

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2013

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 FORTIETH DAY

SAINT PAUL, MINNESOTA, SATURDAY, APRIL 20, 2013

The House of Representatives convened at 10:00 a.m. and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by Deacon Nathan E. Allen, Archdiocese of St. Paul and Minneapolis, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Garofalo; Hertauss; Johnson, B., and Theis were excused.

Winkler was excused until 2:50 p.m.

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

Murphy, E., moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

#### RECONVENED

The House reconvened and was called to order by the Speaker.

Lillie was excused between the hours of 12:15 p.m. and 12:20 p.m.

#### REPORTS OF CHIEF CLERK

S. F. No. 380 and H. F. No. 758, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Albright moved that S. F. No. 380 be substituted for H. F. No. 758 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 745 and H. F. No. 695, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Simon moved that the rules be so far suspended that S. F. No. 745 be substituted for H. F. No. 695 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 887 and H. F. No. 662, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Laine moved that the rules be so far suspended that S. F. No. 887 be substituted for H. F. No. 662 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1016 and H. F. No. 1124, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Fritz moved that the rules be so far suspended that S. F. No. 1016 be substituted for H. F. No. 1124 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

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

H. F. No. 338, A bill for an act relating to real property; modifying certain eminent domain provisions with respect to electric power utilities; establishing a property rights ombudsman; amending Minnesota Statutes 2012, section 216E.12, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 216E.

Reported the same back with the following amendments:

Page 2, delete section 2

Amend the title as follows:

Page 1, line 3, delete everything after the first semicolon

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 677, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, estate, mineral, liquor, tobacco, aggregate materials, local, and other taxes and tax-related provisions; restoring the school district current year aid payment shift percentage to 90; conforming to federal section 179 expensing allowances; imposing an income surcharge; allowing an up-front exemption for capital equipment; modifying the definition of income for the property tax refund; decreasing the threshold percentage for the homestead credit refund for homeowners and the property tax refund for renters; increasing the maximum refunds for renters; changing property tax aids and credits; imposing an insurance surcharge; modifying pension aids; providing pension funding; changing provisions of the Sustainable Forest Incentive Act; modifying definitions for property taxes; providing exemptions; creating joint entertainment facilities coordination; imposing a sports memorabilia gross receipts tax; changing tax rates on tobacco and liquor; providing reimbursement for certain property tax abatement; modifying the small business investment tax credit; expanding the definition of domestic corporation to include foreign corporations incorporated in or doing business in tax havens; making changes to additions and subtractions from federal taxable income; changing rates for individuals, estates, and trusts; providing for charitable contributions and veterans jobs tax credits; modifying estate tax exclusions for qualifying small business and farm property; imposing a gift tax; expanding the sales tax to include suite and box seat rentals; modifying the definition of sales and purchase; changing the tax rate and modifying provisions for the rental motor vehicle tax; modifying nexus provisions; providing for multiple points of use certificates; modifying exemptions; authorizing local sales taxes; authorizing economic development powers; providing authority, organization, powers, and duties for development of a Destination Medical Center; authorizing state infrastructure aid; imposing a tax on extraction and processing of fracturing sand; providing a taconite production tax grant for water supply improvements; authorizing taconite production tax bonds for grants to school districts; modifying and providing provisions for public finance; modifying the definition of market value for tax, debt, and other purposes; making conforming, policy, and technical changes to tax provisions; requiring studies and reports; appropriating money; amending Minnesota Statutes 2012, sections 16A.152, subdivision 2; 16A.46; 38.18;

40A.15, subdivision 2; 69.011, subdivision 1; 69.021, subdivisions 7, 8, by adding a subdivision; 88.51, subdivision 3; 103B.102, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103B.335; 103B.3369, subdivision 5; 103B.635, subdivision 2; 103B.691, subdivision 2; 103C.501, subdivision 4; 103D.905, subdivisions 2, 3, 8; 103F.405, subdivision 1; 116J.8737, subdivisions 1, 2, 8; 117.025, subdivision 7; 118A.04, subdivision 3; 118A.05, subdivision 5; 123A.455, subdivision 1; 123B.75, subdivision 5; 126C.48, subdivision 8; 127A.45, subdivision 2; 127A.48, subdivision 1; 138.053; 144F.01, subdivision 4; 162.07, subdivisions 3, 4; 163.04, subdivision 3; 163.051; 163.06, subdivision 6; 165.10, subdivision 1; 168.012, subdivision 9, by adding a subdivision; 216C.436, subdivision 7; 237.52, subdivision 3, by adding a subdivision; 270.077; 270.41, subdivision 5; 270B.01, subdivision 8; 270B.12, subdivision 4; 270C.34, subdivision 1; 270C.38, subdivision 1; 270C.42, subdivision 2; 270C.56, subdivision 1; 271.06, by adding a subdivision; 272.01, subdivision 2; 272.02, subdivisions 39, 97, by adding subdivisions; 272.03, subdivision 9, by adding subdivisions; 273.032; 273.11, subdivision 1, by adding a subdivision; 273.114, subdivision 6; 273.124, subdivisions 3a, 13; 273.13, subdivisions 21b, 23, 25; 273.1398, subdivisions 3, 4; 273.19, subdivision 1; 273.372, subdivision 4; 273.39; 275.011, subdivision 1; 275.077, subdivision 2; 275.71, subdivision 4; 276.04, subdivision 2; 276A.01, subdivisions 10, 12, 13, 15; 276A.06, subdivision 10; 279.01, subdivision 1, by adding a subdivision; 279.02; 279.06, subdivision 1; 287.05, by adding a subdivision; 287.08; 287.20, by adding a subdivision; 287.23, subdivision 1; 287.385, subdivision 7; 289A.02, subdivision 7; 289A.08, subdivisions 1, 3, 7; 289A.10, subdivision 1, by adding a subdivision; 289A.12, subdivision 14, by adding a subdivision; 289A.18, by adding a subdivision; 289A.20, subdivisions 3, 4, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, 9; 289A.55, subdivision 9; 289A.60, subdivision 4; 290.01, subdivisions 5, 19, as amended, 19a, 19b, 19c, 19d, 31, as amended, by adding subdivisions; 290.06, subdivisions 2c, 2d, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.0677, subdivision 2; 290.068, subdivisions 3, 6a; 290.0681, subdivisions 1, 3, 4, 5; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 1; 290.17, subdivision 4; 290.21, subdivision 4; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15, as amended; 290A.04, subdivisions 2, 2a, 4; 290B.04, subdivision 2; 290C.02, subdivision 6; 290C.05; 290C.07; 291.005, subdivision 1; 291.03, subdivisions 1, 8, 9, 10, 11, by adding a subdivision; 296A.01, subdivision 19, by adding a subdivision; 296A.22, subdivisions 1, 3; 297A.61, subdivisions 3, 4, by adding a subdivision; 297A.64, subdivisions 1, 2; 297A.66, by adding a subdivision; 297A.665; 297A.668, by adding a subdivision; 297A.67, subdivision 7; 297A.68, subdivision 5; 297A.70, subdivisions 4, 8, by adding subdivisions; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297A.993, subdivisions 1, 2; 297B.11; 297E.021, subdivision 2; 297E.14, subdivision 7; 297F.01, subdivisions 3, 19, 23, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297F.09, subdivision 9; 297F.18, subdivision 7; 297F.24, subdivision 1; 297F.25, subdivision 1; 297G.03, subdivision 1, by adding a subdivision; 297G.04; 297G.09, subdivision 8; 297G.17, subdivision 7; 297I.05, subdivisions 7, 11, 12; 297I.30, subdivisions 1, 2; 297I.80, subdivision 1; 298.01, subdivisions 3, 3b, 4; 298.018; 298.227, as amended; 298.24, subdivision 1; 298.28, subdivisions 4, 6, 10; 298.75, subdivision 2; 325D.32, subdivision 2; 353G.08, subdivision 2; 365.025, subdivision 4; 366.095, subdivision 1; 366.27; 368.01, subdivision 23; 368.47; 370.01; 373.01, subdivisions 1, 3; 373.40, subdivisions 1, 2, 4; 375.167, subdivision 1; 375.18, subdivision 3; 375.555; 383B.152; 383B.245; 383B.73, subdivision 1; 383D.41, by adding a subdivision; 383E.20; 383E.23; 385.31; 394.36, subdivision 1; 398A.04, subdivision 8; 401.05, subdivision 3; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; 410.32; 412.221, subdivision 2; 412.301; 428A.02, subdivision 1; 430.102, subdivision 2; 447.10; 450.19; 450.25; 458A.10; 458A.31, subdivision 1; 465.04; 469.033, subdivision 6; 469.034, subdivision 2; 469.053, subdivisions 4, 4a, 6; 469.071, subdivision 5; 469.107, subdivision 1; 469.169, by adding a subdivision; 469.176, subdivisions 4c, 4g, 6; 469.177, by adding a subdivision; 469.180, subdivision 2; 469.187; 469.190, subdivision 7, by adding a subdivision; 469.206; 469.319, subdivision 4; 469.340, subdivision 4; 471.24; 471.571, subdivisions 1, 2; 471.73; 473.325, subdivision 2; 473.39, by adding a subdivision; 473.629; 473.661, subdivision 3; 473.667, subdivision 9; 473.671; 473.711, subdivision 2a; 473F.02, subdivisions 12, 14, 15, 23; 473F.08, subdivision 10, by adding a subdivision; 474A.04, subdivision 1a; 474A.062; 474A.091, subdivision 3a; 475.521, subdivisions 1, 2, 4; 475.53, subdivisions 1, 3, 4; 475.58, subdivisions 2, 3b; 475.73, subdivision 1; 477A.011, subdivisions 20, 30, 32, 34, 42, by adding subdivisions; 477A.0124, subdivision 2; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.03, subdivisions 2a, 2b, by adding a subdivision; 641.23; 641.24; 645.44, by adding a subdivision; Laws 1971, chapter 773, section 1, subdivision 2, as amended; Laws 1988, chapter

645, section 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 1, 3, as amended, 5, as amended; Laws 1999, chapter 243, article 6, section 11; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, sections 26; 33; 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 216, section 55; Laws 2010, chapter 389, article 1, section 12; article 5, section 6, subdivisions 4, 6; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 116C; 287; 290; 290A; 292; 295; 297I; 403; 435; 469; proposing coding for new law as Minnesota Statutes, chapter 297J; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 272.69; 273.11, subdivisions 1a, 22; 276A.01, subdivision 11; 289A.60, subdivision 31; 290.01, subdivision 6b; 290.06, subdivision 22a; 290.0672; 290.0921, subdivision 7; 383A.80, subdivision 4; 383B.80, subdivision 4; 428A.101; 428A.21; 473F.02, subdivision 13; 477A.011, subdivisions 2a, 19, 21, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Laws 2006, chapter 259, article 11, section 3, as amended; Laws 2009, chapter 88, article 4, section 23, as amended.

Reported the same back with the following amendments:

Page 53, line 25, delete "executed" and insert "acknowledged"

Page 111, line 6, before "All" insert "Except as otherwise provided by paragraph (f)."

Page 153, line 10, after "Dodge Center." insert "Dover."

Page 169, after line 2, insert:

"Sec. 19. **LABOR PEACE AGREEMENTS.**

(a) Labor peace agreements are required on any qualifying project in which the state or a local government has a proprietary interest or acts as a market participant if the project will result in the employment of hospitality workers.

(b) For the purposes of this section:

(1) the state or a local government has a proprietary interest or acts as a market participant in a project where it is the owner of the project or finances the project in whole or in part by any of the following: providing a grant; providing a loan; contributing real property, personal property, or infrastructure; guaranteeing any payment under any loan, lease, or other obligation; providing tax increment financing; contributing revenue on general obligation bonds; or providing a tax abatement, reduction, deferral, or credit;

(2) "qualifying project" means a project that is located in a county that contains a city of the first class as defined under Minnesota Statutes, section 410.01, and includes the construction or development of a hotel, a food and beverage operation that is integral to or adjacent to a hotel, a sports facility, a convention center, a civic center, or a cultural venue with catering or cafeteria facilities;

(3) "hospitality workers" means all full-time or regular part-time employees of hotels and their adjacent or integral food and beverage operations as well as all full-time or regular part-time employees providing food and beverage, concession, catering, cafeteria, or merchandise services at sports facilities, convention centers, civic centers, or cultural venues, excluding supervisors, managers, and guards;

(4) "employer of hospitality workers" means an employer of hospitality workers on a qualifying project and includes a developer of a state or local government-owned facility on a qualifying project or a developer of a facility benefiting from state or local government financing on a qualifying project; and

(5) "labor peace agreement" means a valid collective bargaining agreement or other contract under United States Code, title 29, section 185, between an employer of hospitality workers and any labor organization seeking to represent hospitality workers on a qualifying project. Such agreements must contain a provision prohibiting the labor organization and its members, and in the case of a collective bargaining agreement, all employees covered by the agreement, from engaging in any picketing, work stoppages, boycotts, or any other economic interference with the employer's hospitality operations on the qualifying project for the duration of the state or local government's proprietary interest in the qualifying project or as long as the state or local government acts as a market participant in the qualifying project. Each such agreement must provide that during this time period all disputes relating to employment conditions or the negotiation thereof shall be submitted to final and binding arbitration. Each such agreement must provide that the employer of hospitality workers shall require that any services to be performed by hospitality workers employed by the employer's contractors, subcontractors, tenants, or subtenants shall be done under collective bargaining agreements or other contracts under United States Code, title 29, section 185, containing the same provisions as specified in this clause.

(c) Any employer of hospitality workers on a qualifying project in which the state or a local government has a proprietary interest or acts as a market participant must have a labor peace agreement with any interested labor organization prior to, and as a condition precedent of, state or local government financing. When the state or a local government acts as project owner, any employer of hospitality workers must have a signed labor peace agreement with any interested labor organization prior to, and as a condition precedent to, its contract with the state or local government."

Page 171, after line 7, insert:

"(5) one representative of labor, appointed by the city council from among three candidates nominated by the Southeast Minnesota Area Labor Council;"

Page 171, line 8, delete "(5) two representatives" and insert "(6) one representative"

Page 171, line 9, delete "five" and insert "three"

Page 171, line 11, delete "(6)" and insert "(7)"

Page 177, line 12, after the period, insert "The tax authorized under this section is in addition to any tax the county may be authorized to impose under section 163.051, but until January 1, 2018, the county tax imposed under this paragraph, in combination with any tax imposed under section 163.051, must equal the specified rate under section 163.051."

Page 180, line 4, after "equals" insert "the lesser of (1) 40 percent of the state transit aid under subdivision 5, or (2)"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 826, A bill for an act relating to education; providing for safe and supportive schools; authorizing rulemaking; amending Minnesota Statutes 2012, sections 120B.36, subdivision 1; 121A.55; 121A.69, subdivision 3; 122A.60, subdivisions 1a, 3; 124D.10, subdivision 8; 124D.895, subdivision 1; 124D.8955; 125B.15; 127A.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 127A; repealing Minnesota Statutes 2012, sections 121A.03; 121A.0695.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **TITLE.**

This act may be cited as the "Safe and Supportive Minnesota Schools Act."

Sec. 2. Minnesota Statutes 2012, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance report cards.** (a) The commissioner shall report student academic performance under section 120B.35, subdivision 2; the percentages of students showing low, medium, and high growth under section 120B.35, subdivision 3, paragraph (b); school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35, subdivision 3, paragraph (c); two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding salaries; student enrollment demographics; district mobility; summary data on incidents of prohibited conduct and remedial responses to the incidents under section 121A.031, subdivision 4, paragraph (a), clause (10); and extracurricular activities. The report also must indicate a school's adequate yearly progress status, and must not set any designations applicable to high- and low-performing schools due solely to adequate yearly progress status. The commissioner must use the summary data on prohibited conduct reported under section 121A.031, subdivision 4, paragraph (a), clause (10), to inform the work of the school climate center under section 127A.052 and to assist districts and schools in improving the educational outcomes of all students and specific categories of students affected by such prohibited conduct.

(b) The commissioner shall develop, annually update, and post on the department Web site school performance report cards.

(c) The commissioner must make available performance report cards by the beginning of each school year.

(d) A school or district may appeal its adequate yearly progress status in writing to the commissioner within 30 days of receiving the notice of its status. The commissioner's decision to uphold or deny an appeal is final.

(e) School performance report card data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance report cards to the department's public Web site no later than September 1, except that in years when the report card reflects new performance standards, the commissioner shall post the school performance report cards no later than October 1.

**EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and later.

Sec. 3. **[121A.031] SCHOOL STUDENT BULLYING POLICY.**

Subdivision 1. **Student bullying policy; scope and application.** (a) This section applies to bullying by a student against another student attending the same school which occurs:

(1) on the school premises, at the school function or activity, or on the school transportation;

(2) by use of electronic technology and communications on the school premises, during the school function or activity, on the school transportation, or on the school computers, networks, forums, and mailing lists; or

(3) by use of electronic technology and communications off the school premises.

(b) "District" under this section means a district as defined in section 120A.05, subdivision 8. "School" under this section means a public school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school as defined in section 124D.10. "Student" under this section means a person enrolled in and attending a school as defined under this paragraph.

(c) A nonpublic school under section 123B.41, subdivision 9, consistent with its school accreditation cycle, is encouraged to electronically transmit to the commissioner its antibullying policy and summary data on its bullying incidents.

(d) This section does not apply to a home school under sections 120A.22, subdivision 4, and 120A.24.

**Subd. 2. Local district and school policy.** (a) Districts and schools, in consultation with students, parents, and community organizations, shall adopt, implement, and annually review, and revise where appropriate, a written policy to prevent and prohibit student bullying, cyberbullying, harassment, and intimidation, consistent with this section. The policy must conform with sections 121A.41 to 121A.56. A district or school must adopt and implement a local policy under subdivisions 2 to 5 or comply with the provisions of the state model policy in subdivision 6.

(b) Each local district and school policy must establish research-based, developmentally appropriate best practices that include preventive and remedial measures and effective discipline for deterring policy violations; apply throughout the school or district; and foster active student, parent, and community participation. A district or school may request assistance from the school climate center under section 127A.052 in complying with local policy requirements. The policy shall:

(1) apply to all students, school personnel, and volunteers;

(2) specifically list the characteristics contained in subdivision 3, paragraph (d);

(3) emphasize remedial responses over punitive measures;

(4) be conspicuously posted throughout the school building;

(5) be given to each school employee and independent contractor, if a contractor regularly interacts with students, at the time of employment with the district or school;

(6) be included in the student handbook on school policies; and

(7) be available to all parents and other school community members in accessible languages and format on the district or school Web site.

(c) Each district and school under this subdivision must discuss its policy with students, school personnel, and volunteers and provide training for all school personnel and volunteers to prevent, identify, and appropriately respond to prohibited conduct.

(d) Each district and school under this subdivision must submit an electronic copy of its prohibited conduct policy to the commissioner.

**Subd. 3. Definitions.** (a) The terms defined in this subdivision have the meanings given them for purposes of this section.

(b) "Bullying" means intimidating, threatening, abusive, or harassing conduct that is objectively offensive and:

(1) causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;

(2) materially and substantially interferes with a student's educational opportunities or performance or ability to participate in the school function or activity or receive the school benefit, service, or privilege;

(3) under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

(4) materially and substantially disrupts the work and discipline of the school.

(c) "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet Web site or forum, to transmit through a computer, cell phone, or other electronic device speech that contains obscene words or images, advocates illegal conduct, or otherwise materially and substantially disrupts a student's learning environment.

(d) Intimidating, threatening, abusive, or harassing conduct may involve, but is not limited to, conduct that is directed at a student or students based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, age, marital status, familial status, socioeconomic status, physical appearance, sexual orientation, gender identity and expression, academic status, disability, or status with regard to public assistance, age, or any additional characteristic defined in chapter 363A.

(e) "Prohibited conduct" means bullying or cyberbullying as defined under this subdivision or retaliation for asserting, alleging, reporting, or providing information about such conduct.

(f) "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Districts and schools may seek the assistance of the school climate center under section 127A.052 to develop and implement remedial responses on behalf of a student who is the target of prohibited conduct, to stop and correct a student engaging in prohibited conduct, and for use with students and adults in the school community. Districts and schools need not report the use of remedial responses when their use is unrelated to any particular incident of prohibited conduct.

**Subd. 4. Local policy components.** (a) Each district and school policy implemented under this section must, at a minimum:

(1) designate a staff member as the primary contact person in the school building to receive reports of prohibited conduct under clause (3), ensure the policy and its procedures including restorative practices, consequences, and sanctions are fairly and fully implemented, and serve as the primary contact on policy and procedural matters implicating both the district or school and the department;

(2) require school employees and trained volunteers who witness prohibited conduct or possess reliable information that would lead a reasonable person to suspect that a student is a target of prohibited conduct to make reasonable efforts to address and resolve the prohibited conduct;

(3) provide a procedure to promptly investigate reports of prohibited conduct within three school days of the report, and make the primary contact person responsible for the investigation and any resulting record and for keeping and regulating access to any record;

(4) indicate how a school will respond to an identified incident of prohibited conduct, including immediately intervening to protect the target of the prohibited conduct; at the school administrator's discretion and consistent with state and federal data practices law governing access to private data, notifying the parent of the reported target of the prohibited conduct and the parent of the actor engaged in the prohibited conduct, or law enforcement officials; providing other remedial responses to the prohibited conduct; and ensuring that remedial responses are tailored to the particular incident and nature of the conduct and the student's developmental age and behavioral history;

(5) prohibit reprisals or retaliation against any person who asserts, alleges, or reports prohibited conduct or provides information about such conduct and establish appropriate consequences for a person who engages in reprisal or retaliation;

(6) allow anonymous reporting but do not rely solely on an anonymous report to determine discipline;

(7) provide information about available community resources to the target, actor, and other affected individuals, as appropriate;

(8) where appropriate for a child with a disability to prevent or respond to prohibited conduct, require the child's individualized education program or section 504 plan to address the skills and proficiencies the child needs to respond to or not engage in prohibited conduct;

(9) use new employee training materials, the school publication on school rules, procedures, and standards of conduct, and the student handbook on school policies to publicize the policy;

(10) require annual reporting, collection, and analysis of summary data on incidents of prohibited conduct and on remedial responses both to students and throughout the school; and

(11) require ongoing professional development, consistent with section 122A.60, to build the skills of all school personnel and volunteers, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, volunteers, and paraprofessionals to identify, prevent, and appropriately address prohibited conduct.

(b) Professional development under a local policy includes, but is not limited to, information about:

(1) developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;

(2) the complex dynamics affecting an actor, target, and witnesses to prohibited conduct;

(3) research on prohibited conduct, including specific categories of students at risk for prohibited conduct in school;

(4) the incidence and nature of cyberbullying; and

(5) Internet safety and cyberbullying.

**Subd. 5. Safe and supportive schools programming.** (a) Districts and schools are encouraged to provide developmentally appropriate programmatic instruction to help students identify, prevent, and reduce prohibited conduct; value diversity in school and society; develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting prohibited conduct; and make effective prevention and intervention programs available to students. Upon request, the school climate center under section 127A.052 must assist a district or school in helping students understand social media and cyberbullying. Districts and schools must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

(b) Districts and schools are encouraged to:

(1) engage all students in creating a safe and supportive school environment;

(2) partner with parents and other community members to develop and implement prevention and intervention programs;

(3) engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;

(4) train student bystanders to intervene in and report incidents of prohibited conduct to the school's primary contact person;

(5) teach students to advocate for themselves and others;

(6) prevent inappropriate referrals to special education of students who may engage in prohibited conduct; and

(7) foster student collaborations that foster a safe and supportive school climate.

Subd. 6. **State model policy.** (a) The commissioner, in consultation with the commissioner of human rights, shall develop and maintain a state model policy. A district or school that does not adopt and implement a local policy under subdivisions 2 to 5 must implement and may supplement the provisions of the state model policy. The commissioner must assist districts and schools under this subdivision to implement the state policy. The state model policy must:

(1) define prohibited conduct, consistent with this section;

(2) apply the prohibited conduct policy components in this section;

(3) for a child with a disability, whenever an evaluation by an individualized education program team or a section 504 team indicates that the child's disability affects the child's social skills development or the child is vulnerable to bullying, cyberbullying, harassment, or intimidation because of the child's disability, the child's individualized education program or section 504 plan must address the skills and proficiencies the child needs to avoid and respond to such conduct; and

(4) encourage violence prevention and character development education programs under section 120B.232, subdivision 1.

(b) The commissioner shall develop and post departmental procedures for:

(1) periodically reviewing district and school programs and policies for compliance with this section;

(2) investigating, reporting, and responding to noncompliance with this section, which may include an annual review of plans to improve and provide a safe and supportive school climate;

(3) allowing students, parents, and educators to file a complaint about noncompliance with the commissioner; and

(4) annually publishing statewide summary data on incidents of prohibited conduct, consistent with section 120B.36, subdivision 1.

(c) Department records under this subdivision are private data on individuals. An individual subject of the data shall have access to the data except that the name of a reporter is confidential.

(d) The commissioner must post on the department's Web site information indicating that when districts and schools allow noncurriculum-related student groups access to school facilities, the district or school must give all student groups equal access to the school facilities regardless of the content of the group members' speech.

Subd. 7. **Relation to existing law.** This section does not:

(1) establish any private right of action; or

(2) limit rights currently available to an individual under other civil or criminal law, including, but not limited to, chapter 363A.

**EFFECTIVE DATE.** This section is effective July 1, 2013.

Sec. 4. Minnesota Statutes 2012, section 121A.55, is amended to read:

**121A.55 POLICIES TO BE ESTABLISHED.**

(a) The commissioner of education shall promulgate guidelines to assist each school board. ~~Each school board shall to establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.031 and 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems and shall be designed to address prevent students' inappropriate behavior from recurring. The policies shall recognize the continuing responsibility of the school for the education of to educate the pupil during the dismissal period. The alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress towards meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission.~~

(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

**EFFECTIVE DATE.** This section is effective July 1, 2013.

Sec. 5. Minnesota Statutes 2012, section 121A.69, subdivision 3, is amended to read:

Subd. 3. **School board policy.** Each school board shall adopt a written policy governing student or staff hazing. The policy must apply to student behavior that occurs on or off school property and during and after school hours and be consistent with section 121A.031. The policy must include reporting procedures and disciplinary consequences for violating the policy. Disciplinary consequences must be sufficiently severe to deter violations and appropriately discipline prohibited behavior. Disciplinary consequences must conform with sections 121A.031 and 121A.41 to 121A.56. Each school must include the policy in the student handbook on school policies.

**EFFECTIVE DATE.** This section is effective July 1, 2013.

Sec. 6. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

Subd. 1a. **Effective staff development activities.** (a) Staff development activities must:

(1) focus on the school classroom and research-based strategies that improve student learning;

- (2) provide opportunities for teachers to practice and improve their instructional skills over time;
- (3) provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
- (4) enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
- (5) align with state and local academic standards;
- (6) provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and
- (7) align with the plan of the district or site for an alternative teacher professional pay system.

Staff development activities may include curriculum development and curriculum training programs, and activities that provide teachers and other members of site-based teams training to enhance team performance. The school district also may implement other staff development activities required by law and activities associated with professional teacher compensation models.

(b) Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under section 122A.61.

(c) Staff development activities also may include training for school counselors, school nurses, social workers, psychologists, and other mental health professionals to support students, teachers, and school administrators in implementing restorative and reparative best practices to prevent and appropriately address student prohibited conduct, consistent with section 121A.031, subdivision 4, paragraph (b).

**EFFECTIVE DATE.** This section is effective for the 2013-2014 school year and later.

Sec. 7. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

Subd. 3. **Staff development outcomes.** The advisory staff development committee must adopt a staff development plan for improving student achievement. The plan must be consistent with education outcomes that the school board determines. The plan must include ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:

- (1) improve student achievement of state and local education standards in all areas of the curriculum by using best practices methods;
- (2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;
- (3) provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;
- (4) improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;

(5) effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, ~~issues of harassment~~, annually train all school staff and school volunteers who regularly interact with students in best practices to create and maintain a safe and supportive learning environment, consistent with section 121A.031, and teach nonviolent alternatives for conflict resolution, including restorative and reparative processes;

(6) effectively deliver digital and blended learning and curriculum and engage students with technology; and

(7) provide teachers and other members of site-based management teams with appropriate management and financial management skills.

**EFFECTIVE DATE.** This section is effective for the 2013-2014 school year and later.

Sec. 8. Minnesota Statutes 2012, 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. 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 must comply with section 121A.031 governing policies on prohibited conduct.

**EFFECTIVE DATE.** This section is effective July 1, 2013.

Sec. 9. Minnesota Statutes 2012, section 124D.895, subdivision 1, is amended to read:

Subdivision 1. **Program goals.** The department, in consultation with the state curriculum advisory committee, must develop guidelines and model plans for parental involvement programs that will:

- (1) engage the interests and talents of parents or guardians in recognizing and meeting the emotional, intellectual, and physical needs of their school-age children;
- (2) promote healthy self-concepts among parents or guardians and other family members;
- (3) offer parents or guardians a chance to share and learn about educational skills, techniques, and ideas;
- (4) provide creative learning experiences for parents or guardians and their school-age children, including involvement from parents or guardians of color;
- (5) encourage parents to actively participate in their district's curriculum advisory committee under section 120B.11 in order to assist the school board in improving children's education programs; ~~and~~
- (6) encourage parents to help in promoting school desegregation/integration; and
- (7) partner with parents in establishing a positive school climate by developing and implementing prevention and intervention programs on prohibited conduct under section 121A.031.

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

Sec. 10. Minnesota Statutes 2012, section 124D.8955, is amended to read:

**124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

(a) In order to promote and support student achievement, a local school board is encouraged to formally adopt and implement a parent and family involvement policy that promotes and supports:

- (1) communication between home and school that is regular, two-way, and meaningful;
- (2) parenting skills;
- (3) parents and caregivers who play an integral role in assisting student learning and learn about fostering students' academic success and learning at home and school;
- (4) welcoming parents in the school and seeking their support and assistance;
- (5) partnerships with parents in the decisions that affect children and families in the schools; and
- (6) providing community resources to strengthen schools, families, and student learning, including establishing a safe and supportive school climate by developing and implementing prevention and intervention programs on prohibited conduct under section 121A.031.

(b) A school board that implements a parent and family involvement policy under paragraph (a) must convene an advisory committee composed of an equal number of resident parents who are not district employees and school staff to make recommendations to the board on developing and evaluating the board's parent and family involvement policy. If possible, the advisory committee must represent the diversity of the district. The advisory committee must consider the district's demographic diversity and barriers to parent involvement when developing its recommendations. The advisory committee must recommend to the school board and district or school how programs serving children and adolescents can collaborate on:

- (1) understanding child and adolescent development;
- (2) encouraging healthy communication between parents and children;
- (3) managing students' behavior through positive reinforcement;
- (4) establishing expectations for student behavior;
- (5) providing media and Internet guidance, limits, and supervision; and
- (6) promoting resilience and reducing risks for children.

The advisory committee must present its recommendations to the board for board consideration.

- (c) The board must consider best practices when implementing this policy.
- (d) The board periodically must review this policy to determine whether it is aligned with the most current research findings on parent involvement policies and practices and how effective the policy is in supporting increased student achievement.

(e) Nothing in this section obligates a school district to exceed any parent or family involvement requirement under federal law.

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

Sec. 11. Minnesota Statutes 2012, section 125B.15, is amended to read:

**125B.15 INTERNET ACCESS FOR STUDENTS.**

(a) Recognizing the difference between school libraries, school computer labs, and school media centers, which serve unique educational purposes, and public libraries, which are designed for public inquiry, all computers at a school site with access to the Internet available for student use must be equipped to restrict, including by use of available software filtering technology or other effective methods, all student access to material that is reasonably believed to be obscene or child pornography or material harmful to minors under federal or state law.

(b) A school site is not required to purchase filtering technology if the school site would incur more than incidental expense in making the purchase.

(c) A school district receiving technology revenue under section 125B.26 must prohibit, including through use of available software filtering technology or other effective methods, adult access to material that under federal or state law is reasonably believed to be obscene or child pornography.

(d) A school district, its agents or employees, are immune from liability for failure to comply with this section if they have made a good faith effort to comply with the requirements of this section.

(e) "School site" means an education site as defined in section 123B.04, subdivision 1, or charter school under section 124D.10.

(f) All school sites having computers with Internet access must adopt and implement a policy to prohibit cyberbullying, consistent with section 121A.031.

**EFFECTIVE DATE.** This section is effective for the 2013-2014 school year and later.

Sec. 12. **[127A.051] SCHOOL CLIMATE COUNCIL.**

Subdivision 1. Establishment and membership. (a) A 20-member multiagency leadership council is established to improve school climate and school safety so that all Minnesota students in prekindergarten through grade 12 schools and higher education institutions have a safe and supportive learning environment in order to maximize each student's learning potential.

(b) The council shall consist of:

(1) the commissioners or their designees from the Departments of Education, Health, Human Rights, Human Services, Public Safety, and Corrections, and the Office of Higher Education;

(2) one representative each from the Board of Teaching, Board of School Administrators, Minnesota School Boards Association, Elementary School Principals Association, Association of Secondary School Principals, and Education Minnesota as selected by each organization;

(3) two representatives each of student support personnel, parents, and students as selected by the commissioner of education;

(4) two representatives of local law enforcement as selected by the commissioner of public safety;

(5) two representatives of the judicial branch as selected by the chief justice of the Supreme Court; and

(6) one charter school representative selected by the Minnesota Association of Charter Schools.

Subd. 2. **Duties.** The council must provide leadership for the following activities:

(1) establishment of norms and standards for prevention, intervention, and support around issues of prohibited conduct;

(2) advancement of evidence-based policy and best practices to improve school climate and promote school safety; and

(3) development and dissemination of resources and training for schools and communities about issues of prohibited conduct and other school safety-related issues.

Sec. 13. **[127A.052] SCHOOL CLIMATE CENTER.**

(a) The commissioner shall establish a school climate center at the department to help districts and schools under section 121A.031 provide a safe and supportive learning environment and foster academic achievement for all students by focusing on prevention, intervention, support, and recovery efforts to develop and maintain safe and supportive schools. The center must work collaboratively with implicated state agencies identified by the center and schools, communities, and interested individuals and organizations to determine how to best use available resources.

(b) The center's services shall include:

(1) evidence-based policy review, development, and dissemination;

(2) single, point-of-contact services designed for schools, parents, and students seeking information or other help;

(3) qualitative and quantitative data gathering, interpretation, and dissemination of summary data for existing reporting systems and student surveys and the identification and pursuit of emerging trends and issues;

(4) assistance to districts and schools in using Minnesota student survey results to inform intervention and prevention programs;

(5) education and skill building;

(6) multisector and multiagency planning and advisory activities incorporating best practices and research; and

(7) administrative and financial support for school and district planning, schools recovering from incidents of violence, and school and district violence prevention education.

(c) The center shall:

(1) compile and make available to all districts and schools evidence-based elements and resources to develop and maintain safe and supportive schools;

(2) establish and maintain a central repository for collecting and analyzing information about prohibited conduct, including, but not limited to:

(i) training materials on strategies and techniques to prevent and appropriately address prohibited conduct;

(ii) model programming;

(iii) remedial responses consistent with section 121A.031, subdivision 3, paragraph (f); and

(iv) other resources for improving the school climate and preventing prohibited conduct;

(3) assist districts and schools to develop strategies and techniques for effectively communicating with and engaging parents in efforts to protect and deter students from prohibited conduct; and

(4) solicit input from social media experts on implementing this section.

(d) The commissioner shall provide administrative services including personnel, budget, payroll and contract services, and staff support for center activities including developing and disseminating materials, providing seminars, and developing and maintaining a Web site. Center staff shall include a center director, a data analyst coordinator, and trainers who provide training to affected state and local organizations under a fee-for-service agreement. The financial, administrative, and staff support the commissioner provides under this section must be based on an annual budget and work program developed by the center and submitted to the commissioner by the center director.

(e) School climate center staff may consult with school safety center staff at the Department of Public Safety in providing services under this section.

**EFFECTIVE DATE.** This section is effective beginning July 1, 2013.

Sec. 14. Minnesota Statutes 2012, section 127A.42, subdivision 2, is amended to read:

Subd. 2. **Violations of law.** The commissioner may reduce or withhold the district's state aid for any school year whenever the board of the district authorizes or permits violations of law within the district by:

(1) employing a teacher who does not hold a valid teaching license or permit in a public school;

(2) noncompliance with a mandatory rule of general application promulgated by the commissioner in accordance with statute, unless special circumstances make enforcement inequitable, impose an extraordinary hardship on the district, or the rule is contrary to the district's best interests;

(3) the district's continued performance of a contract made for the rental of rooms or buildings for school purposes or for the rental of any facility owned or operated by or under the direction of any private organization, if the contract has been disapproved, the time for review of the determination of disapproval has expired, and no proceeding for review is pending;

(4) any practice which is a violation of sections 1 and 2 of article 13 of the Constitution of the state of Minnesota;

(5) failure to reasonably provide for a resident pupil's school attendance under Minnesota Statutes;

(6) noncompliance with state laws prohibiting discrimination because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance ~~or~~ disability, as defined in sections 363A.08 to 363A.19 and 363A.28, subdivision 10, or noncompliance with prohibited conduct under section 121A.031; or

(7) using funds contrary to the statutory purpose of the funds.

The reduction or withholding must be made in the amount and upon the procedure provided in this section, or, in the case of the violation stated in clause (1), upon the procedure provided in section 127A.43.

**EFFECTIVE DATE.** This section is effective July 1, 2013.

Sec. 15. **REPEALER.**

Minnesota Statutes 2012, sections 121A.03; and 121A.0695, are repealed effective July 1, 2013."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1444, A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, tort claims, and certain contingent appropriations; modifying various provisions related to transportation finance and policy; making technical and clarifying changes; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 161.44, by adding a subdivision; 168A.01, subdivision 6a; 171.05, subdivision 2, by adding a subdivision; 171.061, subdivision 4; 174.40, by adding a subdivision; 219.1651; 299E.01, subdivisions 2, 3; 398A.10, by adding a subdivision; Laws 2009, chapter 9, section 1; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2012, sections 161.04, subdivision 6; 174.285, subdivision 8.

Reported the same back with the following amendments:

Page 2, delete section 2 and insert:

"Sec. 2. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

	<b><u>2014</u></b>	<b><u>2015</u></b>	<b><u>Total</u></b>
<u>General</u>	<u>\$104,031,000</u>	<u>\$102,684,000</u>	<u>\$206,715,000</u>
<u>Airports</u>	<u>18,959,000</u>	<u>18,959,000</u>	<u>37,918,000</u>
<u>C.S.A.H.</u>	<u>593,022,000</u>	<u>603,850,000</u>	<u>1,196,872,000</u>
<u>M.S.A.S.</u>	<u>152,173,000</u>	<u>154,491,000</u>	<u>306,664,000</u>
<u>Special Revenue</u>	<u>49,753,000</u>	<u>49,959,000</u>	<u>99,712,000</u>
<u>H.U.T.D.</u>	<u>10,456,000</u>	<u>10,406,000</u>	<u>20,862,000</u>
<u>Trunk Highway</u>	<u>1,691,946,000</u>	<u>1,629,550,000</u>	<u>3,321,496,000</u>
<b><u>Total</u></b>	<b><u>\$2,620,340,000</u></b>	<b><u>\$2,569,899,000</u></b>	<b><u>\$5,190,239,000"</u></b>

Page 2, delete line 17 and insert:

"Subdivision 1. **Total Appropriation** **\$2,400,582,000** **\$2,349,954,000"**

Page 2, delete line 26 and insert:

"Trunk Highway                    1,604,378,000                    1,541,982,000"

Page 5, after line 10, insert:

"\$900,000 in each year is available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available: (i) to regional development commissions; (ii) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and (iii) in regions where no regional development commission or joint powers board is functioning, to the department's district office for that region."

Page 6, delete lines 8 to 23

Page 13, line 6, delete "19" and insert "20"

Page 31, after line 16, insert:

"Sec. 19. **MARKED INTERSTATE HIGHWAY 35W PROJECT; NOISE BARRIERS.**

The commissioner of transportation may not include or approve inclusion of noise barriers in the trunk highway project to add interchange access on marked Interstate Highway 35W at 4th Street South and add an auxiliary lane in Minneapolis. As appropriate, the commissioner shall program trunk highway funds made available as a result of this section.

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

Renumber the sections in sequence and correct the internal references

With the recommendation that when so amended the bill pass.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 338, 677, 826 and 1444 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 380, 745, 887 and 1016 were read for the second time.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

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

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

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

JOANNE M. ZOFF, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Persell moved that the House concur in the Senate amendments to H. F. No. 143 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Brynaert	Dean, M.	Erickson, R.	Franson
Albright	Barrett	Carlson	Dehn, R.	Erickson, S.	Freiberg
Allen	Beard	Clark	Dettmer	Fabian	Fritz
Anderson, M.	Benson, J.	Cornish	Dill	Falk	Green
Anderson, P.	Benson, M.	Daudt	Dorholt	Faust	Gruenhagen
Anderson, S.	Bernardy	Davids	Drazkowski	Fischer	Gunther
Anzelc	Bly	Davnie	Erhardt	FitzSimmons	Hackbarth

Halverson	Kelly	Mariani	Newberger	Runbeck	Urdahl
Hamilton	Kieffer	Marquart	Newton	Sanders	Wagenius
Hansen	Kiel	Masin	Nornes	Savick	Ward, J.A.
Hausman	Kresha	McDonald	Norton	Sawatzky	Ward, J.E.
Hilstrom	Laine	McNamar	O'Neill	Schoen	Wills
Holberg	Leidiger	McNamara	Paymar	Schomacker	Woodard
Hoppe	Lenczewski	Melin	Pelowski	Scott	Yarusso
Hornstein	Lesch	Metsa	Peppin	Selcer	Zellers
Hortman	Liebling	Moran	Persell	Simon	Zerwas
Howe	Lien	Morgan	Petersburg	Simonson	Spk. Thissen
Huntley	Loeffler	Mullery	Poppe	Slocum	
Isaacson	Lohmer	Murphy, E.	Pugh	Sundin	
Johnson, C.	Loon	Murphy, M.	Quam	Swedzinski	
Johnson, S.	Mack	Myhra	Radinovich	Torkelson	
Kahn	Mahoney	Nelson	Rosenthal	Uglen	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 232, A bill for an act relating to civil law; modifying the statutory short form power of attorney; authorizing certain judicial relief; modifying gift transaction amount; amending Minnesota Statutes 2012, sections 523.20; 523.23, subdivision 1, by adding subdivisions; 523.24, subdivisions 8, 14; proposing coding for new law in Minnesota Statutes, chapter 523.

JOANNE M. ZOFF, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Hilstrom moved that the House concur in the Senate amendments to H. F. No. 232 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 232, A bill for an act relating to civil law; modifying the statutory short form power of attorney; authorizing certain judicial relief; amending Minnesota Statutes 2012, sections 523.20; 523.23, subdivision 1, by adding a subdivision; 523.24, subdivisions 8, 14; proposing coding for new law in Minnesota Statutes, chapter 523.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, M.	Anzelc	Beard	Bernardy	Carlson
Albright	Anderson, P.	Atkins	Benson, J.	Bly	Clark
Allen	Anderson, S.	Barrett	Benson, M.	Brynaert	Cornish

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 729, A bill for an act relating to state government; appropriating money for jobs and economic development, commerce and consumer protection, and housing; making changes to labor and industry provisions; modifying and providing for certain fees; modifying employment, economic development, and workforce development provisions; making unemployment insurance changes; reducing the unemployment insurance tax; establishing notice for contracts for deed involving residential property; providing remedies; establishing the Office of Broadband Development in the Department of Commerce and assigning it duties; requiring the Department of Transportation to post a database on its Web site; appropriating money to various boards, departments, and the Housing Finance Agency; requiring reports; amending Minnesota Statutes 2012, sections 60A.14, subdivision 1; 116J.70, subdivision 2a; 116J.8731, subdivisions 2, 3, 8, 9; 116L.17, subdivision 4, by adding a subdivision; 116U.26; 136F.37; 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivisions 3, 8, 11; 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 10; 155A.29, subdivision 2; 155A.30, by adding a subdivision; 177.27, subdivision 4; 237.012, subdivision 3; 239.101, subdivision 3; 245.4712, subdivision 1; 268.051, subdivision 5; 268.07, subdivision 3b; 268.125, subdivisions 1, 3, 4, 5; 268.136, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 268.199; 268.23; 268A.13; 268A.14, subdivision 1; 326.02, subdivision 5; 326A.04, subdivisions 2, 3, 5, 7; 326A.10; 326B.081, subdivision 3; 326B.082, subdivision 11; 326B.093, subdivision 4; 326B.101; 326B.103, subdivision 11; 326B.121, subdivision 1; 326B.163, by adding subdivisions; 326B.184, subdivisions 1, 2, by adding a subdivision; 326B.187; 326B.31, by adding a subdivision; 326B.33, subdivisions 19, 21; 326B.36, subdivision 7; 326B.37, by adding a subdivision; 326B.43, subdivision 2; 326B.49, subdivisions 2, 3; 326B.89, subdivision 1; 327B.04, subdivision 4; 341.21, subdivision 3a; 341.221; 341.27; 341.29; 341.30, subdivision 4; 341.32, subdivision 2; 341.321; 507.235, subdivision 2; 559.211, subdivision 2; Laws 2011, First Special Session chapter 2, article 2, section 3, subdivision 4; Laws 2012, chapter 201, article 1, section 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 154; 155A; 161; 179; 237; 268; 326B; 383D; 559; proposing coding for new law as Minnesota Statutes, chapter 80G; repealing Minnesota Statutes 2012, sections 116W.01; 116W.02; 116W.03; 116W.035; 116W.04; 116W.05; 116W.06; 116W.20;

116W.21; 116W.23; 116W.24; 116W.25; 116W.26; 116W.27; 116W.28; 116W.29; 116W.30; 116W.31; 116W.32; 116W.33; 116W.34; 155A.25, subdivision 1; 326A.03, subdivisions 2, 5, 8; 326B.31, subdivisions 18, 19, 22; 326B.978, subdivision 4; 507.235, subdivision 4; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700; 1307.0032; 3800.3520, subpart 5, items C, D; 3800.3602, subpart 2, item B.

JOANNE M. ZOFF, Secretary of the Senate

Mahoney moved that the House refuse to concur in the Senate amendments to H. F. No. 729, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1160, 1607, 324, 422, 683 and 834.

JOANNE M. ZOFF, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 1160, A bill for an act relating to agriculture; making policy, technical, conforming, and clarifying changes to provisions related to agricultural law; modifying provisions related to pesticide control, agricultural resource loan and ethanol development, the Rural Finance Authority, grain buyers, and other agriculture-related provisions; providing a sunset date for the cellulosic ethanol production goal; extending the sunset for the Minnesota Agricultural Education Leadership Council and farmer-lender mediation; directing the NextGen Energy Board to examine biobased chemical production; converting the ethanol minimum content requirement to a biofuel requirement; expanding the petroleum replacement goal; repealing E20 mandate language; modifying noxious weed law; modifying definition of E85; requiring reports; amending Minnesota Statutes 2012, sections 17.118, subdivision 2; 18.77, subdivisions 3, 4, 10, 12; 18.78, subdivision 3; 18.79, subdivisions 6, 13; 18.82, subdivision 1; 18.91, subdivisions 1, 2; 18B.01, by adding a subdivision; 18B.07, subdivisions 4, 5, 7; 18B.26, subdivision 3; 18B.305; 18B.316, subdivisions 1, 3, 4, 8, 9; 18B.37, subdivision 4; 31.94; 41A.10, subdivision 2, by adding a subdivision; 41A.105, subdivisions 1a, 3, 5; 41A.12, subdivision 3, by adding a subdivision; 41B.04, subdivision 9; 41D.01, subdivision 4; 116J.437, subdivision 1; 116V.01, subdivision 2; 223.17, by adding a subdivision; 232.22, by adding a subdivision; 239.051, by adding subdivisions; 239.761, subdivision 3; 239.791, subdivisions 1, 2a, 2b; 239.7911; 296A.01, subdivision 19, by adding a subdivision; 583.215; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 2012, sections 18.91, subdivisions 3, 5; 18B.07, subdivision 6; 239.791, subdivision 1a.

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

S. F. No. 1607, A bill for an act relating to state government; appropriating money for environment, natural resources, agriculture, commerce, energy, jobs, and economic development; modifying and providing for certain fees; modifying and providing for disposition of certain revenue; modifying pesticide control; modifying animal waste technician provisions; making technical changes; modifying certain permit requirements; providing for federal

law compliance; providing for certain easements; modifying snowmobile registration provisions; modifying state trails; modifying State Timber Act; modifying certain park boundaries and expenditures; modifying reporting requirements; modifying Petroleum Tank Release Cleanup Act; providing for silica sand mining model standards and technical assistance; providing for wastewater laboratory certification; providing for product stewardship program; providing for discontinuance of Hennepin County Soil and Water Conservation District; providing for school forests; providing for county intermediate timber sales; authorizing recreation of Hall's Island; providing for certain interim ordinance extension or renewal; repealing certain pollution control rules; providing for solar energy production incentives; creating Office of Broadband Development; modifying certain environmental review; modifying public utility provisions; providing for sanitary districts; modifying labor and industry policy provisions; modifying employment and economic development programs; reducing unemployment insurance employer tax; creating pilot projects; modifying residential contract for deed requirements; providing penalties; requiring studies and reports; requiring rulemaking; amending Minnesota Statutes 2012, sections 13.7411, subdivision 4; 16B.122, subdivision 2; 17.03, subdivision 3; 17.1015; 18B.305; 18C.430; 18C.433, subdivision 1; 45.0135, subdivision 6; 60A.14, subdivision 1; 65B.84, subdivision 1; 84.027, by adding a subdivision; 84.415, by adding a subdivision; 84.63; 84.82, subdivision 3, by adding a subdivision; 84.8205, subdivision 1; 85.015, subdivision 13; 85.052, subdivision 6; 85.053, subdivision 8; 85.054, by adding a subdivision; 85.055, subdivisions 1, 2; 85.42; 89.0385; 89.41; 90.01, subdivisions 4, 5, 6, 8, 11; 90.031, subdivision 4; 90.041, subdivisions 2, 5, 6, 9, by adding subdivisions; 90.045; 90.061, subdivision 8; 90.101, subdivision 1; 90.121; 90.145; 90.151, subdivisions 1, 2, 3, 4, 6, 7, 8, 9; 90.161; 90.162; 90.171; 90.181, subdivision 2; 90.191, subdivision 1; 90.193; 90.195; 90.201, subdivision 2a; 90.211; 90.221; 90.252, subdivision 1; 90.301, subdivisions 2, 4; 90.41, subdivision 1; 93.46, by adding a subdivision; 93.481, subdivision 3; 97A.401, subdivision 3; 115A.1320, subdivision 1; 115B.20, subdivision 6; 115B.28, subdivision 1; 115B.421; 115C.02, subdivision 4; 115C.08, subdivision 4, by adding a subdivision; 115D.10; 116.48, subdivision 6; 116C.03, subdivisions 2, 4, 5; 116J.8731, subdivisions 2, 3; 116U.26; 136F.37; 179.02, by adding a subdivision; 216B.16, by adding a subdivision; 237.012, subdivision 3; 237.52, subdivisions 4, 5; 239.101, subdivision 3; 245.4712, subdivision 1; 268A.13; 268A.14, subdivision 1; 275.066; 282.01, subdivisions 1a, 1d; 282.04, by adding a subdivision; 298.22, subdivision 1; 298.28, subdivision 9b; 299F.011, by adding a subdivision; 326.02, subdivision 5; 326B.163, by adding subdivisions; 326B.184, subdivisions 1, 2, by adding a subdivision; 326B.187; 326B.33, subdivisions 19, 21; 326B.36, subdivision 7; 326B.37, by adding a subdivision; 326B.49, subdivisions 2, 3; 341.321; 473.846; 507.235, subdivision 2; 559.211, subdivision 2; Laws 2010, chapter 215, article 3, section 3, subdivision 6, as amended; Laws 2010, chapter 361, article 3, section 7; proposing coding for new law in Minnesota Statutes, chapters 84; 90; 93; 115; 115A; 116; 116J; 116L; 216C; 237; 326B; 383B; 559; proposing coding for new law as Minnesota Statutes, chapter 442A; repealing Minnesota Statutes 2012, sections 90.163; 90.173; 90.41, subdivision 2; 115.18, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10; 115.19; 115.20; 115.21; 115.22; 115.23; 115.24; 115.25; 115.26; 115.27; 115.28; 115.29; 115.30; 115.31; 115.32; 115.33; 115.34; 115.35; 115.36; 115.37; 116W.01; 116W.02; 116W.03; 116W.035; 116W.04; 116W.05; 116W.06; 116W.20; 116W.21; 116W.23; 116W.24; 116W.25; 116W.26; 116W.27; 116W.28; 116W.29; 116W.30; 116W.31; 116W.32; 116W.33; 116W.34; 326B.31, subdivisions 18, 19, 22; 507.235, subdivision 4; Laws 2011, First Special Session chapter 2, article 4, section 30; Minnesota Rules, parts 1307.0032; 6115.0190, subparts 3, 5; 6115.0191, subpart 8, item A; 7021.0010, subparts 1, 2, 4, 5; 7021.0020; 7021.0030; 7021.0040; 7021.0050, subpart 5; 9210.0300; 9210.0310; 9210.0320; 9210.0330; 9210.0340; 9210.0350; 9210.0360; 9210.0370; 9210.0380; 9220.0530, subpart 6.

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

S. F. No. 324, A bill for an act relating to the state auditor; requiring employees and officers of local public pension plans to report unlawful actions; amending Minnesota Statutes 2012, section 609.456, subdivision 1.

The bill was read for the first time.

Hilstrom moved that S. F. No. 324 and H. F. No. 441, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 422, A bill for an act relating to children; creating the Family Reunification Act of 2013; amending Minnesota Statutes 2012, section 260C.101, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 260C.

The bill was read for the first time.

Hilstrom moved that S. F. No. 422 and H. F. No. 704, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 683, A bill for an act relating to private detectives; exempting certified public accounting services from licensure requirements; amending Minnesota Statutes 2012, section 326.3341.

The bill was read for the first time.

Myhra moved that S. F. No. 683 and H. F. No. 817, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 834, A bill for an act relating to judiciary; modifying certain provisions relating to the State Guardian Ad Litem Board; amending Minnesota Statutes 2012, sections 260B.163, subdivision 6; 260B.331, subdivision 6; 260C.163, subdivision 5; 260C.331, subdivision 6; 480.35, subdivision 1; 518.165, subdivisions 1, 3.

The bill was read for the first time.

Hilstrom moved that S. F. No. 834 and H. F. No. 440, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CALENDAR FOR THE DAY

S. F. No. 1589 was reported to the House.

Peppin moved to amend S. F. No. 1589, the unofficial engrossment, as follows:

Page 35, delete section 19 and insert:

"Sec. 19. **[16A.503] FEDERAL CONTINGENCY PLANNING.**

Each executive agency that receives federal funds must include as part of its budget presentation an analysis of the implications for the agency if federal funds for the agency are dramatically reduced or eliminated. The analysis must:

(1) identify the risks to the agency related to the federal government's potential inability to meet its financial or service commitments;

(2) estimate the impact of the risks to the agency in terms of potential loss of federal revenue and the resulting impact to state services;

(3) recommend strategies that would help the agency adjust to and minimize the loss of income and service impact;

(4) recommend a plan for continuous monitoring of specific leading indicators of the federal government's inability to meet its obligations that trigger certain actions by the agency; and

(5) recommend specific steps to be taken by the agency if the actions are triggered.

Sec. 20. **[16A.504] REPORT ON LOSS OF FEDERAL FUNDS.**

The commissioner of management and budget must report to the chairs and ranking minority members of the senate Finance and house of representatives Ways and Means Committees on immediate implications for state agency budgets if federal funds for agencies are dramatically reduced or eliminated, either as a short-term result of failure of the federal government to enact legislation, or as part of a long-term decision to reduce or eliminate these funds. The commissioner must report under this section within 30 days of the event that triggers the federal government's inability or unwillingness to meet the prior level of commitments to state agencies."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Sanders moved to amend S. F. No. 1589, the unofficial engrossment, as follows:

Page 5, line 25, delete "1,006,000" and insert "695,000" and delete "1,013,000" and insert "702,000"

Amend the appropriations by the specified amounts and correct the totals and the appropriations by fund accordingly

The motion did not prevail and the amendment was not adopted.

Kresha offered an amendment to S. F. No. 1589, the unofficial engrossment.

#### POINT OF ORDER

Newton raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Kresha amendment was not in order. The Speaker ruled the point of order well taken and the Kresha amendment out of order.

Woodard appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 71 yeas and 57 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Benson, M., moved to amend S. F. No. 1589, the unofficial engrossment, as follows:

Page 36, after line 30, insert:

"Sec. 23. Minnesota Statutes 2012, section 43A.24, is amended by adding a subdivision to read:

Subd. 2a. **Premiums for legislators.** If a legislator chooses to participate in the state employee group insurance program, the monthly premium to be paid by the legislator for individual coverage is ten percent of the total premium for individual coverage, and for dependent coverage 15 percent of the total premium for dependent coverage. However, a legislator must pay the monthly amount of the required employee premiums under the commissioner of management and budget's plan for unrepresented state employees if those premiums are higher than the rates set in this subdivision.

**EFFECTIVE DATE.** This section is effective July 1, 2013."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Benson, M., amendment and the roll was called. There were 65 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Hackbarth	Lenczewski	O'Driscoll	Scott
Albright	Dettmer	Halverson	Lohmer	O'Neill	Selcer
Anderson, M.	Drazkowski	Hamilton	Loon	Peppin	Swedzinski
Anderson, P.	Erickson, S.	Holberg	Mack	Petersburg	Torkelson
Anderson, S.	Fabian	Hoppe	McDonald	Pugh	Uglem
Barrett	Fischer	Howe	McNamar	Quam	Urdahl
Beard	FitzSimmons	Kelly	McNamara	Radinovich	Wills
Benson, M.	Franson	Kieffer	Morgan	Rosenthal	Woodard
Cornish	Green	Kiel	Myhra	Runbeck	Zellers
Daudt	Gruenhagen	Kresha	Newberger	Sanders	Zerwas
Davids	Gunther	Leidiger	Nornes	Schomacker	

Those who voted in the negative were:

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

The motion prevailed and the amendment was adopted.

Benson, M., moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 36, after line 30, insert:

"Sec. 23. **[43A.291] EMPLOYEE CONTRIBUTION FOR INDIVIDUAL COVERAGE.**

A state employee must pay at least five percent of the cost of the premium for individual coverage in the state employee group insurance program."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Lillie moved to amend the Benson, M., amendment to S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 1, line 7, before the period, insert "if this is required in a collective bargaining agreement or compensation plan covering the employee"

The motion prevailed and the amendment to the amendment was adopted.

Benson, M., withdrew his amendment, as amended, to S. F. No. 1589, the unofficial engrossment, as amended.

Sawatzky moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 12, after line 10, insert:

**"Projects located in Minnesota; travel restriction. Money appropriated in this section and distributed as grants may only be spent on projects located in Minnesota. A recipient of a grant funded by an appropriation in this section must not use the money to travel outside the state of Minnesota unless the cost of travel is less than five percent of the total grant. None of the funds appropriated may be used to travel outside the continental United States."**

A roll call was requested and properly seconded.

The question was taken on the Sawatzky amendment and the roll was called. There were 121 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, M.	Anzelc	Beard	Bernardy	Carlson
Albright	Anderson, P.	Atkins	Benson, J.	Bly	Clark
Allen	Anderson, S.	Barrett	Benson, M.	Brynaert	Cornish

Daudt	Fritz	Kieffer	McNamar	Petersburg	Swedzinski
Davids	Green	Kiel	McNamara	Poppe	Torkelson
Davnie	Gruenhagen	Kresha	Melin	Pugh	Uglen
Dean, M.	Gunther	Leidiger	Moran	Quam	Urdahl
Dettmer	Hackbarth	Lenczewski	Morgan	Radinovich	Wagenius
Dill	Halverson	Lesch	Mullery	Rosenthal	Ward, J.A.
Dorholt	Hamilton	Liebling	Murphy, E.	Runbeck	Ward, J.E.
Drazkowski	Hansen	Lien	Myhra	Sanders	Wills
Erhardt	Hilstrom	Lillie	Nelson	Savick	Woodard
Erickson, R.	Holberg	Loeffler	Newberger	Sawatzky	Yarusso
Erickson, S.	Hoppe	Lohmer	Newton	Schoen	Zellers
Fabian	Hornstein	Loon	Nornes	Schomacker	Zerwas
Falk	Hortman	Mack	Norton	Scott	Spk. Thissen
Faust	Howe	Mahoney	O'Driscoll	Selcer	
Fischer	Isaacson	Mariani	O'Neill	Simon	
FitzSimmons	Johnson, C.	Marquart	Pelowski	Simonson	
Franson	Johnson, S.	Masin	Peppin	Slocum	
Freiberg	Kelly	McDonald	Persell	Sundin	

Those who voted in the negative were:

Dehn, R.	Huntley	Kahn	Metsa	Murphy, M.	Paymar
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The motion prevailed and the amendment was adopted.

Davids was excused for the remainder of today's session.

Peppin moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 2, line 34, delete "15,634,000" and insert "15,799,000" and delete "15,635,000" and insert "15,800,000"

Page 3, after line 26, insert:

"\$165,000 each year is for staff to assist the Sunset Advisory Commission."

Page 7, line 4, delete "7,698,000" and insert "7,668,000"

Page 7, delete lines 8 to 17

Page 8, line 21, delete "\$310,000" and insert "\$160,000" and delete "\$310,000" and insert "\$160,000"

Correct the subdivision and section totals and the appropriations by fund

Page 40, after line 22, insert:

"Sec. 29. Laws 2012, chapter 278, article 1, section 6, is amended to read:

**Sec. 6. REVIEW OF SUNSET PROCESS.**

The Office of the Legislative Auditor is requested to conduct a review of the sunset process in Minnesota Statutes, chapter 3D. The review should be conducted in ~~2018~~ before December 31, 2015. The legislative auditor is requested to present the result of the review in a report to the Legislative Audit Commission and Sunset Advisory Commission."

Page 51, delete article 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Hansen moved to amend the Peppin amendment to S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 1, delete lines 3 to 12

Page 1, line 16, strike "sunset" and insert "success of the Office of the Legislative Auditor in reviewing the ongoing need for state agencies, boards, commissions and programs, and recommend a process for an ongoing review of opportunities to eliminate or curtail the activities of state agencies, boards, commissions, and programs that are no longer needed."

Page 1, lines 17 and 18, delete the new language and strike the old language

Page 1, line 19, strike the old language

Page 1, delete line 20

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment to the amendment was adopted.

**POINT OF ORDER**

Albright raised a point of order pursuant to rule 2.31 relating to Offensive Words in Debate. The Speaker ruled the point of order not well taken.

Peppin withdrew her amendment, as amended, to S. F. No. 1589, the unofficial engrossment, as amended.

Dettmer offered an amendment to S. F. No. 1589, the unofficial engrossment, as amended.

## POINT OF ORDER

Persell raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Dettmer amendment was not in order. The Speaker ruled the point of order well taken and the Dettmer amendment out of order.

Daudt appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 72 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Holberg moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 50, after line 25, insert:

"Sec. 13. **NO DEBIT CARDS FOR REFUNDS.**

The commissioner of revenue may not issue a debit card as payment for a refund due to a taxpayer before December 31, 2014. The commissioner of revenue must report by January 15, 2014, on potential data practices issues related to issuance of debit cards as payment for tax refunds. The report must include analysis of issues

relating to collection, storage, and use of data, and access to data. The report must be sent to the chairs and ranking minority members of house and senate committees with jurisdiction over taxes, state government finance, and civil law, and to the chairs and ranking minority members of the data practices subcommittee of the house civil law committee."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Murphy, M., moved to amend the Holberg amendment to S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 1, line 4, delete "**NO**" and after "**REFUNDS**" insert "**REPORT**"

Page 1, delete line 5

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

A roll call was requested and properly seconded.

The Speaker called Hortman to the Chair.

The question was taken on the amendment to the amendment and the roll was called. There were 67 yeas and 62 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Dean, M.	Hackbarth	Loon	Peppin	Torkelson
Albright	Dettmer	Hamilton	Mack	Petersburg	Uglen
Anderson, M.	Dill	Holberg	McDonald	Poppe	Urdahl
Anderson, P.	Drazkowski	Hoppe	McNamara	Pugh	Wills
Anderson, S.	Erickson, S.	Howe	Myhra	Quam	Woodard
Anzelc	Fabian	Kelly	Newberger	Rosenthal	Zellers
Barrett	FitzSimmons	Kieffer	Nornes	Runbeck	Zerwas
Beard	Franson	Kiel	Norton	Sanders	
Benson, M.	Green	Kresha	O'Driscoll	Schomacker	
Cornish	Gruenhagen	Leidiger	O'Neill	Scott	
Daudt	Gunther	Lohmer	Pelowski	Swedzinski	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Holberg amendment, as amended, to S. F. No. 1589, the unofficial engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

O'Driscoll and Benson, M., moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 32, line 19, after the period, insert "Any increased charges must be approved by law before being implemented."

A roll call was requested and properly seconded.

The question was taken on the O'Driscoll and Benson, M., amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Anderson, S., moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 34, line 5, delete "the fiscal year beginning July 1 of the odd-numbered year" and insert "February 15 of the following year"

Page 34, line 17, delete "for the fiscal year starting on July 1"

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 0 yeas and 55 nays as follows:

Those who voted in the negative were:

Allen	Falk	Isaacson	Mahoney	Persell	Wagenius
Atkins	Faust	Johnson, C.	Mariani	Radinovich	Ward, J.E.
Benson, J.	Freiberg	Johnson, S.	Marquart	Rosenthal	Winkler
Bernardy	Fritz	Kahn	Masin	Sawatzky	Yarusso
Bly	Halverson	Laine	Metsa	Schoen	Spk. Thissen
Brynaert	Hansen	Lenczewski	Morgan	Selcer	
Clark	Hausman	Lesch	Murphy, E.	Simon	
Davnie	Hilstrom	Liebling	Nelson	Simonson	
Dehn, R.	Hortman	Lillie	Newton	Slocum	
Dorholt	Huntley	Loeffler	Norton	Sundin	

The motion did not prevail and the amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Kahn moved that the vote whereby the Anderson, S., amendment to S. F. No. 1589, the unofficial engrossment, as amended, was not adopted be now reconsidered. The motion prevailed.

The Anderson, S., amendment to S. F. No. 1589, the unofficial engrossment, as amended, was again reported to the House and reads as follows:

Page 34, line 5, delete "the fiscal year beginning July 1 of the odd-numbered year" and insert "February 15 of the following year"

Page 34, line 17, delete "for the fiscal year starting on July 1"

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Bernardy	Clark	Dorholt	Faust	Halverson
Anzelc	Bly	Davnie	Erhardt	Fischer	Hansen
Atkins	Brynaert	Dehn, R.	Erickson, R.	Freiberg	Hausman
Benson, J.	Carlson	Dill	Falk	Fritz	Hilstrom

Hornstein	Lesch	McNamar	Newton	Sawatzky	Ward, J.E.
Hortman	Liebling	Melin	Norton	Schoen	Winkler
Huntley	Lien	Metsa	Paymar	Selcer	Yarusso
Isaacson	Lillie	Moran	Pelowski	Simon	Spk. Thissen
Johnson, C.	Loeffler	Morgan	Persell	Simonson	
Johnson, S.	Mahoney	Mullery	Poppe	Slocum	
Kahn	Mariani	Murphy, E.	Radinovich	Sundin	
Laine	Marquart	Murphy, M.	Rosenthal	Wagenius	
Lenczewski	Masin	Nelson	Savick	Ward, J.A.	

The motion did not prevail and the amendment was not adopted.

Benson, M., moved to amend S. F. No. 1589, the unofficial engrossment, as amended, as follows:

Page 30, line 11, before "All" insert "(a)"

Page 30, line 32, before "The" insert "(b)"

Page 31, after line 4, insert:

"(c) Notwithstanding paragraph (a), a county may provide for an audit to be performed by a certified public accountant firm meeting the requirements of section 326A.05. A county must notify the state auditor before January 1 of a year in which the county intends to have an audit performed by a certified public accounting firm. A county currently using a certified public accounting firm must notify the state auditor before January 1 of a year in which the county intends for the state auditor to audit the county. The audit performed under this paragraph must meet the standards and be in the form required by the state auditor. The state auditor may require additional information from the certified public accountant firm as the state auditor deems in the public interest, but the state auditor must accept the audit unless the state auditor determines that it does not meet recognized industry auditing standards or is not in the form required by the state auditor."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Benson, M., amendment and the roll was called. There were 57 yeas and 72 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

O'Driscoll and Benson, M., offered an amendment to S. F. No. 1589, the unofficial engrossment, as amended.

#### POINT OF ORDER

Persell raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the O'Driscoll and Benson, M., amendment was not in order. Speaker pro tempore Hortman ruled the point of order well taken and the O'Driscoll and Benson, M., amendment out of order.

O'Driscoll appealed the decision of Speaker pro tempore Hortman.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Hortman stand as the judgment of the House?" and the roll was called. There were 73 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 1589, A bill for an act relating to the operation of state government finance; allowing the secretary of state authority to accept funds from local government units for election systems enhancements and to receive certain funds for the address confidentiality program; allowing the state auditor to charge a onetime user fee for a small city and town accounting system software; changing provisions for bid solicitations and proposals; changing certain provisions for service contracts and the solicitation process; requiring a determination of the IT cost for agency technology projects; expanding E-Government initiative and establishing the E-Government Advisory Council; changing certain audit provisions from the state auditor to the legislative auditor; repealing the Minnesota Sunset Act; changing provisions for barbering and cosmetology; changing licensing provisions for accountants; changing a paid military leave provision; modifying provisions in the Veterans Service Office grant program; changing provision in the Minnesota GI Bill program; establishing a veterans home in Beltrami County; making Department of Revenue changes; making compensation council changes and requiring a compensation study; adjusting certain salary groups; establishing administrative penalties; establishing fees; appropriating money; amending Minnesota Statutes 2012, sections 3.099, subdivision 1; 3.855, subdivision 3; 13.591, subdivision 3; 15A.0815, subdivisions 1, 2, 3, 5; 15A.082, subdivision 2; 16A.82; 16C.02, subdivision 13; 16C.06, subdivision 2; 16C.09; 16C.10, subdivision 6; 16C.145; 16C.33, subdivision 3; 16C.34, subdivision 1; 16E.07, by adding a subdivision; 32C.04; 43A.17, subdivisions 1, 3; 65B.84, subdivision 1; 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivision 3; 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 7, 10; 155A.29, subdivision 2; 155A.30, subdivision 1, by adding subdivisions; 192.26; 197.608, subdivisions 1, 3, 4, 5, 6; 197.791, subdivisions 4, 5; 254A.035, subdivision 2; 254A.04; 256B.093, subdivision 1; 260.835, subdivision 2; 270C.69, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 295.55, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.30, by adding a subdivision; 297I.35, subdivision 2; 326A.04, subdivisions 2, 3, 5, 7; 326A.10; 469.3201; 473.843, subdivision 3; Laws 2012, chapter 278, article 1, section 5; article 2, sections 27; 34; proposing coding for new law in Minnesota Statutes, chapters 4; 5; 5B; 6; 16E; 154; 155A; 198; 297I; repealing Minnesota Statutes 2012, sections 3D.01; 3D.02; 3D.03; 3D.04; 3D.045; 3D.05; 3D.06; 3D.065; 3D.07; 3D.08; 3D.09; 3D.10; 3D.11; 3D.12; 3D.13; 3D.14; 3D.15; 3D.16; 3D.17; 3D.18; 3D.19; 3D.20; 3D.21, subdivisions 2, 3, 4, 5, 6, 7, 8; 43A.17, subdivision 4; 155A.25, subdivision 1; 168A.40, subdivisions 3, 4; 197.608, subdivision 2a; 270C.145; 326A.03, subdivisions 2, 5, 8; Laws 2012, chapter 278, article 1, section 6; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 54 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed, as amended, and its title agreed to.

The Speaker resumed the Chair.

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 671, A bill for an act relating to public safety; providing that funds received for out-of-state offenders incarcerated in Minnesota are appropriated to the Department of Corrections; modifying certificates of compliance for public contracts; appropriating money for public safety, judiciary, corrections, and human rights; amending Minnesota Statutes 2012, sections 243.51, subdivisions 1, 3; 363A.36, subdivisions 1, 2; Laws 2011, First Special Session chapter 1, article 1, section 3, subdivision 3; repealing Minnesota Statutes 2012, section 243.51, subdivision 5.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Latz, Dibble, Goodwin, Dziedzic and Limmer.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Paymar moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 671. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 671:

Paymar, Hilstrom, Lesch, Melin and Cornish.

#### MOTIONS AND RESOLUTIONS

Hansen moved that the name of Allen be added as an author on H. F. No. 906. The motion prevailed.

Hansen moved that the name of Allen be added as an author on H. F. No. 1336. The motion prevailed.

Pelowski moved that the name of Dorholt be added as an author on H. F. No. 1692. The motion prevailed.

Barrett moved that the names of Dettmer and Drazkowski be added as authors on H. F. No. 1787. The motion prevailed.

Barrett moved that the name of Franson be added as an author on H. F. No. 1788. The motion prevailed.

Beard moved that H. F. No. 956 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Energy Policy.

A roll call was requested and properly seconded.

The question was taken on the Beard motion and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Albright	Barrett	Daudt	Erickson, R.	Franson	Hackbarth
Anderson, M.	Beard	Dean, M.	Erickson, S.	Green	Hamilton
Anderson, P.	Benson, M.	Dettmer	Fabian	Gruenhagen	Holberg
Anderson, S.	Cornish	Drazkowski	FitzSimmons	Gunther	Hoppe

Howe	Lohmer	Newberger	Petersburg	Schomacker	Wills
Kelly	Loon	Nornes	Poppe	Scott	Woodard
Kieffer	Mack	O'Driscoll	Pugh	Swedzinski	Zellers
Kiel	McDonald	O'Neill	Quam	Torkelson	Zerwas
Kresha	McNamara	Pelowski	Runbeck	Uglen	
Leidiger	Myhra	Peppin	Sanders	Urdahl	

Those who voted in the negative were:

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

The motion did not prevail.

#### MOTION FOR RECONSIDERATION

Lohmer moved that the vote whereby S. F. No. 1589, as amended, was passed earlier today be now reconsidered. The motion prevailed.

S. F. No. 1589, A bill for an act relating to the operation of state government finance; allowing the secretary of state authority to accept funds from local government units for election systems enhancements and to receive certain funds for the address confidentiality program; allowing the state auditor to charge a onetime user fee for a small city and town accounting system software; changing provisions for bid solicitations and proposals; changing certain provisions for service contracts and the solicitation process; requiring a determination of the IT cost for agency technology projects; expanding E-Government initiative and establishing the E-Government Advisory Council; changing certain audit provisions from the state auditor to the legislative auditor; repealing the Minnesota Sunset Act; changing provisions for barbering and cosmetology; changing licensing provisions for accountants; changing a paid military leave provision; modifying provisions in the Veterans Service Office grant program; changing provision in the Minnesota GI Bill program; establishing a veterans home in Beltrami County; making Department of Revenue changes; making compensation council changes and requiring a compensation study; adjusting certain salary groups; establishing administrative penalties; establishing fees; appropriating money; amending Minnesota Statutes 2012, sections 3.099, subdivision 1; 3.855, subdivision 3; 13.591, subdivision 3; 15A.0815, subdivisions 1, 2, 3, 5; 15A.082, subdivision 2; 16A.82; 16C.02, subdivision 13; 16C.06, subdivision 2; 16C.09; 16C.10, subdivision 6; 16C.145; 16C.33, subdivision 3; 16C.34, subdivision 1; 16E.07, by adding a subdivision; 32C.04; 43A.17, subdivisions 1, 3; 65B.84, subdivision 1; 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivision 3; 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 7, 10; 155A.29, subdivision 2; 155A.30, subdivision 1, by adding subdivisions; 192.26; 197.608, subdivisions 1, 3, 4, 5, 6; 197.791, subdivisions 4, 5; 254A.035, subdivision 2; 254A.04; 256B.093, subdivision 1; 260.835, subdivision 2; 270C.69, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 295.55, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.30, by adding a subdivision; 297I.35, subdivision 2; 326A.04,

subdivisions 2, 3, 5, 7; 326A.10; 469.3201; 473.843, subdivision 3; Laws 2012, chapter 278, article 1, section 5; article 2, sections 27; 34; proposing coding for new law in Minnesota Statutes, chapters 4; 5; 5B; 6; 16E; 154; 155A; 198; 297I; repealing Minnesota Statutes 2012, sections 3D.01; 3D.02; 3D.03; 3D.04; 3D.045; 3D.05; 3D.06; 3D.065; 3D.07; 3D.08; 3D.09; 3D.10; 3D.11; 3D.12; 3D.13; 3D.14; 3D.15; 3D.16; 3D.17; 3D.18; 3D.19; 3D.20; 3D.21, subdivisions 2, 3, 4, 5, 6, 7, 8; 43A.17, subdivision 4; 155A.25, subdivision 1; 168A.40, subdivisions 3, 4; 197.608, subdivision 2a; 270C.145; 326A.03, subdivisions 2, 5, 8; Laws 2012, chapter 278, article 1, section 6; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700.

The bill, as amended, was placed upon its final passage and the roll was called. There were 73 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed, as amended, and its title agreed to.

#### ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 12:00 noon, Monday, April 22, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, April 22, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives