeanor in any jurisdiction, or not sooner than five years after the individual's release from confinement pursuant to a criminal sentence in any jurisdiction, whichever is later.

(c) Except as otherwise provided in section 638.21, the administrative law judge may issue a certificate of restoration of rights if, after reviewing the petition, the individual's criminal history, any filing by a victim under section 638.24 or a prosecutor, and any other relevant evidence, the administrative law judge finds the individual has established by a preponderance of the evidence that:

(1) the individual is engaged in, or seeking to engage in, a lawful occupation or activity, including employment, training, education, or rehabilitative programs, or the individual otherwise has a lawful source of support;

(2) the individual is not in violation of the terms of any criminal sentence, or that any failure to comply is justified, excused, involuntary, or insubstantial;

(3) a criminal charge is not pending against the individual; and

(4) granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual.

(d) A certificate of restoration of rights must specify any restriction imposed and collateral sanction from which relief has not been granted under section 638.22, paragraph (a).

(e) A certificate of restoration of rights relieves all collateral sanctions, except those listed in section 638.21 and any others specifically excluded in the certificate.

(f) If a collateral sanction has been relieved pursuant to this section, a decision maker may consider the conduct underlying a conviction as provided in section 638.17.

(g) An individual bringing a petition under paragraph (b) shall pay a fee as determined by the Office of Administrative Hearings. This fee may be retained by the office and used to administer this section.

(h) The limitations described in section 14.03 do not apply to this section.

(i) The filing of a petition under paragraph (b) initiates a contested case under sections 14.57 to 14.69.

Sec. 12. **[638.205] RULES AUTHORIZED.**

The Office of Administrative Hearings may adopt rules under chapter 14 to implement this article, including but not limited to, addressing petitions, including determining an appropriate fee for the petitioner to bring a petition, and determination, modification, and revocation of orders of limited relief and certificates of restoration of rights.

Sec. 13. **[638.21] COLLATERAL SANCTIONS NOT SUBJECT TO ORDER OF LIMITED RELIEF OR CERTIFICATE OF RESTORATION OF RIGHTS.**

An order of limited relief or certificate of restoration of rights may not be issued to relieve the following collateral sanctions:

(1) requirements imposed by sections 243.166 and 243.167;

(2) a motor vehicle license suspension, revocation, limitation, or ineligibility for driving while intoxicated pursuant to section 169A.20, or sections 169.792, 169.797, 169A.52, 169A.54, 171.17, 171.172, 171.173, 171.18, and 171.186, for which restoration or relief is available pursuant to sections 171.30 and 171.306;

(3) ineligibility for employment pursuant to sections 387.36, 419.06, or other law restricting employment of convicted individuals by law enforcement agencies, such as the Department of Corrections, Department of Public Safety, Office of the Attorney General, sheriff's offices, police departments, and judicial offices; or

(4) eligibility to purchase, possess, use, transfer, or own a firearm.

Sec. 14. [638.22] ISSUANCE, MODIFICATION, AND REVOCATION OF ORDER OF LIMITED RELIEF AND CERTIFICATE OF RESTORATION OF RIGHTS.

(a) When a petition is filed under section 638.19 or 638.20, including a petition for enlargement of an existing order of limited relief or certificate of restoration of rights, the administrative law judge shall notify the office that prosecuted the offense giving rise to the collateral consequence from which relief is sought and, if the conviction was not obtained in a court of this state, the attorney general. The judge may issue an order or certificate subject to restriction, condition, or additional requirement. When issuing, denying, modifying, or revoking an order or certificate, the judge may impose conditions for reapplication.

(b) The judge may restrict or revoke an order of limited relief or certificate of restoration of rights issued by the Office of Administrative Hearings or an order of limited relief issued by a court in this state if it finds just cause by a preponderance of the evidence. Just cause includes subsequent conviction of a felony in this state or of an offense in another jurisdiction that is deemed a felony in this state under section 638.18, paragraph (a). An order of restriction or revocation may be issued:

(1) on motion of the judge, the office of the prosecutor that obtained the conviction, or a government agency designated by that prosecutor;

(2) after notice to the individual and any prosecutor that has appeared in the matter; and

(3) after a hearing under chapter 14 if requested by the individual or the prosecutor that made the motion or any prosecutor that has appeared in the matter.

(c) The judge shall order any test, report, investigation, or disclosure by the individual it reasonably believes necessary to its decision to issue, modify, or revoke an order of limited relief or certificate of restoration of rights. If there are material disputed issues of fact or law, the individual and any prosecutor notified under paragraph (a) or another prosecutorial agency designated by a prosecutor notified under paragraph (a) may submit evidence and be heard on those issues.

(d) The judge shall maintain a public record of the issuance, modification, and revocation of orders of limited relief and certificates of restoration of rights. The criminal history record system of the Bureau of Criminal Apprehension must include issuance, modification, and revocation of orders and certificates.

(e) The limitations described in section 14.03 do not apply to this section.

Sec. 15. [638.23] RELIANCE ON ORDER OR CERTIFICATE AS EVIDENCE OF DUE CARE.

In a judicial or administrative proceeding alleging negligence or other fault, an order of limited relief or a certificate of restoration of rights may be introduced as evidence of a person's due care in hiring, retaining, licensing, leasing to, admitting to a school or program, or otherwise transacting business or engaging in activity with the individual to whom the order was issued, if the person knew of the order or certificate at the time of the alleged negligence or other fault.

Sec. 16. **[638.24] VICTIM'S RIGHTS.**

(a) A victim of an offense may be present and submit an oral or written statement in a proceeding for issuance, modification, or revocation of an order of limited relief or a certificate of restoration of rights.

(b) The prosecutorial office that had jurisdiction over the offense for which the issuance, modification, or revocation of an order of limited relief under section 638.19, or a certificate of restoration of rights under section 638.20, is sought shall serve by mail the petition on any victims of the offense for which the order or certificate is sought who have requested notice pursuant to section 611A.06. The prosecutorial office's notice to victims must specifically inform the victim of the victim's right to be present and submit an oral or written statement at the proceeding.

Sec. 17. **[638.25] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 18. **[638.26] SAVINGS AND TRANSITIONAL PROVISIONS.**

(a) Sections 638.10 to 638.26 apply to collateral consequences whenever enacted or imposed, unless the law creating the collateral consequence expressly states that sections 638.10 to 638.26 do not apply.

(b) Sections 638.10 to 638.26 do not invalidate the imposition of a collateral sanction on an individual before the effective date of sections 638.10 to 638.26, but a collateral sanction validly imposed before the effective date of sections 638.10 to 638.26 may be the subject of relief under these sections.

Sec. 19. **CHANGE TO UNIFORM TRAFFIC TICKET AND STATEWIDE STANDARD CITATION.**

By January 1, 2016, the uniform traffic ticket described in Minnesota Statutes, section 169.99, and the statewide standard citation must include a notice of additional legal consequences substantially similar to that described in section 5, paragraph (b). If this is determined not to be feasible, the ticket and citation must, at a minimum, inform the offender generally of the issue of potential collateral consequences and provide the Internet address of the collection of laws published under Minnesota Statutes, section 638.13, paragraphs (c) and (d).

Sec. 20. **APPROPRIATION.**

\$..... for the fiscal year ending June 30, 2015, is appropriated from the general fund to the Office of Administrative Hearings to fulfill the office's duties under this article.

Sec. 21. **EFFECTIVE DATE.**

(a) Except as provided in paragraph (b), sections 1 to 11 and 13 to 18 are effective January 1, 2015.

(b) Section 5, paragraph (a), is effective July 1, 2016.

(c) Section 12 is effective the day following final enactment.

ARTICLE 2
CONFORMING AMENDMENTS

Section 1. Minnesota Statutes 2012, section 245C.22, is amended by adding a subdivision to read:

Subd. 4a. **Disqualification decisions related to chapter 638.** The requirements regarding a decision to disqualify an individual set forth in section 638.17 are met by the commissioner when implementing the requirements of this section, and the exclusion under section 245C.24, subdivision 4a.

Sec. 2. Minnesota Statutes 2012, section 245C.24, is amended by adding a subdivision to read:

Subd. 4a. **Disqualification decisions related to chapter 638.** (a) Notwithstanding statutory limits on the commissioner's authority to set aside an individual's disqualification under this section, the commissioner may consider issuing a set-aside according to section 245C.22 if the disqualified individual has been issued an order of limited relief under section 638.19 that provides this specific relief, or a certificate of restoration of rights under section 638.20.

(b) An individual who received a set-aside of a disqualification as a result of paragraph (a) must immediately inform the commissioner upon restriction or revocation of an order of limited relief or a certificate of restoration of rights under section 638.22.

(c) Upon receipt of information regarding a restriction or revocation of an order of limited relief or a certificate of restoration of rights according to section 638.22, the commissioner shall rescind a set-aside of a disqualification and the individual shall have the appeal rights stated in section 245C.22, subdivision 6.

Sec. 3. Minnesota Statutes 2012, section 364.07, is amended to read:

364.07 APPLICATION.

The provisions of sections 364.01 to 364.10 shall prevail over any other laws and rules, except for sections 638.10 to 638.26 and any rules adopted under section 638.22, which purport to govern the granting, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment on the grounds of conviction of a crime or crimes. In deciding to grant, deny, revoke, suspend, or renew a license, or to deny, suspend, or terminate public employment for a lack of good moral character or the like, the hiring or licensing authority may consider evidence of conviction of a crime or crimes but only in the same manner and to the same effect as provided for in sections 364.01 to 364.10. Nothing in sections 364.01 to 364.10 shall be construed to otherwise affect relevant proceedings involving the granting, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment.

Sec. 4. Minnesota Statutes 2012, section 611A.06, subdivision 1a, is amended to read:

Subd. 1a. **Notice of expungement, order for limited relief, or certificate of restoration of rights required.** The prosecuting authority with jurisdiction over an offense for which expungement or the issuance, modification, or revocation of an order of limited relief under section 638.19 or a certificate of restoration of rights under section 638.20 is being sought shall make a good faith effort to notify a victim that the expungement, order, or certificate is being sought if: (1) the victim has mailed to the prosecuting authority with jurisdiction over ~~an~~ the offense ~~for which expungement is being sought~~ a written request for this notice, or (2) the victim has indicated on a request for notice ~~of expungement~~ submitted under subdivision 1 a desire to be notified in the event the offender seeks an expungement, order for limited relief, or certificate of restoration of rights for the offense.

A copy of any written request for a notice of expungement ~~request~~, order for limited relief, or certificate of restoration of rights received by the commissioner of corrections or other custodial authority shall be forwarded to the prosecutorial authority with jurisdiction over the offense to which the notice relates. The prosecutorial authority complies with this section upon mailing a copy of ~~an expungement~~ the petition relating to the notice to the address which the victim has most recently provided in writing.

Sec. 5. **REPEALER.**

Minnesota Statutes 2012, sections 609B.050; 609B.100; 609B.101; 609B.102; 609B.103; 609B.104; 609B.105; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111; 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125; 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134; 609B.135; 609B.136; 609B.137; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144; 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152; 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.161; 609B.162; 609B.164; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173; 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183; 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193; 609B.194; 609B.195; 609B.200; 609B.201; 609B.202; 609B.203; 609B.205; 609B.206; 609B.216; 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263; 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311; 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340; 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410; 609B.415; 609B.425; 609B.430; 609B.435; 609B.445; 609B.450; 609B.455; 609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515; 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600; 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710; 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; and 609B.725, are repealed.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 and 2 are effective January 1, 2015."

Delete the title and insert:

"A bill for an act relating to crime; enacting the Uniform Collateral Consequences of Conviction Act proposed for adoption by the National Conference of Commissioners on Uniform State Laws; conforming other law regarding collateral consequences and the rehabilitation of criminal offenders with the uniform act; providing for rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 245C.22, by adding a subdivision; 245C.24, by adding a subdivision; 364.07; 611A.06, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 638; repealing Minnesota Statutes 2012, sections 609B.050; 609B.100; 609B.101; 609B.102; 609B.103; 609B.104; 609B.105; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111; 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125; 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134; 609B.135; 609B.136; 609B.137; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144; 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152; 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.161; 609B.162; 609B.164; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173; 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183; 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193; 609B.194; 609B.195; 609B.200; 609B.201; 609B.202; 609B.203; 609B.205; 609B.206; 609B.216; 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263; 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311; 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340; 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410; 609B.415; 609B.425; 609B.430; 609B.435; 609B.445; 609B.450; 609B.455;

609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515; 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600; 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710; 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; 609B.725."

With the recommendation that when so amended the bill be re-referred to the Committee on Early Childhood and Youth Development Policy.

The report was adopted.

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

H. F. No. 1866, A bill for an act relating to state government; modifying laws governing certain Department of Commerce advisory groups; amending Minnesota Statutes 2012, sections 216B.813, subdivision 2; 216B.815; 216C.02, subdivision 1; repealing Minnesota Statutes 2012, sections 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6, 7; 82B.06; 116L.361, subdivision 2; 116L.363.

Reported the same back with the following amendments:

Page 4, delete section 5 and insert:

"Sec. 5. **REPEALER.**

Minnesota Statutes 2012, sections 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6, and 7; 82B.06; 116L.361, subdivision 2; 116L.363; and 298.2213, subdivision 5, are repealed."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1926, A bill for an act relating to natural resources; appropriating money from outdoor heritage fund; modifying restoration evaluation requirements; modifying requirements for acquisition of real property with money from legacy funds; modifying previous parks and trails fund appropriation; amending Minnesota Statutes 2012, sections 84.0272, subdivisions 1, 3; 97A.056, subdivision 10, by adding subdivisions.

Reported the same back with the following amendments:

Page 19, line 23, after the period, insert "This appropriation is available until June 30, 2019. The accomplishment plan must accelerate the start of the pilot project."

Page 20, line 10, delete everything after the period

Page 20, delete lines 11 and 12

Page 20, line 13, delete everything before "Grants"

Page 20, line 28, delete "state"

Page 22, line 34, delete "state"

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

The report was adopted.

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

H. F. No. 1960, A bill for an act relating to elections; extending the deadline to purchase voting equipment with Help America Vote Act grants; amending Laws 2010, chapter 379, section 4, subdivisions 2, 4.

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

The report was adopted.

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

H. F. No. 1971, A bill for an act relating to public safety; providing for the registration of automatic external defibrillators; proposing coding for new law in Minnesota Statutes, chapter 403.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[403.51] AUTOMATIC EXTERNAL DEFIBRILLATION; REGISTRATION.**

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

(b) "Automatic external defibrillator" or "AED" means an electronic device designed and manufactured to operate automatically or semiautomatically for the purpose of delivering an electrical current to the heart of a person in sudden cardiac arrest.

(c) "AED registry" means a registry of AEDs that requires a maintenance program or package, and includes, but is not limited to, the following registries: the Minnesota AED Registry, the National AED Registry, iRescu, or a manufacturer-specific program.

(d) "Person" means a natural person, partnership, association, corporation, or unit of government.

(e) "Public access AED" means any AED that is intended, by its markings or display, to be used or accessed by the public for the benefit of the general public that may happen to be in the vicinity or location of that AED. It does not include an AED that is owned or used by a hospital, clinic, business, or organization that is intended to be used by staff and is not marked or displayed in a manner to encourage public access.

(f) "Maintenance program or package" means a program that will alert the AED owner when the AED has electrodes and batteries due to expire or replaces those expiring electrodes and batteries for the AED owner.

(g) "Public safety agency" means local law enforcement, county sheriff, municipal police, tribal agencies, state law enforcement, fire departments, including municipal departments, industrial fire brigades, and nonprofit fire departments, joint powers agencies, and licensed ambulance services.

(h) "Mobile AED" means an AED that (1) is purchased with the intent of being located in a vehicle, including, but not limited to, public safety agency vehicles; or (2) will not be placed in stationary storage, including, but not limited to, an AED used at an athletic event.

(i) "Private use AED" means an AED that is not intended to be used or accessed by the public for the benefit of the general public. This may include, but is not limited to, AEDs found in private residences.

Subd. 2. **Registration.** A person who purchases or obtains a public access AED shall register that device with an AED registry within 30 working days of receiving the AED.

Subd. 3. **Required information.** A person registering a public access AED shall provide the following information for each AED:

(1) AED manufacturer, model, and serial number;

(2) specific location where the AED will be kept; and

(3) the title, address, and telephone number of a person in management at the business or organization where the AED is located.

Subd. 4. **Information changes.** The owner of a public access AED shall notify their AED registry of any changes in the information that is required in the registration within 30 working days of the change occurring.

Subd. 5. **Public access AED requirements.** A public access AED:

(1) may be inspected during regular business hours by a public safety agency with jurisdiction over the location of the AED;

(2) shall be kept in the location specified in the registration; and

(3) shall be reasonably maintained, including replacement of dead batteries and pads/electrodes, and comply with all manufacturer's recall and safety notices.

Subd. 6. **Removal of AED.** An authorized agent of a public safety agency with jurisdiction over the location of the AED may direct the owner of a public access AED to comply with this section. Such authorized agent of a public safety agency may direct the owner of the AED to remove the AED from its public access location and to remove or cover any public signs relating to that AED if it is determined that the AED is not ready for immediate use.

Subd. 7. **Private use AEDs.** The owner of a private use AED is not subject to the requirements of this section but is encouraged to maintain the AED in a consistent manner.

Subd. 8. **Mobile AEDs.** The owner of a mobile AED is not subject to the requirements of this section but is encouraged to maintain the AED in a consistent manner.

Subd. 9. **Signs.** A person acquiring a public use AED is encouraged but is not required to post signs bearing the universal AED symbol in order to increase the ease of access by the public to the AED in the event of an emergency. A person may not post any AED sign or allow any AED sign to remain posted upon being ordered to remove or cover any AED signs by an authorized agent of a public safety agency.

Subd. 10. **Emergency response plans.** The owner of one or more public access AEDs shall develop an emergency response plan appropriate for the nature of the facility the AED is intended to serve.

Subd. 11. **No civil liability.** Nothing in this section shall create any civil liability on the part of an AED owner.

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

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

The report was adopted.

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

H. F. No. 1994, A bill for an act relating to public safety; prohibiting law enforcement agencies from using unmanned aerial cameras to gather evidence in certain circumstances; authorizing civil actions; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Page 1, line 23, delete "or"

Page 2, line 4, delete the period and insert "; or"

Page 2, after line 4, insert:

"(4) to prevent the loss of life and property in natural or man-made disaster situations and to facilitate the operational planning, rescue, and recovery operations in the aftermath of those disasters."

With the recommendation that when so amended the bill 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. 2144, A bill for an act relating to public safety; authorizing carryover to second year of POST funds to combat sexual exploitation of youth; amending Laws 2013, chapter 86, article 1, section 13.

Reported the same back with the following amendments:

Page 2, lines 10 to 12, delete the new language and insert "These funds are available until June 30, 2016."

Amend the title as follows:

Page 1, line 2, delete "to second year"

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

The report was adopted.

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

H. F. No. 2152, A bill for an act relating to public safety; traffic regulations; authorizing use of traffic safety pretrial diversion programs by local units of government for certain traffic offenses; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Page 3, after line 9, insert:

"(d) The surcharge imposed under section 357.021, subdivision 6, does not apply to an individual who elects to attend a traffic safety pretrial diversion program under this section."

With the recommendation that when so amended the bill 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. 2180, A bill for an act relating to insurance; amending provisions relating to health coverage for school district employees; appropriating money; amending Minnesota Statutes 2012, sections 43A.316, subdivision 10, by adding a subdivision; 123A.21, subdivisions 5, 6; 123B.09, subdivision 12; 123B.75, by adding a subdivision; 471.6161, subdivisions 1, 3, by adding a subdivision; 471.895, subdivision 1; Minnesota Statutes 2013 Supplement, section 124D.10, subdivisions 4a, 11, 21.

Reported the same back with the following amendments:

Pages 1 to 3, delete sections 3 and 4

Page 8, line 31, delete "and"

Page 8, line 33, delete everything after the second "district" and insert "; and"

Page 8, delete line 34 and insert:

"(3) a representative of an exclusive bargaining unit authorized to make decisions about a school district's group insurance coverage, as defined by section 471.6161."

Page 9, delete section 14 and insert:

"Sec. 12. **APPROPRIATION; RESPONSES TO BID REQUESTS.**

(a) \$1,000,000 is appropriated for fiscal year 2015 from the general fund to the commissioner of management and budget to comply with the requirements of Minnesota Statutes, section 43A.316.

(b) The commissioner of management and budget shall report by January 15, 2015, to the legislative chairs and ranking minority members with jurisdiction over state government finance on the ongoing costs incurred by the public employees insurance program in compliance with the requirements of this act and may request additional appropriations, if necessary."

Page 9, line 7, delete "14" and insert "12"

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2217, A bill for an act relating to state government; changing provisions in grants management process and contract management; providing an encumbrance exception in the grant process; amending Minnesota Statutes 2012, sections 16B.98, subdivision 5, by adding a subdivision; 16C.05, subdivision 2.

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

The report was adopted.

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

H. F. No. 2220, A bill for an act relating to local government; authorizing the city of North Branch to increase its Public Utilities Commission from three to up to seven members.

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

The report was adopted.

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

H. F. No. 2241, A bill for an act relating to human services; modifying medical assistance asset availability requirements; amending Minnesota Statutes 2012, section 256B.059, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 256B.059, subdivision 5, is amended to read:

Subd. 5. **Asset availability.** (a) At the time of initial determination of eligibility for medical assistance benefits following the first continuous period of institutionalization on or after October 1, 1989, assets considered available to the institutionalized spouse shall be the total value of all assets in which either spouse has an ownership interest, reduced by the following amount for the community spouse:

(1) prior to July 1, 1994, the greater of:

(i) \$14,148;

(ii) the lesser of the spousal share or \$70,740; or

(iii) the amount required by court order to be paid to the community spouse;

(2) for persons whose date of initial determination of eligibility for medical assistance following their first continuous period of institutionalization occurs on or after July 1, 1994, the greater of:

(i) \$20,000;

(ii) the lesser of the spousal share or \$70,740; or

(iii) the amount required by court order to be paid to the community spouse.

The value of assets transferred for the sole benefit of the community spouse under section 256B.0595, subdivision 4, in combination with other assets available to the community spouse under this section, cannot exceed the limit for the community spouse asset allowance determined under subdivision 3 or 4. Assets in any retirement accounts, including individual accounts, 401(k) plans, 403(b) plans, Keogh plans, and pension plans that exceed this allowance shall be considered available to the institutionalized community spouse ~~whether or not~~ if converted and annuitized to income. If the community spouse asset allowance has been increased under subdivision 4, then the assets considered available to the institutionalized spouse under this subdivision shall be further reduced by the value of additional amounts allowed under subdivision 4.

(b) An institutionalized spouse may be found eligible for medical assistance even though assets in excess of the allowable amount are found to be available under paragraph (a) if the assets are owned jointly or individually by the community spouse, and the institutionalized spouse cannot use those assets to pay for the cost of care without the consent of the community spouse, and if: (i) the institutionalized spouse assigns to the commissioner the right to support from the community spouse under section 256B.14, subdivision 3; (ii) the institutionalized spouse lacks the ability to execute an assignment due to a physical or mental impairment; or (iii) the denial of eligibility would cause an imminent threat to the institutionalized spouse's health and well-being.

(c) After the month in which the institutionalized spouse is determined eligible for medical assistance, during the continuous period of institutionalization, no assets of the community spouse are considered available to the institutionalized spouse, unless the institutionalized spouse has been found eligible under paragraph (b).

(d) Assets determined to be available to the institutionalized spouse under this section must be used for the health care or personal needs of the institutionalized spouse.

(e) For purposes of this section, assets do not include assets excluded under the supplemental security income program.

EFFECTIVE DATE. This section is effective upon approval of the state plan amendment or January 1, 2015, whichever is later.

Sec. 2. **INSTRUCTIONS TO THE COMMISSIONER; FEDERAL APPROVAL.**

No later than July 1, 2014, the commissioner of human services shall submit a state plan amendment and seek the approval necessary to implement section 1.

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

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

The report was adopted.

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

H. F. No. 2271, A bill for an act relating to education; providing for a performance-based pay system for teachers; amending Minnesota Statutes 2012, sections 124D.10, by adding a subdivision; 126C.10, by adding subdivisions; Minnesota Statutes 2013 Supplement, sections 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.11, subdivision 1; 126C.10, subdivision 1; 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 136D; repealing Minnesota Statutes 2012, sections 122A.413; 122A.414; 122A.4144; 122A.415, subdivisions 1, 3; 122A.4155; 122A.416; Minnesota Statutes 2013 Supplement, section 122A.415, subdivisions 4, 5, 6.

Reported the same back with the following amendments:

Page 8, line 20, delete "2015" and insert "2016"

Page 9, lines 3, 14, and 21, delete "2015" and insert "2016"

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

The report was adopted.

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

H. F. No. 2273, A bill for an act relating to education; appropriating funds for a grant to the Northside Achievement Zone.

Reported the same back with the following amendments:

Page 1, line 6, before "\$1,132,000" insert "(a)"

Page 1, after line 12, insert:

"(b) The Northside Achievement Zone shall submit a report to the chairs of the legislative committees with jurisdiction over early childhood through grade 12 education policy and finance that, at a minimum, summarizes program activities, specifies performance measures, and analyzes program outcomes. A report must be submitted within three months of the close of each legislative biennium in which the organization receives funding."

Amend the title as follows:

Page 1, line 2, delete "funds" and insert "money"

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

The report was adopted.

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

H. F. No. 2275, A bill for an act relating to education; appropriating money for a grant to the Saint Paul Promise Neighborhood (SSPN).

Reported the same back with the following amendments:

Page 1, after line 11, insert:

"(b) The Saint Paul Promise Neighborhood initiative shall submit data annually to the commissioner of education in the form and manner consistent with the federal Promise Neighborhood program agreements and requirements. The Saint Paul Promise Neighborhood must submit a report of progress to the chairs of the legislative committees with jurisdiction over early childhood through grade 12 education policy and finance. This report must be submitted within three months of the close of each legislative biennium the initiative receives funding."

Page 1, line 12, delete "(b)" and insert "(c)"

Page 1, delete lines 13 to 20

Amend the title as follows:

Page 1, line 3, delete "(SSPN)" and insert "(SPPN)"

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

The report was adopted.

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

H. F. No. 2288, A bill for an act relating to public safety; requiring law enforcement to secure a search warrant in order to receive cell phone tracking data; amending Minnesota Statutes 2012, section 626A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 626A.

Reported the same back with the following amendments:

Page 2, line 26, delete "issued pursuant to chapter 626"

Page 2, line 29, before the period, insert "or a qualified domestic violence-related offense, as defined in section 609.02, subdivision 16"

Page 3, line 18, before the comma, insert "or the court seals the warrant pursuant to Minnesota Rules of Criminal Procedure, rule 33.04"

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

The report was adopted.

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

H. F. No. 2373, A bill for an act relating to state government; requiring certificates of pay equity compliance as a condition for certain state contracts; classifying data; requiring a report; appropriating money; amending Minnesota Statutes 2012, section 13.552, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16C; 363A.

Reported the same back with the following amendments:

Page 1, line 14, delete "no more" and insert "fewer"

Page 1, line 15, delete "no more" and insert "fewer"

Page 2, delete lines 16 and 17 and insert:

"Subd. 3. **Exemption.** This section does not apply to a business if the commissioner of administration determines that any of the following conditions exists:

(1) a business is the sole supplier of required goods or services that are the subject of the contract;

(2) the goods or services that are the subject of the contract are needed to respond to a threat to public health, welfare, or safety that threatens the functioning of government, the protection of property, or the health or safety of people, and there is no bid or response from a business that has a certificate of pay equity compliance; or

(3) a business' ineligibility would cause the state undue hardship."

Page 2, line 25, delete everything after the period and insert "The commissioner must apply the following rules in administering this section: Minnesota Rules, parts 3920.0100, subparts 2, 3, 6, 8, 10; 3920.0400; 3920.0500; 3920.0600; 3920.0700. For purposes of applying these rules to administer this section, the term "jurisdiction" in those rules refers to a business seeking a certificate of compliance."

Page 2, delete lines 26 and 27

Page 2, before line 28, insert:

"(b) A business seeking a certificate of pay equity compliance must submit a pay equity report covering its employees in the state in the manner provided by the commissioner. The report must include a statement verifying that the job evaluation system used by the business is based on the skill, effort, responsibility, and working conditions normally required in the performance of the work and that the same job evaluation system is used for determining comparable work value for all classes of employees of the business. The report must also list the following information for each job class:

(1) class title;

(2) number of male employees;

(3) number of female employees;

(4) whether the class is male-dominated, female-dominated, or balanced;

(5) comparable work value as determined by the job evaluation system;

(6) minimum and maximum monthly salary;

(7) performance payments, if any employee in the class was receiving such payments resulting in pay above the salary range maximum; and

(8) whether or not eligibility for benefits, or the employer contribution for benefits, is different for any male-dominated and female-dominated classes."

Page 2, line 28, delete "(b)" and insert "(c)"

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 2463, A bill for an act relating to campaign finance; requiring that certain political contributions be made from funds subject to the individual income tax; amending Minnesota Statutes 2012, section 10A.27, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 211B.

Reported the same back with the following amendments:

Page 1, line 9, delete everything after "contributions."

Page 1, line 10, delete everything before the second "political"

Page 1, lines 12 and 19, after "made" insert ", whether directly or indirectly."

Page 1, lines 15 and 23, delete "federal, state," and insert "state"

Page 1, delete line 17

Page 1, line 18, delete "participation."

With the recommendation that when so amended the bill 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. 2526, A bill for an act relating to health; modifying the newborn screening program; amending Minnesota Statutes 2012, section 144.125, subdivisions 3, 4, 5, 8, 9, 10; Minnesota Statutes 2013 Supplement, section 144.125, subdivision 7; repealing Minnesota Statutes 2012, section 144.125, subdivision 6.

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

The report was adopted.

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

H. F. No. 2545, A bill for an act relating to health; adding and modifying definitions; changing the requirements for pharmacist participation in immunizations; changing the powers and duties of the Board of Pharmacy; changing licensing requirements for businesses regulated by the Board of Pharmacy; clarifying requirements for compounding; allowing certain educational institutions to purchase legend drugs in limited circumstances; allowing certain entities to handle drugs in preparation for emergency use; clarifying the requirement that drug manufacturers report certain payments to the Board of Pharmacy; adding certain substances to the schedules for controlled substances; amending Minnesota Statutes 2012, sections 151.01; 151.06; 151.211; 151.26; 151.34; 151.35; 151.361, subdivision 2; 151.37, as amended; 151.44; 151.58, subdivisions 2, 3, 5; 152.02, subdivision 8b; Minnesota Statutes 2013 Supplement, sections 151.252, by adding a subdivision; 152.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Page 25, line 21, delete "as defined in" and insert "pursuant to"

Page 51, delete section 20

Correct the title numbers accordingly

With the recommendation that when so amended the bill 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. 2553, A bill for an act relating to public safety; requiring law enforcement to secure a search warrant in order to receive electronic device location information; amending Minnesota Statutes 2012, section 626A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 626A.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. **[626.19] USE OF UNMANNED AERIAL VEHICLES.**

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

(b) "Adverse result" means:

(1) endangering the life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence;

(4) intimidation of potential witnesses; or

(5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

(c) "Governmental entity" means any entity of the state executive, legislative, or judicial branches; the University of Minnesota; the Minnesota State Colleges and Universities; and local entities including, but not limited to, a county; home rule, charter, or statutory city; town; school district; metropolitan or regional agency; public corporation; political subdivision; or special district as defined in section 6.465, subdivision 3.

(d) "Unmanned aerial vehicle" or "UAV" means a powered, aerial vehicle that:

(1) does not carry a human operator;

(2) can fly autonomously or be piloted remotely; and

(3) can be expendable or recoverable.

Subd. 2. **Use of unmanned aerial vehicles limited.** Except as provided in subdivision 3, a governmental entity may not operate an unmanned aerial vehicle without a search warrant.

Subd. 3. **Exceptions.** (a) A governmental entity may operate an unmanned aerial vehicle and disclose information collected from such operation in an emergency situation that involves an imminent threat to the life or safety of a person. A governmental entity that deploys a UAV pursuant to this paragraph must document the factual basis for the emergency on a form created for that purpose by the Bureau of Criminal Apprehension and submit a sworn statement with the district court setting forth the grounds for the emergency use not later than 48 hours after operation of an unmanned aerial vehicle commenced.

(b) A governmental entity may operate an unmanned aerial vehicle to counter a high risk of a terrorist attack by a specific individual or organization if the secretary of the United States Department of Homeland Security determines that credible intelligence indicates that there is this risk.

(c) A governmental entity may operate an unmanned aerial vehicle to collect information from a public area if a court, upon motion, determines that there are specific and articulable facts demonstrating reasonable suspicion of criminal activity, that the operation of the public unmanned aircraft system will uncover such activity, and that alternative methods of data collection are either cost-prohibitive or present a significant risk to any person's bodily safety. Such an order shall not be issued for a period greater than 48 hours. Extensions of an order may be granted but shall be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than 30 days.

(d) A governmental entity may operate an unmanned aerial vehicle to prevent the loss of life and property in natural or man-made disaster situations and to facilitate the operational planning, rescue, and recovery operations in the aftermath of those disasters.

(e) A governmental entity may operate an unmanned aerial vehicle for non-law enforcement purposes. Information and images gathered when a governmental entity acts under this paragraph may not be used for intelligence purposes or admitted as evidence in a legal, regulatory, or administrative matter unless consensual disclosure is authorized under subdivision 5.

Subd. 4. Limitations on use. (a) A governmental entity operating a UAV must fully comply with all Federal Aviation Administration requirements and guidelines.

(b) Acquisition of unmanned aerial vehicles must be approved by the governmental entity's legislative body.

(c) A UAV shall be operated in a manner to collect data only on a clearly and narrowly defined target and to avoid data collection on individuals, homes, or areas other than the defined target.

(d) A governmental entity may not deploy facial recognition or other biometric matching technology via a UAV unless expressly authorized to do so through a court order.

(e) Unmanned aerial vehicles may not be equipped with weapons.

Subd. 5. Consensual disclosure of information. Notwithstanding subdivision 6, paragraph (b), a governmental entity may disclose or receive information about any person acquired through the operation of an unmanned aerial vehicle if such person has given written consent to such disclosure.

Subd. 6. Data retention and classification. (a) No data collected on an individual, home, or area other than the subject identified in the warrant or order may be used, copied, or disclosed for any purpose except as provided in subdivision 5. Notwithstanding sections 138.163 and 138.17, the data must be deleted as soon as possible, and in no event later than 24 hours after collection.

(b) Data collected pursuant to this section shall be classified as criminal investigative data under section 13.82, subdivision 7.

Subd. 7. Evidence. Information obtained or collected by a governmental entity in violation of this section is not admissible as evidence in a criminal prosecution in any court of law in this state.

Subd. 8. **Notice.** (a) Notice must be given to the subject of a search warrant or order issued under this section.

(b) Unless delayed notice is ordered under paragraph (c), the governmental entity shall provide notice to the subject within three days of completing surveillance with a UAV. The notice must be made by service or delivered by registered or first class mail, e-mail, or any other means reasonably calculated to be effective as specified by the court issuing the warrant. The notice must contain the following information:

(1) the nature of the law enforcement inquiry, with reasonable specificity;

(2) the time period that the subject was under surveillance by a UAV; and

(3) whether the notification was delayed pursuant to paragraph (c) and, if so, the court that granted the delay and the reasons for granting the delay.

(c) A governmental entity may include in the application for a warrant a request for an order to delay the notification required under this section for a period not to exceed ten days. The court shall issue the order if the court determines that there is reason to believe that notification may have an adverse result. Upon expiration of the period of delay granted under this subdivision and any extension granted under paragraph (d), the governmental entity shall provide the subject a copy of the warrant together with a notice pursuant to paragraph (b).

(d) The court, upon application, may grant one or more extensions of orders granted under paragraph (c) for up to an additional ten days.

Subd. 9. **Remedies for violation.** A person aggrieved by a governmental entity's violation of this section may bring a civil action against the governmental entity.

Subd. 10. **Reporting.** (a) In June of each year, each governmental entity that uses unmanned aerial vehicles shall report to the legislature and make public on its Web site:

(1) the number of times an unmanned aerial vehicle was used, organized by the types of incidents and the types of justification for deployment;

(2) the number of criminal investigations aided by the use of unmanned aerial vehicles, including a description of how the unmanned aerial vehicle was helpful to each investigation;

(3) the number of uses of unmanned aerial vehicles for reasons other than criminal investigations, including a description of how the unmanned aerial vehicle was helpful in each instance;

(4) the frequency and type of data collected on individuals or areas other than targets; and

(5) the total cost of the entity's unmanned aerial vehicle program.

(b) In January of each year, any judge who has issued a warrant or order under this section that expired during the preceding year, or who has denied approval during that year, shall report to the state court administrator:

(1) the fact that an order or extension was applied for;

(2) the kind of order or extension applied for;

(3) the fact that the order or extension was granted as applied for, was modified, or was denied;

(4) the period of unmanned aerial vehicle use authorized by the order, and the number and duration of any extensions of the order;

(5) the offense specified in the order or application, or extension of an order; and

(6) the identity of the applying governmental entity making the application and the person authorizing the application.

(c) In June of each year, the state court administrator shall transmit to the legislature and post on the Supreme Court's Web site a full and complete report concerning the number of applications for orders authorizing or approving operation of unmanned aerial vehicles or disclosure of information from the operation of unmanned aerial vehicles pursuant to this section and the number of orders and extensions granted or denied pursuant to this section during the preceding calendar year. The report shall include a summary and analysis of the data required to be filed with the state court administrator by paragraph (b)."

Page 2, line 29, before the period, insert "or a qualified domestic violence-related offense, as defined in section 609.02, subdivision 16"

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring the government to secure a search warrant for the use of unmanned aerial vehicles except in specific circumstances;"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2566, A bill for an act relating to local government; authorizing meetings by telephone or other electronic means; amending Minnesota Statutes 2012, section 469.084, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2568, A bill for an act relating to education; reducing paperwork burdens by creating a unified online system for collecting and reporting required special education due process data and thereby increasing opportunities for special education educators to focus on teaching students; amending Minnesota Statutes 2012, section 125A.08; Laws 2013, chapter 116, article 5, section 31, subdivision 8.

Reported the same back with the following amendments:

Page 3, line 18, before the period, insert "to individuals with a legitimate educational interest and who are authorized by law to access the data"

Page 3, line 20, delete "MARRS" and insert "MARSS"

Page 3, line 26, after "integrating," insert "field testing,"

Page 3, after line 28, insert:

"(1) reduce special education teachers' paperwork burden and thereby increase the teachers' opportunities to focus on teaching children;"

Page 3, line 29, delete "(1) consistent with chapter 13 governing government data practices," and insert "(2) to the extent authorized by chapter 13 or other applicable state or federal law governing access to and dissemination of educational records,"

Page 3, line 34, delete "(2)" and insert "(3)"

Page 4, line 1, delete "(3)" and insert "(4)"

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

Page 4, line 7, delete "(5)" and insert "(6)"

Page 4, line 9, after "(c)" insert "The commissioner must use the federal Office of Special Education Programs model forms for the (1) individualized education program, (2) notice of procedural safeguards, and (3) prior written notice that are consistent with Part B of IDEA to integrate and customize a state-sponsored universal special education online case management system, consistent with the requirements of state law and this subdivision for integrating, customizing, and sustaining a statewide online reporting system." and delete ", using" and insert "must use" and delete ", must" and insert "to"

Page 4, line 10, delete "a commercially available online system and"

Page 4, line 13, delete "2014-2015" and insert "2015-2016"

Page 4, line 14, delete "2014-2015 through 2016-2017" and insert "2015-2016 through 2017-2018"

Page 4, line 15, delete "2017-2018" and insert "2018-2019"

Page 4, line 22, after the period, insert "The public Internet Web interface must not provide access to the educational records of any individual child."

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

The report was adopted.

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

H. F. No. 2587, A bill for an act relating to education; providing for information technology certifications through public-private partnership; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "a single" and insert "at least one"

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

The report was adopted.

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

H. F. No. 2655, A bill for an act relating to human services; modifying appropriations to the commissioner of human services for grant programs; amending Laws 2013, chapter 108, article 14, section 2, subdivision 6.

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

The report was adopted.

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

H. F. No. 2666, A bill for an act relating to energy; utilities; providing an exception to certificate of need requirements for certain electric generation facilities; amending Minnesota Statutes 2012, section 216B.243, subdivision 8.

Reported the same back with the following amendments:

Page 2, delete lines 4 to 8 and insert:

"(7) a wind energy conversion system or solar electric generation facility if the system or facility is owned and operated by an independent power producer and the electric output of the system or facility is not sold to an entity that provides retail or wholesale electric service in Minnesota."

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

The report was adopted.

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

H. F. No. 2672, A bill for an act relating to education; directing commissioner of education to prepare report for the legislature on K-12 students' experience with physical education.

Reported the same back with the following amendments:

Page 1, line 10, delete "indicate" and insert "include"

Page 1, line 11, delete everything after "(1)" and insert "the number of minutes per day and frequency per week students in"

Page 1, delete line 12 and insert "each grade level, kindergarten through grade 8, receive physical education."

Page 1, line 13, delete everything before the semicolon and insert "identify the requirements in high school physical education in terms of semesters, quarters, or school years"

Page 1, line 18, delete everything after "(4)" and insert "the amount of time and number of days per week each grade level, kindergarten through grade 6, receives recess;"

Page 1, line 19, delete everything after "(5)" and insert "whether high school students are allowed to substitute other activities for required physical education, and, if so, which activities qualify;"

Page 1, delete line 20

Page 1, line 21, delete everything after "(6)" and insert "identify the number or percentage of high school students who earn required physical education credits online"

Page 1, line 22, delete everything before the semicolon

Page 1, line 23, delete everything after "(7)" and insert "whether schools offer before or after school physical activities opportunities"

Page 1, line 24, delete everything before the period and insert "in each grade level, kindergarten through grade 8, and in high school, and, if so, what are the opportunities"

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

The report was adopted.

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

H. F. No. 2675, A bill for an act relating to education; establishing requirements for a standard adult high school diploma; amending Minnesota Statutes 2012, section 124D.52, by adding a subdivision; Minnesota Statutes 2013 Supplement, section 124D.52, subdivision 8.

Reported the same back with the following amendments:

Page 4, line 3, delete "establish a nine-member stakeholder advisory committee"

Page 4, line 4, delete "representing" and insert "consult with"

Page 4, line 6, delete "to advise the commissioner"

Page 4, line 9, delete "committee" and insert "commissioner, in consultation with the practitioners."

Page 4, line 10, delete "and annually report" and insert a period

Page 4, delete lines 11 and 12

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

The report was adopted.

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

H. F. No. 2681, A bill for an act relating to education; modifying school district review and comment requirements; amending Minnesota Statutes 2012, section 123B.71, subdivisions 8, 9; repealing Minnesota Statutes 2012, section 123B.71, subdivision 1.

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

The report was adopted.

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

H. F. No. 2693, A bill for an act relating to education; implementing recommendations of the 2014 Special Education Case Load and Rule Alignment Task Force; authorizing the commissioner of education to use expedited rulemaking to implement the rule recommendations of the task force; amending Minnesota Statutes 2012, sections 121A.582, subdivision 1; 125A.08; Minnesota Statutes 2013 Supplement, sections 125A.0942, subdivision 2; 626.556, subdivision 2.

Reported the same back with the following amendments:

Page 11, line 2, after "14.389," insert "including subdivision 5,"

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

The report was adopted.

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

H. F. No. 2719, A bill for an act relating to environment; modifying environmental review requirements for biorefinery using cellulosic feedstock; amending Minnesota Statutes 2012, section 116D.04, subdivision 2a.

Reported the same back with the recommendation that the bill 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. 2722, A bill for an act relating to family law; making changes to custody and parenting time provisions; amending Minnesota Statutes 2012, sections 518.17, subdivision 2; 518.175, subdivisions 1, 5.

Reported the same back with the recommendation that the bill 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. 2760, A bill for an act relating to health; establishing a health care homes advisory committee; amending Minnesota Statutes 2012, section 256B.0751, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 7, delete "commissioner" and insert "commissioners" and after "health" insert "and human services"

Page 1, lines 8, 11, and 17, delete "commissioner" and insert "commissioners"

Page 1, line 10, before "section" insert "this" and delete "256B.072"

Page 1, line 12, after the semicolon, insert "mental health providers:"

Page 2, line 5, delete "commissioner" and insert "commissioners"

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

The report was adopted.

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

H. F. No. 2775, A bill for an act relating to education; aligning teacher evaluation programs; amending Minnesota Statutes 2012, section 122A.414, subdivision 2; Minnesota Statutes 2013 Supplement, sections 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.10, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2013 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not

agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan for evaluation and review under paragraph (c). The process must include having trained observers serve as peer coaches ~~or having teachers participate in professional learning communities~~, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

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

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

(3) must be based on professional teaching standards established in rule;

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

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

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

~~(7)~~ may include mentoring and induction programs;

~~(7)~~ (8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

~~(8)~~ (9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

~~(9)~~ (10) must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible;

~~(10)~~ (11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

~~(11)~~ (12) must give teachers not meeting professional teaching standards under clauses (3) through ~~(10)~~ (11) support to improve through a teacher improvement process that includes established goals and timelines; and

~~(12)~~ (13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause ~~(11)~~ (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

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

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

(d) Teacher development and evaluation revenue for a school district or charter school that does not have an alternative professional pay system agreement under section 122A.414, subdivision 2, equals \$169 times the number of pupils enrolled at the district or charter school on October 1 of the previous school year. For an intermediate school district, special education cooperative, secondary vocational cooperative, or other cooperative unit under section 123A.24, subdivision 2, the teacher development and evaluation revenue for the current school year equals the statewide average amount of teacher development and evaluation revenue per licensed teacher times the number of licensed teachers employed by the cooperative unit. A school district, charter school, and cooperative unit must reserve and expend this teacher development and evaluation revenue consistent with this subdivision.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2015 and later.

Sec. 2. Minnesota Statutes 2013 Supplement, section 122A.41, subdivision 5, is amended to read:

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

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

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

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

(3) must be based on professional teaching standards established in rule;

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

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

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

(7) may include mentoring and induction programs;

~~(7)~~ (8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

~~(8)~~ (9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

~~(9)~~ (10) must use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible;

~~(10)~~ (11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

~~(11)~~ (12) must give teachers not meeting professional teaching standards under clauses (3) through ~~(10)~~ (11) support to improve through a teacher improvement process that includes established goals and timelines; and

~~(12)~~ (13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause ~~(11)~~ (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

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

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

(d) Teacher development and evaluation revenue for a school district or charter school that does not have an alternative professional pay system agreement under section 122A.414, subdivision 2, equals \$169 times the number of pupils enrolled at the district or charter school on October 1 of the previous school year. For an intermediate school district, special education cooperative, secondary vocational cooperative, or other cooperative unit under section 123A.24, subdivision 2, the teacher development and evaluation revenue for the current school year equals

the statewide average amount of teacher development and evaluation revenue per licensed teacher times the number of licensed teachers employed by the cooperative unit. A school district, charter school, and cooperative unit must reserve and expend this teacher development and evaluation revenue consistent with this subdivision.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2015 and later.

Sec. 3. Minnesota Statutes 2012, section 122A.414, subdivision 2, is amended to read:

Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this program, a school district, intermediate school district, school site, or charter school must have an educational improvement plan under section 122A.413 and an alternative teacher professional pay system agreement under paragraph (b). A charter school participant also must comply with subdivision 2a.

(b) The alternative teacher professional pay system agreement must:

(1) describe how teachers can achieve career advancement and additional compensation;

(2) describe how the school district, intermediate school district, school site, or charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitate site-focused professional development that helps other teachers improve their skills;

(3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of participating in this system, and base at least 60 percent of any compensation increase on teacher performance using:

(i) schoolwide student achievement gains under section 120B.35 or locally selected standardized assessment outcomes, or both;

(ii) measures of student achievement growth that may include value-added models or student learning goals, consistent with section 122A.40, subdivision 8, paragraph (b), clause (9), or 122A.41, subdivision 5, paragraph (b), clause (9); and

(iii) an objective evaluation program that includes: under section 122A.40, subdivision 8, paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2)

~~(A) individual teacher evaluations aligned with the educational improvement plan under section 122A.413 and the staff development plan under section 122A.60; and~~

~~(B) objective evaluations using multiple criteria conducted by a locally selected and periodically trained evaluation team that understands teaching and learning;~~

(4) provide integrated ongoing site-based professional development activities for participation in job-embedded learning opportunities such as professional learning communities to improve instructional skills and learning that are aligned with student needs under section 122A.413, consistent with the staff development plan under section 122A.60 and led during the school day by trained teacher leaders such as master or mentor teachers;

(5) allow any teacher in a participating school district, intermediate school district, school site, or charter school that implements an alternative pay system to participate in that system without any quota or other limit; and

(6) encourage collaboration rather than competition among teachers.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2015 and later. Paragraph (b), clause (3), is effective for agreements under this section approved after August 1, 2015.

Sec. 4. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 8, is amended to read:

Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

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

(c) A school authorized by a school board may be located in any district, unless the school board of the district of the proposed location disapproves by written resolution.

(d) A charter school must be nonsectarian in its programs, admission policies, employment practices, and all other operations. An authorizer may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or a religious institution. A charter school student must be released for religious instruction, consistent with section 120A.22, subdivision 12, clause (3).

(e) Charter schools must not be used as a method of providing education or generating revenue for students who are being home-schooled. This paragraph does not apply to shared time aid under section 126C.19.

(f) The primary focus of a charter school must be to provide a comprehensive program of instruction for at least one grade or age group from five through 18 years of age. Instruction may be provided to people younger than five years and older than 18 years of age.

(g) A charter school may not charge tuition.

(h) A charter school is subject to and must comply with chapter 363A and section 121A.04.

(i) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(j) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under subdivision 6a. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65. A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with the requirements of sections 123B.75 to 123B.83, except to the extent deviations are necessary because of the program at the school. Deviations must be approved by the commissioner and authorizer. The Department of Education, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school determined to be in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

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

(l) A charter school must comply with chapters 13 and 13D; and sections 120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

(m) A charter school is subject to the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(n) A charter school offering online courses or programs must comply with section 124D.095.

(o) A charter school and charter school board of directors are subject to chapter 181.

(p) A charter school must comply with section 120A.22, subdivision 7, governing the transfer of students' educational records and sections 138.163 and 138.17 governing the management of local records.

(q) A charter school that provides early childhood health and developmental screening must comply with sections 121A.16 to 121A.19.

(r) A charter school that provides school-sponsored youth athletic activities must comply with section 121A.38.

(s) A charter school is subject to and must comply with continuing truant notification under section 260A.03.

(t) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to ~~(12)~~ (13), and is eligible to receive teacher development and evaluation revenue under section 122A.40, subdivision 8, paragraph (d), or 122A.41, subdivision 5, paragraph (d), for this purpose.

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

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2015 and later."

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

The report was adopted.

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

H. F. No. 2783, A bill for an act relating to local government; authorizing Ramsey County Housing and Redevelopment Authority to exercise certain housing powers; proposing coding for new law in Minnesota Statutes, chapter 383A.

Reported the same back with the following amendments:

Page 1, line 15, delete ""Council"" and insert ""Council" or "governing body of the city""

Page 2, line 2, delete everything after the period

Page 2, line 3, delete "subdivision 2," and insert "The public hearings under sections 428A.13 and 428A.14 may be held at the times and places determined by the Ramsey County Housing and Redevelopment Authority, except that they"

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

The report was adopted.

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

H. F. No. 2795, A bill for an act relating to data practices; modifying standards related to bulk transfer of certain driver's license and motor vehicle registration data; requiring a study; amending Minnesota Statutes 2012, sections 168.346, subdivision 1; 171.12, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 11, after "form" insert "to an authorized recipient"

Page 2, line 2, delete "for" and insert "to an authorized recipient"

Page 2, line 3, delete "any of the permissible uses described in" and insert "under"

Page 2, delete section 3

Page 3, line 17, delete "4" and insert "3"

Amend the title as follows:

Page 1, line 3, delete "requiring a study;"

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

The report was adopted.

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

H. F. No. 2834, A bill for an act relating to energy; eliminating antiquated, unnecessary, redundant, or obsolete laws; making conforming changes; amending Minnesota Statutes 2012, sections 216C.03; 256E.25, subdivision 5a; repealing Minnesota Statutes 2012, sections 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; 216C.44.

Reported the same back with the following amendments:

Page 2, delete section 2 and insert:

"Sec. 3. **REPEALER.**

(a) Minnesota Statutes 2012, sections 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; and 216C.44, are repealed.

(b) Minnesota Rules, parts 7606.0010; 7606.0020, subparts 1, 2, 3, 4, 5, 5a, 6, 8, 9, and 10; 7606.0030; 7606.0040; 7606.0050; 7606.0060; 7606.0070; and 7606.0080, are repealed.

(c) Minnesota Rules, parts 7630.0110; 7630.0120; 7630.0200; 7630.0210; 7630.0220; 7630.0300; 7630.0310; 7630.0320; 7630.0330; 7630.0340; 7630.0350; and 7630.0360, are repealed."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2858, A bill for an act relating to transportation; amending regulation of limousines; amending Minnesota Statutes 2012, sections 65B.135; 168.002, subdivision 15; 168.128, subdivisions 2, 3; 221.84, subdivisions 1, 4.

Reported the same back with the following amendments:

Page 2, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2012, section 168.128, subdivision 3, is amended to read:

Subd. 3. **Insurance.** (a) The application must include a certificate of insurance verifying that a valid commercial insurance policy is in effect and giving the name of the insurance company and the number of the insurance policy. The policy must provide stated limits of liability, exclusive of interest and costs, with respect to each motor vehicle for which coverage is granted, of:

~~(1) not less than \$100,000 because of bodily injury to one person in any one accident and, subject to that limit for one person, of not less than \$300,000 because of injury to two or more persons in any one accident;~~

(2) not less than the minimum aggregate amount required under section 65B.135 per accident; and of

(3) not less than \$100,000 because of injury to or destruction of property.

(b) The insurance company must notify the commissioner if the policy is canceled or if the policy no longer provides the coverage required by this subdivision.

~~(b)~~ (c) The commissioner shall immediately notify the commissioner of transportation if the policy of a person required to have a permit under section 221.84 is canceled or no longer provides the coverage required by this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2014, and applies to coverage issued or renewed on or after that date."

Page 3, line 4, delete the new language

Page 3, delete section 6

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2882, A bill for an act relating to human services; modifying provisions governing the administration of neuroleptic medication to persons subject to civil commitment; establishing a pilot program; amending Minnesota Statutes 2012, sections 253B.07, subdivision 7; 253B.09, subdivision 2; 253B.092, subdivision 2.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, delete section 2

Page 3, line 24, delete "related to notice of commitment"

Page 3, line 27, after "commissioner" insert "prior to or"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "provisions governing"

Correct the title numbers accordingly

With the recommendation that when so amended the bill 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. 2911, A bill for an act relating to taxation; property; exempting solar energy systems from property taxation; establishing a solar energy production tax; requiring reports; amending Minnesota Statutes 2012, section 272.02, subdivision 24; proposing coding for new law in Minnesota Statutes, chapter 272.

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

The report was adopted.

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

H. F. No. 2917, A bill for an act relating to local government; broadening the application of city special service districts to include residential and mixed uses; amending Minnesota Statutes 2012, sections 428A.08; 428A.09, subdivision 2; Minnesota Statutes 2013 Supplement, section 428A.02, subdivision 1; repealing Minnesota Statutes 2012, section 428A.01, subdivision 6.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2013 Supplement, section 428A.02, subdivision 1, is amended to read:

Subdivision 1. **Ordinance.** (a) The governing body of a city may adopt an ordinance establishing a special service district. Only property that is wholly or partially classified as class 3 under section 273.13 ~~and used for commercial, industrial, or public utility purposes, or is vacant land zoned or designated on a land use plan for commercial or industrial use~~ and located in the special service district, ~~may be~~ is subject to the charges imposed by the city on the special service district. Other ~~types of property~~ properties may be included within the boundaries of the special service district but are not subject to the levies or charges imposed by the city on the special service district.

(b) ~~If 50 percent or more of the estimated market value of a parcel of property is classified under section 273.13 as commercial, industrial, or vacant land zoned or designated on a land use plan for commercial or industrial use, or public utility for the current assessment year~~ a property is subject to a service charge based on net tax capacity, then the entire taxable market value of the property, including any portion not classified as class 3, is subject to a ~~the service charge based on net tax capacity for purposes of sections 428A.01 to 428A.10.~~

(c) The ordinance shall describe with particularity the area within the city to be included in the district and the special services to be furnished in the district. The ordinance may not be adopted until after a public hearing has been held on the question. Notice of the hearing shall include the time and place of hearing, a map showing the boundaries of the proposed district, and a statement that all persons owning property in the proposed district that would be subject to a service charge will be given opportunity to be heard at the hearing. Within 30 days after adoption of the ordinance under this subdivision, the governing body shall send a copy of the ordinance to the commissioner of revenue."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before the semicolon and insert "modifying special service district ordinance, petition, and veto requirements"

With the recommendation that when so amended the bill 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. 2918, A bill for an act relating to real property; prohibiting certain restrictions on the use of residential solar energy systems; amending Minnesota Statutes 2012, sections 515.07; 515B.2-103; 515B.3-102; proposing coding for new law in Minnesota Statutes, chapter 500.

Reported the same back with the following amendments:

Page 1, line 9, delete "(a)"

Page 1, line 11, delete "house or townhouse" and insert "dwelling"

Page 1, delete lines 12 to 16

Page 1, before line 17, insert:

"Subd. 2. **Applicability.** This section applies to single-family dwellings, whether attached or detached, where:

(1) the unit boundaries are boundaries of platted lots;

(2) there are no upper or lower boundaries; and

(3) the unit owner is responsible for maintenance, repair, replacement, and insurance of the unit roof."

Page 1, line 17, delete "2" and insert "3"

Page 1, delete line 25

Page 2, delete lines 1 to 15 and insert:

"(d) "Solar energy system" has the meaning given in section 216C.06, subdivision 17."

Page 2, line 16, delete "3" and insert "4"

Page 2, delete lines 31 and 32 and insert "decrease the projected generation of energy by a solar energy system by more than 20 percent or increase its cost by more than (1) 20 percent, for a solar water heater, or (2) \$2,000, for a solar photovoltaic system, compared with the generation of energy and the cost of labor and materials certified by the designer or installer of the solar energy system as originally proposed without the restrictions. A private entity may obtain an alternative bid and design from a solar energy system designer or installer for the purposes of this paragraph."

Page 2, line 36, delete "other nationally recognized" and insert "an equivalent"

Page 3, line 3, delete "such as" and insert "including, but not limited to,"

Page 3, line 6, delete "Whenever" and insert "If"

With the recommendation that when so amended the bill 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. 2937, A bill for an act relating to state government; making technical changes affecting the Minnesota Historical Society; amending Minnesota Statutes 2012, sections 3.732, subdivision 1; 43A.24, subdivision 2; 138.081, subdivision 2; 138.662, subdivision 21, by adding subdivisions; 138.94; repealing Minnesota Statutes 2012, section 138.662, subdivisions 4, 34.

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

The report was adopted.

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

H. F. No. 2942, A bill for an act relating to education; modifying postsecondary enrollment options dissemination of information requirements; amending Minnesota Statutes 2012, section 124D.09, subdivision 9.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. **[120B.129] GRADE POINT AVERAGE WEIGHTING.**

(a) For purposes of this section, "dual credit course" means a course taken during high school that may result in both high school and college credit being awarded, including advanced placement, international baccalaureate, project lead the way, college in the schools, postsecondary enrollment options, and concurrent enrollment.

(b) If a school district or charter school weights any dual credit course in calculating a student's overall grade point average, the district or charter school must give equal weight to all dual credit courses in calculating a student's grade point average."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "establishing and modifying certain dual credit provisions"

Page 1, line 3, delete "of information requirements"

Correct the title numbers accordingly

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 2943, A bill for an act relating to elections; requiring a special election to fill a vacancy in the office of county attorney; amending Minnesota Statutes 2012, sections 375.08; 382.02.

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

The report was adopted.

Simon from the Committee on Elections to which was referred:

H. F. No. 2956, A bill for an act relating to transportation; providing for free transit service on certain election days; appropriating money; amending Minnesota Statutes 2012, sections 174.24, by adding a subdivision; 473.408, by adding a subdivision.

Reported the same back with the recommendation that the bill 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. 2968, A bill for an act relating to local government; authorizing four-year terms for Grand Rapids Public Utilities Commission; amending Laws 1999, chapter 195, section 2.

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

The report was adopted.

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

H. F. No. 3058, A bill for an act relating to public safety; traffic regulations; authorizing local units of government to establish educational diversion programs for certain traffic offenses; requiring the development of uniform minimum standards for the programs; classifying data; appropriating money; amending Minnesota Statutes 2012, sections 6.74; 13.6905, by adding a subdivision; 169.022; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 6.74, is amended to read:

6.74 INFORMATION COLLECTED FROM LOCAL GOVERNMENTS.

The state auditor, or a designated agent, shall collect annually from all city, county, and other local units of government, information as to the assessment of property, collection of taxes, receipts from licenses and other sources including administrative fines assessed and collected pursuant to section 169.999 and diversion program fees collected under section 169.9991, the expenditure of public funds for all purposes, borrowing, debts, principal and interest payments on debts, and such other information as may be useful. The data shall be supplied upon forms prescribed by the state auditor, and all public officials so called upon shall fill out properly and return promptly all forms so transmitted. The state auditor or assistants, may examine local records in order to complete or verify the information.

Sec. 2. Minnesota Statutes 2012, section 13.6905, is amended by adding a subdivision to read:

Subd. 34. **Traffic offense educational diversion program data.** Data related to a traffic offense educational diversion program are governed by section 169.9991, subdivision 12.

Sec. 3. Minnesota Statutes 2012, section 169.022, is amended to read:

169.022 UNIFORM APPLICATION.

The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may adopt traffic regulations which are not in conflict with the provisions of this chapter; provided, that when any local ordinance regulating traffic covers the same subject for which a penalty is provided for in this chapter, then the penalty provided for violation of said local ordinance shall be identical with the penalty provided for in this chapter for the same offense, except as otherwise provided in section 169.9991 and in associated standards or rules.

Sec. 4. **[169.9991] TRAFFIC OFFENSE EDUCATIONAL DIVERSION PROGRAMS.**

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

(b) "Local unit of government" means a county, a home rule charter or statutory city, or a town.

(c) "Diversion program" or "program" means the traffic offense educational diversion program created by this section.

Subd. 2. **Programs authorized.** (a) A local unit of government may establish a diversion program for holders of class D drivers' licenses who commit one of the following offenses:

(1) failure to obey traffic-control signals in violation of section 169.06;

(2) violating section 169.14, where the violation consists of a speed under 15 miles per hour in excess of the lawful speed limit, but excluding a speed limit violation described in section 171.12, subdivision 6;

(3) passing on the right in violation of section 169.18, subdivision 4;

(4) following a vehicle too closely in violation of section 169.18, subdivision 8;

(5) passing a parked emergency vehicle in violation of section 169.18, subdivision 11;

(6) failing to yield right-of-way in violation of section 169.20, subdivision 1;

(7) failing to obey a stop sign in violation of section 169.20, subdivision 3;

(8) failing to obey a stop line in violation of section 169.30;

(9) operating a vehicle that is in violation of sections 169.46 to 169.68 and 169.69 to 169.75; and

(10) using a wireless communications device in violation of section 169.475.

(b) To establish a program under this section, the governing body of a local unit of government shall pass a resolution authorizing and setting the fee for the program and report the resolution to the commissioner of public safety and the state auditor.

(c) When issuing a citation to a vehicle operator for an offense described in paragraph (a), a peace officer employed by a local unit of government that has complied with paragraph (b) may also provide written information about the governmental unit's diversion program, including contact information, eligibility, participation fee, duration, content, and benefits. The peace officer shall use best efforts to avoid referring an ineligible person to the program.

(d) A person who has been referred to a diversion program under paragraph (c) may respond to the citation as otherwise provided for in law or proceed under this section. If the person chooses to proceed under this section, the person shall enroll in and successfully complete the program. A person who is not eligible for the program or otherwise fails to successfully complete it shall either pay the citation or contest it as otherwise provided for in law.

Subd. 3. **Compliance with best practices.** A diversion program operating under this section shall comply with the best practices developed by the commissioner of public safety under subdivision 4.

Subd. 4. **Program best practices; fee.** (a) By September 15, 2014, the commissioner of public safety shall develop and disseminate to local units of government uniform best practices for diversion programs under this section. The commissioner may amend the best practices at any time and shall disseminate any amendments to local units of government. At a minimum, the best practices must address the following:

(1) the minimum duration of a program;

(2) acceptable locations for a program, including whether a program may be offered online, and whether a program must be offered within a certain distance of a referred person's home;

(3) the curriculum of the program, including whether the program must address the specific offense for which a person was cited;

(4) qualifications for persons conducting the program;

(5) eligibility for participation, including whether a person who previously completed a program is eligible to participate again, subject to subdivision 7, paragraph (b); and

(6) requirements for successful completion of the program.

The commissioner, in developing best practices for diversion programs, shall consult with the Minnesota Police and Peace Officers Association, Minnesota Sheriffs Association, Minnesota Chiefs of Police Association, Minnesota County Attorneys Association, Association of Minnesota Counties, League of Minnesota Cities, and an organization with expertise in driver education such as American Automobile Association or Minnesota Safety Council.

(b) A local unit of government may establish a program fee of up to \$75. The fee must be set in the resolution required in subdivision 2, paragraph (b). Fees collected by the local unit of government must be reported to the commissioner of public safety and the state auditor. Fees may be retained by the local unit of government to pay the costs of administering and operating the program, promoting traffic safety, and administering and operating other safety and educational programs within the jurisdiction.

Subd. 5. **Surcharge.** The surcharge imposed under section 357.021, subdivision 6, does not apply to a participant in a diversion program.

Subd. 6. **Contracting with third parties.** Notwithstanding any other law or ordinance to the contrary, a local unit of government that establishes a diversion program under this section may contract with a third party to create and administer the program. The contract must require the third party to comply with and operate the program in accordance with the requirements of this section.

Subd. 7. **Officer's authority.** (a) The authority to refer a person to a diversion program under this section is reserved exclusively to licensed peace officers. An officer may not be required by ordinance or otherwise to make a referral.

(b) A peace officer is prohibited from referring a person to the program when the person has more than two convictions for a violation identified in subdivision 2, paragraph (a), in a 12-month period, beginning on the date of the first violation.

Subd. 8. **Records.** The program administrator of each diversion program shall be responsible for determining participant eligibility and successful completion. A report, in a form specified by the commissioner of public safety, of licensed drivers who have enrolled in, participated in, or successfully completed a diversion program must be promptly transmitted to the commissioner of public safety, who shall retain the records and communicate them, on request, to similar programs in the state for the purpose of determining eligibility.

Subd. 9. **Driving records.** (a) The commissioner of public safety may not record the underlying violation on the driving record of an eligible person who successfully completes a diversion program or use it as grounds for revocation or suspension of the person's driver's license.

(b) A violation identified in subdivision 2, paragraph (a), must be recorded in the comprehensive incident-based reporting system under section 299C.40, for the limited purpose of ensuring compliance with subdivision 7, paragraph (b).

Subd. 10. **Commercial drivers' licenses and commercial vehicles; eligibility for participation.** A person who holds a commercial driver's license, or is the driver of a commercial vehicle in which an offense was committed, is not eligible for a diversion program under this section if participation would constitute noncompliance with federal law or regulation and subject the state to possible loss of federal funds.

Subd. 11. **Local preemption.** Diversion programs under this section are limited exclusively to those offenses listed in subdivision 2, paragraph (a).

Subd. 12. **Data.** Data on individuals referred to or enrolled in a diversion program under this section are private data on individuals, as defined in section 13.02, subdivision 12, and may not be disclosed to insurers or used by insurers to adjust an individual's vehicle insurance premiums. However, the Department of Public Safety, law enforcement personnel, and individuals working with diversion programs may access the data to carry out their duties under this section.

Sec. 5. EFFECTIVE DATE.

Section 4, subdivision 4, is effective the day after final enactment. Sections 1 to 3, and section 4, subdivisions 2, 3, and 5 to 12, are effective January 15, 2015."

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

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

The report was adopted.

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

S. F. No. 1952, A bill for an act relating to state government; ratifying labor agreements and compensation plans; amending Minnesota Statutes 2013 Supplement, section 15A.0815, subdivision 5.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 892, 1926, 1960, 1971, 2144, 2217, 2220, 2526, 2566, 2655, 2666, 2937 and 2968 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1952 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lesch introduced:

H. F. No. 3173, A bill for an act relating to public safety; requiring government entities to obtain search warrants before obtaining certain types of personal identifying information on an individual; amending Minnesota Statutes 2012, section 626A.28, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapter 626A; repealing Minnesota Statutes 2012, section 626A.28, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Pugh; Newberger; Lohmer; McDonald; Erickson, S.; Woodard; Franson; Scott; Myhra; Runbeck and Leidiger introduced:

H. F. No. 3174, A bill for an act relating to education; establishing parental rights; proposing coding for new law in Minnesota Statutes, chapter 119A.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Mariani introduced:

H. F. No. 3175, A bill for an act relating to health; appropriating money for a health impact assessment; requiring a report.

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

Yarusso, Fischer, Lillie and Isaacson introduced:

H. F. No. 3176, A bill for an act relating to transportation; sales and use tax; amending allocation requirements for the metropolitan area transportation sales tax; amending Minnesota Statutes 2012, section 297A.992, subdivision 6.

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

Swedzinski introduced:

H. F. No. 3177, A bill for an act relating to human services; providing nursing facility and home and community-based service provider payment adjustments related to compliance with the federal Affordable Care Act; amending Minnesota Statutes 2012, section 256B.434, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Newton introduced:

H. F. No. 3178, A bill for an act relating to school board elections; providing a process to dissolve election districts without entering into a consolidation or cooperation and combination plan; amending Minnesota Statutes 2012, section 205A.12, subdivision 7.

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

Lohmer introduced:

H. F. No. 3179, A bill for an act relating to debt collection; requiring that a debt collection agency or an individual debt collector create and maintain certain records of its contacts with alleged debtors; amending Minnesota Statutes 2012, section 332.37.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Dorholt and McNamar introduced:

H. F. No. 3180, A bill for an act relating to economic development; appropriating money for the Minnesota Jobs Skills Partnership program.

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

Pelowski introduced:

H. F. No. 3181, A bill for an act relating to higher education; making various policy, clarifying, and technical changes to provisions related to state student aid, student loan programs, scholarships, and other higher education-related provisions; authorizing incentive gifts; authorizing the Office of Higher Education to refinance student loans in certain situations; amending Minnesota Statutes 2012, sections 16C.075; 136A.01, by adding a subdivision; 136A.103; 136A.16, subdivision 2; 136A.1701, subdivisions 4, 7, 12; 136A.1702; 136A.1785; proposing coding for new law in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 2012, section 136A.127, subdivisions 1, 2, 3, 4, 6, 7, 9, 9b, 10, 10a, 11; Minnesota Statutes 2013 Supplement, section 136A.127, subdivisions 5, 14; Minnesota Rules, parts 4830.0120; 4830.0130; 4830.0140; 4830.0150; 4830.0160; 4830.0170; 4830.0180; 4830.0190; 4830.0195; 4850.0010; 4850.0011, subparts 1, 2, 4, 5, 6, 8, 9, 10, 11, 11a, 12, 12a, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24a, 25, 26, 26a, 28a, 28b, 28c, 28d, 28e, 28f, 29, 30; 4850.0012; 4850.0014; 4850.0015; 4850.0016; 4850.0017; 4850.0018; 4850.0020; 4850.0021; 4850.0022; 4850.0024.

The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy.

FitzSimmons introduced:

H. F. No. 3182, A bill for an act relating to education finance; expanding school district eligibility for location equity revenue; amending Minnesota Statutes 2013 Supplement, section 126C.10, subdivision 2e.

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

Radinovich; Persell; Ward, J.E.; Urdahl and McNamara introduced:

H. F. No. 3183, A bill for an act relating to tourism; transferring money for a grant to the Mille Lacs Tourism Council.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

FitzSimmons and Loon introduced:

H. F. No. 3184, A bill for an act relating to liquor; authorizing the refill of a growler; amending Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6d.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

FitzSimmons and Mariani introduced:

H. F. No. 3185, A bill for an act relating to education finance; expanding school district eligibility for location equity revenue; amending Minnesota Statutes 2013 Supplement, section 126C.10, subdivision 2e.

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

Wills, Dettmer, Newton, Persell, Howe, Scott and Kresha introduced:

H. F. No. 3186, A bill for an act relating to veterans; modifying disabled veteran's credit and definition of disabled veteran for purposes of the veteran's preference; amending Minnesota Statutes 2012, section 197.455, subdivisions 5, 6.

The bill was read for the first time and referred to the Committee on State Government Finance and Veterans Affairs.

Wagenius introduced:

H. F. No. 3187, A bill for an act relating to natural resources; appropriating money for pollinator habitat in state parks and along state trails.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Morgan, Bly, Faust and Mariani introduced:

H. F. No. 3188, A bill for an act relating to education finance; increasing the general education basic formula; appropriating money; amending Minnesota Statutes 2013 Supplement, section 126C.10, subdivision 2.

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

Hansen, Kiel, McNamara, Torkelson and Bly introduced:

H. F. No. 3189, A bill for an act relating to capital investment; appropriating money to the Board of Water and Soil Resources for the wetland replacement program; 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.

Nelson; Simonson; Anzelc; Lien; Marquart; Melin; Dorholt; Rosenthal; Morgan; Yarusso; Dill; Peppin; Leidiger; Pugh; Daudt; Urdahl; Gunther; Hertaus; Myhra; Gruenhagen; Erickson, S.; Quam; O'Driscoll; Uglem; Dean, M.; Runbeck; Drazkowski; Lohmer; Garofalo; Hackbarth; Johnson, B.; Nornes; Kelly; McDonald and Woodard introduced:

H. F. No. 3190, A bill for an act relating to labor and industry; prohibiting mandatory fire sprinkler installation; amending Minnesota Statutes 2012, sections 299F.011, by adding a subdivision; 326B.809.

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

Rosenthal, Erhardt and Halverson introduced:

H. F. No. 3191, A bill for an act relating to state government; requiring the state forecast include the rate of inflation; amending Minnesota Statutes 2012, section 16A.103, subdivisions 1a, 1b.

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

Torkelson introduced:

H. F. No. 3192, A bill for an act relating to taxation; property; changing the classification procedure for property that is part homestead and part commercial-industrial; amending Minnesota Statutes 2012, section 273.124, subdivision 11.

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

Torkelson, Swedzinski, Gruenhagen and Leidiger introduced:

H. F. No. 3193, A bill for an act relating to capital investment; clarifying that the Minnesota Valley Railroad Track Rehabilitation appropriations may be used to rehabilitate bridges as an allowable use; amending Laws 2008, chapter 179, section 16, subdivision 5; Laws 2009, chapter 93, article 1, section 11, subdivision 4; Laws 2010, chapter 189, section 15, subdivision 5.

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

Davids introduced:

H. F. No. 3194, A bill for an act relating to taxation; sales and use; modifying exemptions for qualified data centers; amending Minnesota Statutes 2013 Supplement, section 297A.68, subdivision 42.

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

Anderson, M., introduced:

H. F. No. 3195, A bill for an act relating to capital investment; appropriating money for public infrastructure for Wadena; 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.

Fischer, Selcer and Rosenthal introduced:

H. F. No. 3196, A bill for an act relating to game and fish; prohibiting trapping of wolves; increasing the penalty for violations related to wolves; prohibiting baiting wolves; prohibiting the use of snares to take wild animals; amending Minnesota Statutes 2012, sections 97A.075, subdivision 7; 97A.331, subdivision 6; 97A.475, subdivision

20; 97B.085, subdivision 3; 97B.647, subdivisions 1, 2, 5, 6, 7, by adding a subdivision; 97B.928, subdivision 1; 97B.951; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2012, sections 97B.421; 97B.625, subdivision 2; 97B.631, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Metsa, Melin and Anzelc introduced:

H. F. No. 3197, A bill for an act relating to transportation; appropriating money for Floodwood rest area maintenance.

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

Erickson, S.; Newberger and Hackbarth introduced:

H. F. No. 3198, A bill for an act relating to economic development; providing funding for Mille Lacs tourism; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Mariani introduced:

H. F. No. 3199, A bill for an act relating to education; repealing a prohibition against employing bilingual and ESL teachers to replace a presently employed teacher who otherwise would not be replaced; repealing Minnesota Statutes 2012, section 122A.19, subdivision 3.

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

Loeffler introduced:

H. F. No. 3200, A bill for an act relating to taxation; individual income; extending the working family credit phaseout for married filers to conform to the Internal Revenue Code; increasing the maximum allowed credit; amending Minnesota Statutes 2012, section 290.0671, subdivisions 1, 7.

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

Johnson, C., introduced:

H. F. No. 3201, A bill for an act relating to public safety; eliminating the voluntary relationship defense for criminal sexual conduct crimes; amending definition of mentally incapacitated; amending Minnesota Statutes 2012, sections 609.341, subdivision 7; 609.345, subdivision 1; repealing Minnesota Statutes 2012, section 609.349.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Gruenhagen and Urdahl introduced:

H. F. No. 3202, A bill for an act relating to capital investment; appropriating money for renovation of the Silver Lake Auditorium; 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.

Johnson, C., introduced:

H. F. No. 3203, A bill for an act relating to energy; biodiesel fuel; exempting certain diesel generators from the requirement to use biodiesel fuel; amending Minnesota Statutes 2012, section 239.77, subdivision 3.

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

Erickson, R., introduced:

H. F. No. 3204, A bill for an act relating to courts; setting standards for expert witnesses in certain procedures; amending Minnesota Statutes 2012, section 595.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary Finance and Policy.

Metsa and Melin introduced:

H. F. No. 3205, A bill for an act relating to energy; modifying an existing microenergy loan program to include certain community energy projects; amending Minnesota Statutes 2012, sections 216C.145; 216C.146, subdivisions 1, 2, 3.

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

Hansen introduced:

H. F. No. 3206, A bill for an act relating to transportation; highways; imposing limitations and moratorium on electronic advertising devices; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Swedzinski and Gruenhagen introduced:

H. F. No. 3207, A bill for an act relating to state lottery; advertising; requiring warnings; amending Minnesota Statutes 2012, section 349A.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Slocum introduced:

H. F. No. 3208, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Barrett and Dettmer introduced:

H. F. No. 3209, A bill for an act relating to transportation; highways; designating "Trooper Glen Skalman Memorial Highway"; amending Minnesota Statutes 2012, section 161.14, by adding a subdivision.

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

Norton, Liebling, Lenczewski and Davnie introduced:

H. F. No. 3210, A bill for an act relating to transportation; capital investment; appropriating money for intercity passenger rail; authorizing the sale and issuance of state bonds.

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

Atkins introduced:

H. F. No. 3211, A bill for an act relating to lawful gambling; establishing additional games; creating licensing requirements; requiring rules; providing penalties; amending Minnesota Statutes 2012, sections 349.12, subdivision 24, by adding subdivisions; 349.13; proposing coding for new law in Minnesota Statutes, chapter 349.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Huntley introduced:

H. F. No. 3212, A bill for an act relating to health; creating the Legislative Health Care Workforce Commission; requiring report.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Dorholt and Lien introduced:

H. F. No. 3213, A bill for an act relating to higher education; modifying the cost of attendance calculation for purposes of the Minnesota GI bill program; amending Minnesota Statutes 2013 Supplement, section 197.791, subdivision 5.

The bill was read for the first time and referred to the Committee on State Government Finance and Veterans Affairs.

Atkins introduced:

H. F. No. 3214, A bill for an act relating to the legislature; changing the authority of the Compensation Council; amending Minnesota Statutes 2012, section 15A.082, subdivision 4; Minnesota Statutes 2013 Supplement, section 15A.082, subdivisions 1, 3.

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

Huntley and Norton introduced:

H. F. No. 3215, A bill for an act relating to the operation of state government; making changes to provisions relating to the Department of Health, Northstar Care for Children program, continuing care, community first services and supports, health care, and chemical dependency; modifying the hospital payment system; modifying provisions governing background studies and home and community-based services standards; setting fees; providing rate increases; amending Minnesota Statutes 2012, sections 13.46, subdivision 4; 245C.03, by adding a subdivision; 245C.04, by adding a subdivision; 245C.05, subdivision 5; 245C.10, by adding a subdivision; 245C.33, subdivisions 1, 4; 252.451, subdivision 2; 254B.12; 256.01, by adding a subdivision; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 2; 256.969, subdivisions 1, 2, 2b, 2c, 3a, 3b, 6a, 9, 10, 14, 17, 30, by adding subdivisions; 256B.0625, subdivision 30; 256B.199; 256B.5012, by adding a subdivision; 256I.05, subdivision 2; 257.85, subdivision 11; 260C.212, subdivision 1; 260C.515, subdivision 4; 260C.611; Minnesota Statutes 2013 Supplement, sections 245.8251; 245A.042, subdivision 3; 245C.08, subdivision 1; 245D.02, subdivisions 3, 4b, 8b, 11, 15b, 29, 34, 34a, by adding a subdivision; 245D.03, subdivisions 1, 2, 3, by adding a subdivision; 245D.04, subdivision 3; 245D.05, subdivisions 1, 1a, 1b, 2, 4, 5; 245D.051; 245D.06, subdivisions 2, 4, 6, 7, 8; 245D.071, subdivisions 3, 4, 5; 245D.081, subdivision 2; 245D.09, subdivisions 3, 4a; 245D.091, subdivisions 2, 3, 4; 245D.10, subdivision 3; 245D.11, subdivision 2; 256B.04, subdivision 21; 256B.055, subdivision 1; 256B.439, subdivisions 1, 7; 256B.4912, subdivision 1; 256B.85, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 23, 24, by adding subdivisions; 256N.02, by adding a subdivision; 256N.21, subdivision 2, by adding a subdivision; 256N.22, subdivisions 1, 2, 4, 6; 256N.23, subdivisions 1, 4; 256N.24, subdivisions 9, 10; 256N.25, subdivisions 2, 3; 256N.26, subdivision 1; 256N.27, subdivision 4; Laws 2013, chapter 108, article 7, section 49; article 14, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2012, sections 245.825, subdivisions 1, 1b; 256.969, subdivisions 8b, 9a, 9b, 11, 13, 20, 21, 22, 25, 26, 27, 28; 256.9695, subdivisions 3, 4; Minnesota Statutes 2013 Supplement, sections 245D.02, subdivisions 2b, 2c, 3b, 5a, 8a, 15a, 15b, 23b, 28, 29, 34a; 245D.06, subdivisions 5, 6, 7, 8; 245D.061, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9; 256N.26, subdivision 7; Minnesota Rules, parts 9525.2700; 9525.2810.

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

Huntley and Norton introduced:

H. F. No. 3216, A bill for an act relating to the operation of state government; making changes to provisions relating to the Department of Health, Northstar Care for Children program, continuing care, community first services and supports, health care, and chemical dependency; modifying the hospital payment system; modifying provisions governing background studies and home and community-based services standards; setting fees; providing rate increases; amending Minnesota Statutes 2012, sections 13.46, subdivision 4; 245C.03, by adding a subdivision; 245C.04, by adding a subdivision; 245C.05, subdivision 5; 245C.10, by adding a subdivision; 245C.33, subdivisions 1, 4; 252.451, subdivision 2; 254B.12; 256.01, by adding a subdivision; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 2; 256.969, subdivisions 1, 2, 2b, 2c, 3a, 3b, 6a, 9, 10, 14, 17, 30, by adding subdivisions; 256B.0625, subdivision 30; 256B.199; 256B.5012, by adding a subdivision; 256I.05, subdivision 2; 257.85, subdivision 11; 260C.212, subdivision 1; 260C.515, subdivision 4; 260C.611; Minnesota Statutes 2013 Supplement, sections

245.8251; 245A.042, subdivision 3; 245C.08, subdivision 1; 245D.02, subdivisions 3, 4b, 8b, 11, 15b, 29, 34, 34a, by adding a subdivision; 245D.03, subdivisions 1, 2, 3, by adding a subdivision; 245D.04, subdivision 3; 245D.05, subdivisions 1, 1a, 1b, 2, 4, 5; 245D.051; 245D.06, subdivisions 2, 4, 6, 7, 8; 245D.071, subdivisions 3, 4, 5; 245D.081, subdivision 2; 245D.09, subdivisions 3, 4a; 245D.091, subdivisions 2, 3, 4; 245D.10, subdivision 3; 245D.11, subdivision 2; 256B.04, subdivision 21; 256B.055, subdivision 1; 256B.439, subdivisions 1, 7; 256B.4912, subdivision 1; 256B.85, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 23, 24, by adding subdivisions; 256N.02, by adding a subdivision; 256N.21, subdivision 2, by adding a subdivision; 256N.22, subdivisions 1, 2, 4, 6; 256N.23, subdivisions 1, 4; 256N.24, subdivisions 9, 10; 256N.25, subdivisions 2, 3; 256N.26, subdivision 1; 256N.27, subdivision 4; Laws 2013, chapter 108, article 7, section 49; article 14, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2012, sections 245.825, subdivisions 1, 1b; 256.969, subdivisions 8b, 9a, 9b, 11, 13, 20, 21, 22, 25, 26, 27, 28; 256.9695, subdivisions 3, 4; Minnesota Statutes 2013 Supplement, sections 245D.02, subdivisions 2b, 2c, 3b, 5a, 8a, 15a, 15b, 23b, 28, 29, 34a; 245D.06, subdivisions 5, 6, 7, 8; 245D.061, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9; 256N.26, subdivision 7; Minnesota Rules, parts 9525.2700; 9525.2810.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Schoen introduced:

H. F. No. 3217, A bill for an act relating to commerce; defining certain unlawful trade practices; modifying certain regulations related to the practice of advanced practice nursing; amending Minnesota Statutes 2012, sections 148.171, subdivisions 5, 10, 11, 13, 21; 148.235, subdivisions 2, 2a, 4, 4a, 4b; 325D.11; repealing Minnesota Statutes 2012, sections 148.171, subdivision 6; 148.235, subdivision 6.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

MOTIONS AND RESOLUTIONS

Schoen moved that the name of Schomacker be added as an author on H. F. No. 435. The motion prevailed.

Simon moved that the name of Newton be added as an author on H. F. No. 859. The motion prevailed.

Loeffler moved that the name of Morgan be added as an author on H. F. No. 1039. The motion prevailed.

Hansen moved that the name of Schoen be added as an author on H. F. No. 1177. The motion prevailed.

Urdahl moved that the names of Zerwas, Franson, McDonald and Abeler be added as authors on H. F. No. 1376. The motion prevailed.

Isaacson moved that the name of Schoen be added as an author on H. F. No. 1479. The motion prevailed.

Cornish moved that the name of Schoen be added as an author on H. F. No. 1585. The motion prevailed.

Pugh moved that her name be stricken as an author on H. F. No. 1606. The motion prevailed.

Drazkowski moved that his name be stricken as an author on H. F. No. 1845. The motion prevailed.

Winkler moved that the name of Clark be added as an author on H. F. No. 1880. The motion prevailed.

Newton moved that the name of Yarusso be added as an author on H. F. No. 1916. The motion prevailed.

Atkins moved that his name be stricken as an author on H. F. No. 1925. The motion prevailed.

McNamar moved that the name of Ward, J.E., be added as an author on H. F. No. 2148. The motion prevailed.

Savick moved that the names of Clark and Kahn be added as authors on H. F. No. 2241. The motion prevailed.

Selcer moved that the names of Clark and Kahn be added as authors on H. F. No. 2243. The motion prevailed.

Yarusso moved that the names of Clark, Newton and Kahn be added as authors on H. F. No. 2259. The motion prevailed.

Masin moved that the names of Clark and Kahn be added as authors on H. F. No. 2274. The motion prevailed.

Winkler moved that the name of Johnson, B., be added as an author on H. F. No. 2281. The motion prevailed.

Morgan moved that the names of Clark and Kahn be added as authors on H. F. No. 2291. The motion prevailed.

Melin moved that the names of Clark, Newton and Kahn be added as authors on H. F. No. 2300. The motion prevailed.

Moran moved that the names of Clark, Newton and Kahn be added as authors on H. F. No. 2364. The motion prevailed.

Rosenthal moved that the names of Clark and Newton be added as authors on H. F. No. 2366. The motion prevailed.

Kahn moved that the names of Clark and Newton be added as authors on H. F. No. 2371. The motion prevailed.

Moran moved that the names of Clark and Newton be added as authors on H. F. No. 2373. The motion prevailed.

Simonson moved that the name of McDonald be added as an author on H. F. No. 2407. The motion prevailed.

Fritz moved that the name of Clark be added as an author on H. F. No. 2419. The motion prevailed.

Benson, J., moved that the name of Newton be added as an author on H. F. No. 2431. The motion prevailed.

Norton moved that the names of Anderson, S.; Allen; Ward, J.E., and Johnson, C., be added as authors on H. F. No. 2437. The motion prevailed.

Metsa moved that his name be stricken as an author on H. F. No. 2441. The motion prevailed.

Melin moved that her name be stricken as an author on H. F. No. 2441. The motion prevailed.

Atkins moved that the name of Bernardy be added as an author on H. F. No. 2463. The motion prevailed.

Ward, J.A., moved that the name of Abeler be added as an author on H. F. No. 2523. The motion prevailed.

Melin moved that the name of Newton be added as an author on H. F. No. 2536. The motion prevailed.

Hansen moved that the name of Savick be added as an author on H. F. No. 2571. The motion prevailed.

Slocum moved that the name of Wills be added as an author on H. F. No. 2575. The motion prevailed.

Slocum moved that the name of Sanders be added as an author on H. F. No. 2659. The motion prevailed.

Simon moved that the name of Bernardy be added as an author on H. F. No. 2662. The motion prevailed.

Mariani moved that the name of Brynaert be added as an author on H. F. No. 2679. The motion prevailed.

Fritz moved that the name of Johnson, C., be added as an author on H. F. No. 2885. The motion prevailed.

Howe moved that the name of Clark be added as an author on H. F. No. 2888. The motion prevailed.

Anzelc moved that the name of Ward, J.E., be added as an author on H. F. No. 2889. The motion prevailed.

Hansen moved that the names of Persell and Kahn be added as authors on H. F. No. 2908. The motion prevailed.

Simonson moved that the name of Rosenthal be added as an author on H. F. No. 2910. The motion prevailed.

Lesch moved that the name of Kahn be added as an author on H. F. No. 2925. The motion prevailed.

Slocum moved that the names of Bly, Paymar and Wills be added as authors on H. F. No. 2942. The motion prevailed.

Anzelc moved that the name of Schoen be added as an author on H. F. No. 2999. The motion prevailed.

Liebling moved that the name of Laine be added as an author on H. F. No. 3035. The motion prevailed.

Atkins moved that the name of Slocum be added as an author on H. F. No. 3055. The motion prevailed.

McNamar moved that the name of Radinovich be added as an author on H. F. No. 3057. The motion prevailed.

Mariani moved that the name of Slocum be added as an author on H. F. No. 3062. The motion prevailed.

Clark moved that the name of Slocum be added as an author on H. F. No. 3081. The motion prevailed.

Pugh moved that the names of Melin and Anzelc be added as authors on H. F. No. 3085. The motion prevailed.

Faust moved that the name of Urdahl be added as an author on H. F. No. 3087. The motion prevailed.

Metsa moved that his name be stricken as an author on H. F. No. 3094. The motion prevailed.

Dill moved that his name be stricken as an author on H. F. No. 3094. The motion prevailed.

Atkins moved that the name of Lillie be added as an author on H. F. No. 3107. The motion prevailed.

Lohmer moved that the name of Myhra be added as an author on H. F. No. 3113. The motion prevailed.

Radnovich moved that the name of Lillie be added as an author on H. F. No. 3130. The motion prevailed.

Carlson moved that the names of Lillie and Simon be added as authors on H. F. No. 3131. The motion prevailed.

Clark moved that the name of Paymar be added as an author on H. F. No. 3140. The motion prevailed.

Pelowski moved that the names of Ward, J.E.; Lillie; Nornes; Persell; Fritz; Johnson, S.; Fischer; Johnson, C.; Sawatzky and Savick be added as authors on H. F. No. 3144. The motion prevailed.

Wagenius moved that the name of Slocum be added as an author on H. F. No. 3158. The motion prevailed.

Pursuant to House rule 4.30, Hamilton moved that H. F. No. 2408 be recalled from the Committee on Health and Human Services Finance, be given its second reading and be placed on the General Register.

A roll call was requested and properly seconded.

The question was taken on the Hamilton motion and the roll was called. There were 120 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brynaert	Huntley	Mahoney	Murphy, E.	Wagenius
Davnie	Liebling	Mariani	Norton	Spk. Thissen

The motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. No. 2408 was read for the second time.

**ANNOUNCEMENT FROM THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION**

Pursuant to rules 1.21 and 1.22, the Committee on Rules and Legislative Administration specified Tuesday, March 18, 2014, as the date after which the 5:00 p.m. deadlines no longer apply to the designation of bills to be placed on the Calendar for the Day and to the announcement of the intention to request that bills be considered by the House on the Fiscal Calendar.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 20, 2014. 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 20, 2014.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives