

## SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, February 23, 2012

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Senjem imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Bill Davnie.

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

The roll was called, and the following Senators answered to their names:

Bakk	Fischbach	Jungbauer	Michel	Rosen
Benson	Gazelka	Koch	Miller	Saxhaug
Bonoff	Gerlach	Kruse	Nelson	Senjem
Brown	Gimse	Kubly	Newman	Sheran
Carlson	Goodwin	Langseth	Nienow	Sieben
Chamberlain	Hall	Latz	Olson	Skoe
Cohen	Hann	Lillie	Ortman	Sparks
Dahms	Harrington	Limmer	Pappas	Stumpf
Daley	Hayden	Lourey	Parry	Thompson
DeKruif	Higgins	Magnus	Pederson	Tomassoni
Dibble	Hoffman	Marty	Reinert	Vanderveer
Dziedzic	Howe	McGuire	Rest	Wiger
Eaton	Ingebrigtsen	Metzen	Robling	Wolf

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

February 22, 2012

The Honorable Kurt Zellers  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2012 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2012	Date Filed 2012
	1770	122	1:34 p.m. February 22	February 22

Sincerely,  
Mark Ritchie  
Secretary of State

February 23, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

Pursuant to Senate Rule 8.2, the following appointment has been withdrawn from the following committee and placed on the Confirmation Calendar:

From the Committee on Jobs and Economic Growth, to which was referred the following appointment as reported in the Journal for February 17, 2011:

COMMISSIONER OF EMPLOYMENT AND ECONOMIC DEVELOPMENT  
Mark R. Phillips

Sincerely,  
Cal R. Ludeman  
Secretary of the Senate

#### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2394.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 20, 2012

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 2394:** A bill for an act relating to public safety; requiring community notification when a person is released from the Minnesota sex offender program; amending Minnesota Statutes 2011 Supplement, section 253B.185, subdivision 10a.

Senator Senjem moved that H.F. No. 2394 be laid on the table. The motion prevailed.

**REPORTS OF COMMITTEES**

Senator Senjem moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Gimse from the Committee on Transportation, to which was referred**

**S.F. No. 1530:** A bill for an act relating to transportation; appropriating money; providing contingent appropriations for highways; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Delete everything after the enacting clause and insert:

**"Section 1. [161.318] CONTINGENT APPROPRIATION TO FUND STATE ROAD OPERATION, MAINTENANCE, PLANNING, AND CONSTRUCTION.**

Subdivision 1. **Appropriation for state roads.** If, before July 1 of an odd-numbered year, legislation is not enacted to appropriate money to the commissioner of transportation for state roads in the next fiscal year, on July 1, an amount sufficient to pay the costs described in this subdivision is appropriated from the trunk highway fund to the commissioner of transportation for costs of contracts relating to state roads operation and maintenance, program planning and delivery, and state road construction. The appropriation must be sufficient to pay both the described contract costs and the costs of Department of Transportation employees whose work is essential to the administration and performance of the contracts. This section applies only to those contracts as to which funds were encumbered before the July 1 appropriation date. The commissioner of management and budget shall ensure that the commissioner of transportation is able to access money under this appropriation. Any subsequent appropriation to the commissioner of transportation for a biennium in which this subdivision has been applied shall supersede and replace the funding authorized in this subdivision.

Subd. 2. **Continued operations.** If, by July 1 of an odd-numbered year, legislation has not been enacted to appropriate money for the next biennium to the commissioner of management and budget for central accounting, procurement, payroll, and human resources functions, amounts necessary to operate those functions stated in subdivision 1 are appropriated for the next biennium from the general fund to the commissioner of management and budget. As necessary, the commissioner may transfer a portion of this appropriation to other state agencies to support carrying out these functions. Any subsequent appropriation to the commissioner of management and budget for a

biennium in which this section has been applied shall supersede and replace the funding authorized in this section."

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

**Senator Gimse from the Committee on Transportation, to which was referred**

**S.F. No. 1860:** A bill for an act relating to highway construction; requiring a special slurry disposal provision in certain highway construction, improvement, or repair contracts; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Page 1, line 11, delete "requiring" and insert "allowing"

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

**Senator Gimse from the Committee on Transportation, to which was referred**

**S.F. No. 1698:** A bill for an act relating to transportation; limiting authority of commissioner of transportation to adopt rules for county state-aid roads and municipal state-aid streets; abolishing provision promoting complete streets policies for local road authorities; amending Minnesota Statutes 2010, sections 162.02, subdivisions 1, 2, 10; 162.021, subdivision 1; 162.07, subdivision 2; 162.09, subdivisions 1, 2; 162.13, subdivision 2; repealing Minnesota Statutes 2010, sections 162.02, subdivisions 3, 3a, 3b; 162.09, subdivisions 3, 3a; 162.155; 174.75, subdivision 4; Laws 2010, chapter 351, section 72; Minnesota Rules, parts 8820.2500; 8820.2700; 8820.3100, subparts 1, 2, 5, 6, 7a, 8, 9a, 10; 8820.3300; 8820.3400; 8820.4060; 8820.9920; 8820.9922; 8820.9926, subpart 1; 8820.9936; 8820.9946; 8820.9956; 8820.9961; 8820.9981; 8820.9986; 8820.9990; 8820.9995.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 162.02, subdivision 2, is amended to read:

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the several county boards acting through the officers of the statewide association of county commissioners. The committee shall be composed of nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of the committee shall be county commissioners. The remaining members shall be county highway engineers. In the event that agreement cannot be reached on any rule, the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the county engineers of the several counties. ~~For the purposes of this section, the expedited process for adopting rules established in section 14.389 may be used.~~

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Sec. 2. Minnesota Statutes 2010, section 162.02, subdivision 3, is amended to read:

Subd. 3. **Rules have force of law.** The rules ~~shall~~ have the force and effect of law ~~upon compliance with the provisions of sections 14.05 to 14.28~~ as provided in chapter 14.

Sec. 3. Minnesota Statutes 2010, section 162.09, subdivision 2, is amended to read:

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the governing bodies of such cities, acting through the officers of the statewide association of municipal officials. The committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of the committee shall be elected officials of the cities. The remaining members of the committee shall be city engineers. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the clerks and engineers of the cities. ~~For the purposes of this section, the expedited process for adopting rules established in section 14.389 may be used.~~

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Sec. 4. Minnesota Statutes 2010, section 162.09, subdivision 3, is amended to read:

Subd. 3. **Rules have force of law.** The rules ~~shall~~ have the force and effect of law ~~upon compliance with the provisions of sections 14.05 to 14.28~~ as provided in chapter 14.

Sec. 5. Minnesota Statutes 2010, section 162.155, is amended to read:

**162.155 RULES FOR VARIANCES RULEMAKING.**

(a) ~~The commissioner shall adopt rules, no later than January 1, 1980, in accordance with sections 15.041 to 15.052,~~ setting forth the criteria to be considered by the commissioner in evaluating requests for variances under sections 162.02, subdivision 3a and 162.09, subdivision 3a. The rules ~~shall~~ must include, but are not limited to, economic, engineering and safety guidelines.

(b) ~~The commissioner shall adopt rules establishing the engineering standards adopted pursuant to for cost estimation under section sections 162.07, subdivision 2, or and 162.13, subdivision 2, shall be adopted pursuant to the requirements of chapter 15 by July 1, 1980.~~

(c) The rules adopted by the commissioner under this section, and sections 162.02; 162.07, subdivision 2; 162.09; and 162.13, subdivision 2, are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that, notwithstanding paragraph (b) of that section, the rules continue in effect until repealed or superseded by other law or rule.

Sec. 6. Minnesota Statutes 2011 Supplement, section 169.86, subdivision 5, is amended to read:

Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. Unless otherwise specified, all such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route

for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;

(4) special pulpwood vehicles described in section 169.863;

(5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

(6) noncommercial transportation of a boat by the owner or user of the boat;

(7) motor vehicles carrying bales of agricultural products authorized under section 169.862; and

(8) special milk-hauling vehicles authorized under section 169.867.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes and manufactured storage buildings;

(4) implements of husbandry;

(5) double-deck buses;

(6) commercial boat hauling and transporting waterfront structures, including, but not limited to, portable boat docks and boat lifts;

(7) three-vehicle combinations consisting of two empty, newly manufactured trailers for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however, the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer only while operating on twin-trailer routes designated under section 169.81, subdivision 3, paragraph (c); and

(8) vehicles operating on that portion of marked Trunk Highway 36 described in section 169.81, subdivision 3, paragraph (e).

(e) For vehicles which have axle weights exceeding the weight limitations of sections 169.823 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The

additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Weight (pounds) exceeding weight limitations on axles	Overweight Axle Group Cost Factors		
	Cost Per Mile For Each Group Of:		
	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15
18,001-20,000	Not permitted	Not permitted	.16
20,001-22,000	Not permitted	Not permitted	.20

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, mobile cranes; construction equipment, machinery, and supplies; implements of husbandry; and commercial boat hauling. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600

130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) \$300 for a motor vehicle described in section 169.8261. The fee under this paragraph must be deposited as follows:

~~(1) in fiscal years 2005 through 2010:~~

~~(i) (1) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund for costs related to administering the permit program and inspecting and posting bridges; and~~

~~(ii) (2) all remaining money in each fiscal year must be deposited in a the bridge inspection and signing account as provided under subdivision 5a. in the special revenue fund. Money in the account is appropriated to the commissioner for:~~

~~(A) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and~~

~~(B) erection of weight-posting signs on local bridges; and~~

~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway fund.~~

(j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

Sec. 7. Minnesota Statutes 2010, section 169.86, is amended by adding a subdivision to read:

Subd. 5a. **Bridge inspection and signing account; appropriation.** (a) A bridge inspection and signing account is established in the special revenue fund. The account consists of fees for special permits as specified under this chapter, and any other money donated, allotted, transferred, or otherwise provided to the account.

(b) The revenue in the bridge inspection and signing account under this subdivision is annually appropriated to the commissioner for:

(1) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and

(2) erection of weight-posting signs on local bridges.



Sec. 8. Minnesota Statutes 2010, section 169.865, subdivision 4, is amended to read:

Subd. 4. **Deposit of revenues; appropriation.** (a) Revenue from the permits issued by the commissioner under this section must be deposited:-

~~(1) in fiscal years 2008 through 2011, in the bridge inspection and signing account as provided under section 169.86, subdivision 5a. in the special revenue fund; and~~

~~(2) in fiscal year 2012 and subsequent years, in the trunk highway fund.~~

~~(b) The revenue in the bridge inspection and signing account under this section is annually appropriated to the commissioner for:-~~

~~(1) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and~~

~~(2) erection of weight-posting signs on local bridges.~~

**Sec. 9. WATER PERMITTING PROCESSES FOR TRANSPORTATION PROJECTS; REPORT.**

By November 15, 2012, the commissioners of transportation, natural resources, and the Pollution Control Agency, in consultation with local road authorities and the Board of Water and Soil Resources, shall submit recommendations to the house of representatives and senate committees and divisions with primary jurisdiction over environment and natural resources policy and finance and transportation policy and finance on how water related permitting for transportation projects can best be streamlined through creation of a single point of issuance system. The recommendations shall specifically:

(1) outline a single point of issuance system in which road authorities applying for state water permits would interact with a single state agency serving as the sole intermediary on behalf of all state agencies with an interest in a road authority's water permit application;

(2) provide a goal for the maximum number of days that the state believes are necessary to issue final water permitting decisions;

(3) identify how state entities with current oversight authority over water permitting decisions would allocate resources to accommodate a single point of issuance system; and

(4) suggest strategies to enhance the coordination of federal and state water permitting information gathering and decision-making."

Delete the title and insert:

"A bill for an act relating to transportation; governing rulemaking and permits; amending rulemaking authority for state aid program; amending allocation of funds from certain over-dimension motor vehicle permits; requiring a legislative report on water permitting process for transportation projects; making clarifying and technical changes; amending Minnesota Statutes 2010, sections 162.02, subdivisions 2, 3; 162.09, subdivisions 2, 3; 162.155; 169.86, by adding a subdivision; 169.865, subdivision 4; Minnesota Statutes 2011 Supplement, section 169.86, subdivision 5."

And when so amended the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Amendments adopted. Report adopted.

**Senator Hann from the Committee on Health and Human Services, to which was referred**

**H.F. No. 1766:** A bill for an act relating to human services; modifying child care assistance payment of funds; amending Minnesota Statutes 2010, section 119B.09, subdivision 10, as amended.

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

**Senator Vandever from the Committee on Local Government and Elections, to which was re-referred**

**S.F. No. 1190:** A bill for an act relating to local government; zoning; providing for residential property used as vacation rental; amending Minnesota Statutes 2010, sections 394.25, subdivision 3, by adding a subdivision; 462.357, subdivision 1, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 394.25, is amended by adding a subdivision to read:

Subd. 3d. **Vacation rentals.** (a) A vacation rental includes a house, apartment, condominium, manufactured home, vacation home, or similar property rented on a short-term basis. It also includes all structures or other property belonging to and accessory to the vacation rental. A vacation rental has basic living accommodations, such as sleeping space, a toilet, and cooking facilities. A vacation rental does not include property, or part of a property, used solely as a hotel, motel, inn, or similar establishment.

(b) A county must not enact, amend, or enforce a zoning ordinance that has the effect of prohibiting or treating vacation rentals as an interim use in residentially zoned districts within the county or limit the use of vacation rentals based solely on their occupancy, classification, or use. The county may license such use as rental housing or may require the owner of such property to register the property with the county.

(c) A county may adopt, by ordinance, the following restrictions and limitations on vacation rental housing:

- (1) number of occupants;
- (2) parking;
- (3) signage and other on-premise advertising;
- (4) waste removal;
- (5) noise provisions;
- (6) sewage treatment; and

(7) any other provision necessary to protect the health, safety, and welfare of the public.

Sec. 2. Minnesota Statutes 2010, section 462.357, is amended by adding a subdivision to read:

Subd. 1i. **Vacation rentals.** (a) A vacation rental includes a house, apartment, condominium, manufactured home, vacation home, or similar property rented on a short-term basis. It also includes all structures or other property belonging to and accessory to the vacation rental. A vacation rental has basic living accommodations, such as sleeping space, a toilet, and cooking facilities. A vacation rental does not include property, or part of a property, used solely as a hotel, motel, inn, or similar establishment.

(b) A municipality must not enact, amend, or enforce a zoning ordinance that has the effect of prohibiting or treating vacation rentals as an interim use in residentially zoned districts within the municipality or limit the use of vacation rentals based solely on their occupancy, classification, or use. The municipality may license such use as rental housing or may require the owner of such property to register the property with the municipality.

(c) A municipality may adopt, by ordinance, the following restrictions and limitations on vacation rental housing:

(1) number of occupants;

(2) parking;

(3) signage and other on-premise advertising;

(4) waste removal;

(5) noise provisions;

(6) sewage treatment; and

(7) any other provision necessary to protect the health, safety, and welfare of the public."

Amend the title numbers accordingly

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

**Senator Vandever from the Committee on Local Government and Elections, to which was referred**

**S.F. No. 1544:** A bill for an act relating to the city of Montgomery; authorizing the city to convey property for less than market value.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 465.035, is amended to read:

**465.035 PUBLIC CORPORATION, CONVEYANCE OR LEASE OF LAND.**

Subdivision 1. **Conveyance to government entity.** Any county, town, city or other public corporation may lease or convey its lands for a nominal consideration, without consideration or

for such consideration as may be agreed upon to the state or to any governmental subdivision, to the United States or to any agency of the federal government, another public corporation or to the Minnesota State Armory Building commission for public use when authorized by its governing body.

Subd. 2. **Conveyance to veterans service organization.** When authorized by its governing body, any county, town, city, or other public corporation may lease or convey its lands for nominal consideration, without consideration, or for such consideration as may be agreed upon to any congressionally chartered veterans service organization for public use. Any property conveyed under this subdivision must not be sold or otherwise conveyed by the congressionally chartered veterans service organization for five years after it receives the property. For purposes of this subdivision, "congressionally chartered veterans service organization" means a veterans organization granted a charter by the United States Congress."

Delete the title and insert:

"A bill for an act relating to local governments; authorizing counties, cities, towns, and other public corporations to convey lands to congressionally chartered veterans service organizations for less than market value; amending Minnesota Statutes 2010, section 465.035."

And when so amended the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Amendments adopted. Report adopted.

**Senator Vandever from the Committee on Local Government and Elections, to which was referred**

**S.F. No. 1450:** A bill for an act relating to local government; providing for detachment from a municipality; amending Minnesota Statutes 2010, section 414.06, subdivisions 1, 2, 3, by adding subdivisions.

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

Page 2, line 2, delete "township" and insert "town" and delete "affected by the detachment" and after "to" insert "the county recorder in"

Page 2, line 6, delete "Township" and insert "Town"

Page 2, line 7, delete "annexed" and insert "attached"

Page 2, line 26, delete "court having jurisdiction over the matter" and insert "Office of Administrative Hearings"

Page 3, line 11, strike "township" and insert "town" and strike "township" and insert "town"

Page 3, line 12, strike "townships" and insert "towns"

Page 3, lines 14, 16, and 19, strike "township" and insert "town"

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

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1651:** A bill for an act relating to game and fish; modifying requirements for certain bear stands; amending Minnesota Statutes 2010, section 97A.137, subdivision 5.

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

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**S.F. No. 1457:** A bill for an act relating to state government; suspending compensation of legislators and the governor until certain major budget bills have been passed by the legislature; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Page 1, line 7, delete everything after "BILLS" and insert "ENACTED."

Page 1, line 9, delete "May 31" and insert "June 15"

Page 1, line 10, delete "presented to" and after "governor" insert "has signed"

Amend the title accordingly

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

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**S.F. No. 993:** A bill for an act relating to state government; providing for disposition of contested case hearings by the Office of Administrative Hearings; amending Minnesota Statutes 2010, section 14.57.

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

Page 1, after line 17, insert:

"EFFECTIVE DATE. This section is effective August 1, 2012, and applies to contested cases initiated on or after that date."

Page 1, line 19, delete "2012" and insert "2013"

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

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was re-referred**

**S.F. No. 1614:** A bill for an act relating to job creation; creating a small business regulatory review board; providing legislative appointments; requiring an annual review and report; proposing coding for new law in Minnesota Statutes, chapter 14.

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

Page 1, line 13, after "existing" insert "statutes, laws, or"

Page 1, line 14, after "make" insert "the" and after "existing" insert "statutes, laws, or"

Page 2, line 19, delete "compensation," and delete ", compensation,"

Page 2, after line 21, insert:

"Subd. 4. **Compensation.** Board members shall serve without compensation."

Page 2, line 22, delete "4" and insert "5"

Page 2, line 24, after "proposed" insert "rule" and after "existing" insert "statute, law, or"

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

**Senator Michel from the Committee on Jobs and Economic Growth, to which was referred**

**S.F. No. 1416:** A bill for an act relating to real estate; providing process for unaffixing manufactured home from real property; amending Minnesota Statutes 2010, sections 168A.01, by adding a subdivision; 168A.02, subdivision 3; 168A.04, subdivision 1; 168A.05, subdivisions 1, 1a, 1b; 168A.141, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Page 1, line 12, delete "the day following final enactment" and insert "August 1, 2012"

Page 1, line 19, delete "the day following final enactment" and insert "August 1, 2012"

Page 2, line 6, after "number" insert "in the case of a vehicle or serial number in the case of a manufactured home"

Page 2, line 21, delete "the day following final enactment" and insert "August 1, 2012"

Page 2, line 27, delete "the day following final enactment" and insert "August 1, 2012"

Page 3, line 4, delete "the day following final enactment" and insert "August 1, 2012"

Page 3, line 15, delete "the day following final enactment" and insert "August 1, 2012"

Page 3, line 31, delete "the day following final enactment" and insert "August 1, 2012"

Page 5, line 2, delete "affidavit" and insert "opinion"

Page 5, line 6, delete "affidavit" and insert "opinion"

Page 5, line 9, delete "and"

Page 5, line 12, after the semicolon, insert "and"

Page 5, after line 12, insert:

"(v) that the person signing the opinion has reviewed all provisions of the affidavit of severance and certifies that they are correct and complete to the best of the knowledge of the person signing

this opinion;"

Page 5, delete lines 19 to 24

Page 5, line 25, delete "(c)" and insert "(b)"

Page 5, line 29, delete "(d)" and insert "(c)"

Page 5, delete line 32 and insert:

"(d) The department is not liable for any errors, omissions, misstatements, or other deficiencies or inaccuracies in documents presented to the department under this section, so long as the documents presented appear to satisfy the requirements of this section. The department has no obligation to investigate the accuracy of statements contained in the documents."

Page 5, line 33, delete "the day following final enactment" and insert "August 1, 2012"

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

**Senator Olson from the Committee on Education, to which was referred**

**H.F. No. 1585:** A bill for an act relating to education; reducing time period for good faith effort required before asking the Minnesota State High School League to arrange an interscholastic conference membership; amending Minnesota Statutes 2010, section 128C.07, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Senator Olson from the Committee on Education, to which was referred**

**S.F. No. 1165:** A bill for an act relating to children; modifying early intervention criteria; amending Minnesota Statutes 2010, section 125A.30.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2011 Supplement, section 125A.30, is amended to read:

**125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

(a) A school district, group of districts, or special education cooperative, in cooperation with the health and human service agencies located in the county or counties in which the district or cooperative is located, must establish an Interagency Early Intervention Committee for children with disabilities under age five and their families under this section, and for children with disabilities ages three to 22 consistent with the requirements under sections 125A.023 and 125A.027. Committees must include representatives of local health, education, and county human service agencies, county boards, school boards, early childhood family education programs, Head Start, parents of young children with disabilities under age 12, child care resource and referral agencies, school readiness programs, current service providers, and may also include representatives from other private or public agencies and school nurses. The committee must elect a chair from among its members and

must meet at least quarterly.

(b) The committee must develop and implement interagency policies and procedures concerning the following ongoing duties:

(1) develop public awareness systems designed to inform potential recipient families, especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, of available programs and services;

(2) to reduce families' need for future services, and especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who: (i) is ~~involved in a substantiated case of abuse or neglect~~ the subject of a child maltreatment report or (ii) is identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure;

(3) establish and evaluate the identification, referral, child and family assessment systems, procedural safeguard process, and community learning systems to recommend, where necessary, alterations and improvements;

(4) assure the development of individualized family service plans for all eligible infants and toddlers with disabilities from birth through age two, and their families, and individualized education programs and individual service plans when necessary to appropriately serve children with disabilities, age three and older, and their families and recommend assignment of financial responsibilities to the appropriate agencies;

(5) implement a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;

(6) facilitate the development of a transitional plan if a service provider is not recommended to continue to provide services;

(7) identify the current services and funding being provided within the community for children with disabilities under age five and their families;

(8) develop a plan for the allocation and expenditure of additional state and federal early intervention funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and

(9) develop a policy that is consistent with section 13.05, subdivision 9, and federal law to enable a member of an interagency early intervention committee to allow another member access to data classified as not public.

(c) The local committee shall also:

(1) participate in needs assessments and program planning activities conducted by local social service, health and education agencies for young children with disabilities and their families; and

(2) review and comment on the early intervention section of the total special education system for the district, the county social service plan, the section or sections of the community health services plan that address needs of and service activities targeted to children with special health care needs,



the section on children with special needs in the county child care fund plan, sections in Head Start plans on coordinated planning and services for children with special needs, any relevant portions of early childhood education plans, such as early childhood family education or school readiness, or other applicable coordinated school and community plans for early childhood programs and services, and the section of the maternal and child health special project grants that address needs of and service activities targeted to children with chronic illness and disabilities.

Sec. 2. Minnesota Statutes 2010, section 626.556, is amended by adding a subdivision to read:

Subd. 10n. **Required referral to interagency early intervention committees.** A child under age three who is involved in a substantiated case of maltreatment or who is the subject of a maltreatment report shall be referred for screening under the Individuals with Disabilities Education Act, part C. Refusal to have a child screened is not a basis for a child in need of protection or services petition under chapter 260C."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services. Amendments adopted. Report adopted.

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

**S.F. No. 1994:** A bill for an act relating to public safety; requiring community notification when a person is released from the Minnesota sex offender program; amending Minnesota Statutes 2011 Supplement, section 253B.185, subdivision 10a.

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

Page 1, before line 6, insert:

"Sec. 1. Minnesota Statutes 2010, section 244.052, subdivision 4, is amended to read:

Subd. 4. **Law enforcement agency; disclosure of information to public.** (a) The law enforcement agency in the area where the predatory offender resides, expects to reside, is employed, or is regularly found, shall disclose to the public any information regarding the offender contained in the report forwarded to the agency under subdivision 3, paragraph (f), that is relevant and necessary to protect the public and to counteract the offender's dangerousness, consistent with the guidelines in paragraph (b). The extent of the information disclosed and the community to whom disclosure is made must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of community members for information to enhance their individual and collective safety.

(b) The law enforcement agency shall employ the following guidelines in determining the scope of disclosure made under this subdivision:

(1) if the offender is assigned to risk level I, the agency may maintain information regarding the offender within the agency and may disclose it to other law enforcement agencies. Additionally, the agency may disclose the information to any victims of or witnesses to the offense committed by the offender. The agency shall disclose the information to victims of the offense committed by the offender who have requested disclosure and to adult members of the offender's immediate

household;

(2) if the offender is assigned to risk level II, the agency also may disclose the information to agencies and groups that the offender is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on or near the premises of the institution. These agencies and groups include the staff members of public and private educational institutions, day care establishments, and establishments and organizations that primarily serve individuals likely to be victimized by the offender. The agency also may disclose the information to individuals the agency believes are likely to be victimized by the offender. The agency's belief shall be based on the offender's pattern of offending or victim preference as documented in the information provided by the department of corrections or human services;

(3) if the offender is assigned to risk level III, the agency shall disclose the information to the persons and entities described in clauses (1) and (2) and to other members of the community whom the offender is likely to encounter, unless the law enforcement agency determines that public safety would be compromised by the disclosure or that a more limited disclosure is necessary to protect the identity of the victim.

Except as provided in section 253B.185, subdivision 10a, paragraph (a), notwithstanding the assignment of a predatory offender to risk level II or III, a law enforcement agency may not make the disclosures permitted or required by clause (2) or (3), if: the offender is placed or resides in a residential facility. However, if an offender is placed or resides in a residential facility, the offender and the head of the facility shall designate the offender's likely residence upon release from the facility and the head of the facility shall notify the commissioner of corrections or the commissioner of human services of the offender's likely residence at least 14 days before the offender's scheduled release date. The commissioner shall give this information to the law enforcement agency having jurisdiction over the offender's likely residence. The head of the residential facility also shall notify the commissioner of corrections or human services within 48 hours after finalizing the offender's approved relocation plan to a permanent residence. Within five days after receiving this notification, the appropriate commissioner shall give to the appropriate law enforcement agency all relevant information the commissioner has concerning the offender, including information on the risk factors in the offender's history and the risk level to which the offender was assigned. After receiving this information, the law enforcement agency shall make the disclosures permitted or required by clause (2) or (3), as appropriate.

(c) As used in paragraph (b), clauses (2) and (3), "likely to encounter" means that:

(1) the organizations or community members are in a location or in close proximity to a location where the offender lives or is employed, or which the offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program; and

(2) the types of interaction which ordinarily occur at that location and other circumstances indicate that contact with the offender is reasonably certain.

(d) A law enforcement agency or official who discloses information under this subdivision shall make a good faith effort to make the notification within 14 days of receipt of a confirmed address from the Department of Corrections indicating that the offender will be, or has been, released from confinement, or accepted for supervision, or has moved to a new address and will reside at the address indicated. If a change occurs in the release plan, this notification provision does not require an extension of the release date.

(e) A law enforcement agency or official who discloses information under this subdivision shall not disclose the identity or any identifying characteristics of the victims of or witnesses to the offender's offenses.

(f) A law enforcement agency shall continue to disclose information on an offender as required by this subdivision for as long as the offender is required to register under section 243.166. This requirement on a law enforcement agency to continue to disclose information also applies to an offender who lacks a primary address and is registering under section 243.166, subdivision 3a.

(g) A law enforcement agency that is disclosing information on an offender assigned to risk level III to the public under this subdivision shall inform the commissioner of corrections what information is being disclosed and forward this information to the commissioner within two days of the agency's determination. The commissioner shall post this information on the Internet as required in subdivision 4b.

(h) A city council may adopt a policy that addresses when information disclosed under this subdivision must be presented in languages in addition to English. The policy may address when information must be presented orally, in writing, or both in additional languages by the law enforcement agency disclosing the information. The policy may provide for different approaches based on the prevalence of non-English languages in different neighborhoods.

(i) An offender who is the subject of a community notification meeting held pursuant to this section may not attend the meeting.

(j) When a school, day care facility, or other entity or program that primarily educates or serves children receives notice under paragraph (b), clause (3), that a level III predatory offender resides or works in the surrounding community, notice to parents must be made as provided in this paragraph. If the predatory offender identified in the notice is participating in programs offered by the facility that require or allow the person to interact with children other than the person's children, the principal or head of the entity must notify parents with children at the facility of the contents of the notice received pursuant to this section. The immunity provisions of subdivision 7 apply to persons disclosing information under this paragraph.

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

Renumber the sections in sequence

Amend the title numbers accordingly

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

**Senator Hann from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1701:** A bill for an act relating to restaurants; providing for the Restaurant Recovery and Jobs Creation Act; expanding the sales tax exemption for certain meals and drinks; expanding the capital equipment exemption; providing for the application of gratuities in calculating the minimum wage; modifying the calculation of unemployment taxes; modifying license fees; amending Minnesota Statutes 2010, sections 157.16; 177.24, subdivisions 1, 2; 268.035, subdivision 24; 297A.68, subdivision 5, by adding subdivisions.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2010, section 145A.07, subdivision 3, is amended to read:

Subd. 3. **Terms of agreements.** (a) Agreements authorized under this section must be in writing and signed by the delegating authority and the designated agent.

(b) The agreement must list criteria the delegating authority will use to determine if the designated agent's performance meets appropriate standards and is sufficient to replace performance by the delegating authority.

(c) The agreement may specify minimum staff requirements and qualifications, set procedures for the assessment of costs, and provide for termination procedures if the delegating authority finds that the designated agent fails to comply with the agreement. The agreement may specify fees to be charged by the designated agent for the provision of licensing, inspection, or enforcement duties under chapter 157 and sections 327.14 to 327.28. The fees must not exceed the costs, including overhead costs, to the designated agent for the performance of these duties. The fees collected must not be used for any other purpose than the purpose for which the fee is collected.

(d) A designated agent must not perform licensing, inspection, or enforcement duties under the agreement in territory outside its jurisdiction unless approved by the governing body for that territory through a separate agreement.

(e) The scope of agreements established under this section is limited to duties and responsibilities agreed upon by the parties. The agreement may provide for automatic renewal and for notice of intent to terminate by either party.

(f) During the life of the agreement, the delegating authority shall not perform duties that the designated agent is required to perform under the agreement, except inspections necessary to determine compliance with the agreement and this section or as agreed to by the parties.

(g) The delegating authority shall consult with, advise, and assist a designated agent in the performance of its duties under the agreement.

(h) This section does not alter the responsibility of the delegating authority for the performance of duties specified in law.

Sec. 2. Minnesota Statutes 2010, section 157.16, subdivision 3, is amended to read:

Subd. 3. **Establishment fees; definitions.** (a) The following fees are required for food and beverage service establishments, youth camps, hotels, motels, lodging establishments, public pools, and resorts licensed under this chapter. Food and beverage service establishments must pay the highest applicable fee under paragraph (d), clause (1), (2), (3), or (4), and establishments serving alcohol must pay the highest applicable fee under paragraph (d), clause (6) or (7). The license fee for new operators previously licensed under this chapter for the same calendar year is one-half of the appropriate annual license fee, plus any penalty that may be required. The license fee for operators opening on or after October 1 is one-half of the appropriate annual license fee, plus any penalty that may be required.

(b) All food and beverage service establishments, except special event food stands, and all hotels, motels, lodging establishments, public pools, and resorts shall pay an annual base fee of \$150.

(c) A special event food stand shall pay a flat fee of \$50 annually. "Special event food stand" means a fee category where food is prepared or served in conjunction with celebrations, county fairs, or special events from a special event food stand as defined in section 157.15.

(d) In addition to the base fee in paragraph (b), each food and beverage service establishment, other than a special event food stand and a school concession stand, and each hotel, motel, lodging establishment, public pool, and resort shall pay an additional annual fee for each fee category, additional food service, or required additional inspection specified in this paragraph:

(1) Limited food menu selection, \$60. "Limited food menu selection" means a fee category that provides one or more of the following:

- (i) prepackaged food that receives heat treatment and is served in the package;
- (ii) frozen pizza that is heated and served;
- (iii) a continental breakfast such as rolls, coffee, juice, milk, and cold cereal;
- (iv) soft drinks, coffee, or nonalcoholic beverages; or
- (v) cleaning for eating, drinking, or cooking utensils, when the only food served is prepared off site.

(2) Small establishment, including boarding establishments, \$120. "Small establishment" means a fee category that has no salad bar and meets one or more of the following:

- (i) possesses food service equipment that consists of no more than a deep fat fryer, a grill, two hot holding containers, and one or more microwave ovens;
- (ii) serves dipped ice cream or soft serve frozen desserts;
- (iii) serves breakfast in an owner-occupied bed and breakfast establishment;
- (iv) is a boarding establishment; or
- (v) meets the equipment criteria in clause (3), item (i) or (ii), and has a maximum patron seating capacity of not more than 50.

(3) Medium establishment, \$310. "Medium establishment" means a fee category that meets one or more of the following:

- (i) possesses food service equipment that includes a range, oven, steam table, salad bar, or salad preparation area;
- (ii) possesses food service equipment that includes more than one deep fat fryer, one grill, or two hot holding containers; or
- (iii) is an establishment where food is prepared at one location and served at one or more separate locations.

Establishments meeting criteria in clause (2), item (v), are not included in this fee category.

(4) Large establishment, \$540. "Large establishment" means either:

(i) a fee category that (A) meets the criteria in clause (3), items (i) or (ii), for a medium establishment, (B) seats more than 175 people, and (C) offers the full menu selection an average of five or more days a week during the weeks of operation; or

(ii) a fee category that (A) meets the criteria in clause (3), item (iii), for a medium establishment, and (B) prepares and serves 500 or more meals per day.

(5) Other food and beverage service, including food carts, mobile food units, seasonal temporary food stands, and seasonal permanent food stands, \$60.

(6) Beer or wine table service, \$60. "Beer or wine table service" means a fee category where the only alcoholic beverage service is beer or wine, served to customers seated at tables.

(7) Alcoholic beverage service, other than beer or wine table service, \$165.

"Alcohol beverage service, other than beer or wine table service" means a fee category where alcoholic mixed drinks are served or where beer or wine are served from a bar.

(8) Lodging per sleeping accommodation unit, \$10, including hotels, motels, lodging establishments, and resorts, up to a maximum of \$1,000. "Lodging per sleeping accommodation unit" means a fee category including the number of guest rooms, cottages, or other rental units of a hotel, motel, lodging establishment, or resort; or the number of beds in a dormitory.

(9) First public pool, \$325; each additional public pool, \$175. "Public pool" means a fee category that has the meaning given in section 144.1222, subdivision 4.

(10) First spa, \$175; each additional spa, \$100. "Spa pool" means a fee category that has the meaning given in Minnesota Rules, part 4717.0250, subpart 9.

(11) ~~Private sewer or water, \$60~~ Individual private sewer, \$30; individual private water, \$30. "Individual private water" means a fee category with a water supply other than a ~~community~~ public water supply as defined in ~~Minnesota Rules, chapter 4720~~ section 144.382, subdivision 4. "Individual private sewer" means a fee category with an individual sewage treatment system which uses subsurface treatment and disposal.

(12) Additional food service, \$150. "Additional food service" means a location at a food service establishment, other than the primary food preparation and service area, used to prepare or serve food to the public. Additional food service does not apply to school concession stands.

(13) Additional inspection fee, \$360. "Additional inspection fee" means a fee to conduct the second inspection each year for elementary and secondary education facility school lunch programs when required by the Richard B. Russell National School Lunch Act.

(e) A fee for review of construction plans must accompany the initial license application for restaurants, hotels, motels, lodging establishments, resorts, seasonal food stands, and mobile food units. The fee for this construction plan review is as follows:

Service Area	Type	Fee
Food	limited food menu	\$275
	small establishment	\$400

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	medium establishment	\$450
	large food establishment	\$500
	additional food service	\$150
Transient food service	food cart	\$250
	seasonal permanent food stand	\$250
	seasonal temporary food stand	\$250
	mobile food unit	\$350
Alcohol	beer or wine table service	\$150
	alcohol service from bar	\$250
Lodging	less than 25 rooms	\$375
	25 to less than 100 rooms	\$400
	100 rooms or more	\$500
	less than five cabins	\$350
	five to less than ten cabins	\$400
	ten cabins or more	\$450

(f) When existing food and beverage service establishments, hotels, motels, lodging establishments, resorts, seasonal food stands, and mobile food units are extensively remodeled, a fee must be submitted with the remodeling plans. The fee for this construction plan review is as follows:

<b>Service Area</b>	<b>Type</b>	<b>Fee</b>
Food	limited food menu	\$250
	small establishment	\$300
	medium establishment	\$350
	large food establishment	\$400
	additional food service	\$150
Transient food service	food cart	\$250
	seasonal permanent food stand	\$250
	seasonal temporary food stand	\$250
	mobile food unit	\$250
Alcohol	beer or wine table service	\$150
	alcohol service from bar	\$250
Lodging	less than 25 rooms	\$250
	25 to less than 100 rooms	\$300

100 rooms or more	\$450
less than five cabins	\$250
five to less than ten cabins	\$350
ten cabins or more	\$400

(g) Special event food stands are not required to submit construction or remodeling plans for review.

(h) Youth camps shall pay an annual single fee for food and lodging as follows:

- (1) camps with up to 99 campers, \$325;
- (2) camps with 100 to 199 campers, \$550; and
- (3) camps with 200 or more campers, \$750.

(i) A youth camp which pays fees under paragraph (d) is not required to pay fees under paragraph (h)."

Page 11, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 2010, section 327.15, subdivision 3, is amended to read:

**Subd. 3. Fees, manufactured home parks and recreational camping areas.** (a) The following fees are required for manufactured home parks and recreational camping areas licensed under this chapter. Recreational camping areas and manufactured home parks shall pay the highest applicable base fee under paragraph (b). The license fee for new operators of a manufactured home park or recreational camping area previously licensed under this chapter for the same calendar year is one-half of the appropriate annual license fee, plus any penalty that may be required. The license fee for operators opening on or after October 1 is one-half of the appropriate annual license fee, plus any penalty that may be required.

(b) All manufactured home parks and recreational camping areas shall pay the following annual base fee:

- (1) a manufactured home park, \$150; and
- (2) a recreational camping area with:
  - (i) 24 or less sites, \$50;
  - (ii) 25 to 99 sites, \$212; and
  - (iii) 100 or more sites, \$300.

In addition to the base fee, manufactured home parks and recreational camping areas shall pay \$4 for each licensed site. This paragraph does not apply to special event recreational camping areas. Operators of a manufactured home park or a recreational camping area also licensed under section 157.16 for the same location shall pay only one base fee, whichever is the highest of the base fees found in this section or section 157.16.



(c) In addition to the fee in paragraph (b), each manufactured home park or recreational camping area shall pay an additional annual fee for each fee category specified in this paragraph:

(1) Manufactured home parks and recreational camping areas with public swimming pools and spas shall pay the appropriate fees specified in section 157.16.

(2) Individual private sewer ~~or water, \$60, \$30~~; individual private water, \$30. "Individual private water" means a fee category with a water supply other than a ~~community~~ public water supply as defined in ~~Minnesota Rules, chapter 4720~~ section 144.382, subdivision 4. "Individual private sewer" means a fee category with a subsurface sewage treatment system which uses subsurface treatment and disposal.

(d) The following fees must accompany a plan review application for initial construction of a manufactured home park or recreational camping area:

- (1) for initial construction of less than 25 sites, \$375;
- (2) for initial construction of 25 to 99 sites, \$400; and
- (3) for initial construction of 100 or more sites, \$500.

(e) The following fees must accompany a plan review application when an existing manufactured home park or recreational camping area is expanded:

- (1) for expansion of less than 25 sites, \$250;
- (2) for expansion of 25 to 99 sites, \$300; and
- (3) for expansion of 100 or more sites, \$450."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "Act;"

Page 1, line 6, after "fees;" insert "authorizing the delegation agreement between the commissioner of health and local governments to specify fees to be charged;"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Growth. Amendments adopted. Report adopted.

**Senator Hann from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1675:** A bill for an act relating to human services; modifying provisions related to children and family services; reforming adoptions under guardianship of the commissioner; modifying statutory provisions related to child support; amending Minnesota Statutes 2010, sections 13.46, subdivision 2; 13.461, subdivision 17; 13.465, by adding a subdivision; 145.902,

subdivision 1; 256.998, subdivisions 1, 5; 256J.24, subdivision 5; 259.22, subdivision 2; 259.23, subdivision 1; 259.24, subdivisions 1, 3, 5, 6a, 7; 259.29, subdivision 2; 260C.193, subdivision 3; 260C.201, subdivision 11a; 260C.212, subdivisions 1, 2, 5, 7; 260C.217; 260C.317, subdivisions 3, 4; 260C.325, subdivisions 1, 3, 4; 260C.328; 541.04; 548.09, subdivision 1; 626.556, subdivisions 2, 10f, 10i, 11; proposing coding for new law in Minnesota Statutes, chapter 260C; repealing Minnesota Statutes 2010, section 256.022.

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

Page 1, after line 14, insert:

## "ARTICLE 1

### CHILDREN AND FAMILIES POLICY PROVISIONS"

Page 6, line 15, delete "medical clinic, a police department," and insert "healthcare provider that provides access to urgent care services, or a sheriff's department."

Page 6, delete line 16

Page 6, delete line 18 and insert "newborn left with a ~~hospital~~ an employee on the ~~hospital~~ premises of the safe place, provided that:"

Page 6, line 24, strike "to the hospital"

Page 6, after line 29, insert:

"Sec. 5. Minnesota Statutes 2010, section 145.902, subdivision 2, is amended to read:

Subd. 2. **Reporting.** Within 24 hours of receiving a newborn under this section, the ~~hospital~~ safe place must inform the local welfare agency that a newborn has been left at the ~~hospital~~ safe place, but must not do so before the mother or the person leaving the newborn leaves the hospital.

Sec. 6. Minnesota Statutes 2010, section 145.902, subdivision 3, is amended to read:

Subd. 3. **Immunity.** (a) A hospital with responsibility for performing duties under this section, and any employee, doctor, or other medical professional working at the ~~hospital~~ safe place, are immune from any criminal liability that otherwise might result from their actions, if they are acting in good faith in receiving a newborn, and are immune from any civil liability that otherwise might result from merely receiving a newborn.

(b) A ~~hospital~~ safe place performing duties under this section, or an employee, doctor, or other medical professional working at the hospital who is a mandated reporter under section 626.556, is immune from any criminal or civil liability that otherwise might result from the failure to make a report under that section if the person is acting in good faith in complying with this section."

Page 11, line 16, after the period, insert "If you are consenting to adoption by the child's stepparent, the consent will be submitted to the court by the petitioner in your child's adoption."

Page 11, line 29, after "by" insert "": (1)"

Page 11, line 31, before the period, insert "": (2) the agency supervising the adoptive placement of the child; or (3) in the case of adoption by a stepparent or any adoption not involving agency

placement or supervision, by the district court where the adopting stepparent or parent resides"

Page 12, line 21, delete "section" and insert "sections 260C.212, subdivision 2, and"

Page 12, line 30, strike "or residential care"

Page 12, line 32, reinstate the stricken language

Page 13, line 1, reinstate the stricken language and delete the new language

Page 13, line 19, after "siblings" insert "requiring foster care placement"

Page 13, line 20, before the period, insert "after weighing the benefits of separate placement against the benefits of sibling connections for each sibling"

Page 14, line 7, delete the second "and"

Page 14, line 12, delete the period and insert "; and"

Page 14, after line 12, insert:

"(4) in the case of an Indian child, active efforts to prevent the breakup of the Indian family and to make a placement according to the placement preferences under United States Code, title 25, chapter 21, section 1915."

Page 14, line 18, delete "260C.212, subdivision " and insert "260C.221"

Page 14, line 19, delete everything before the semicolon and insert "indicating an interest in participating in planning for the child or being a permanency resource for the child and who has kept the court apprised of his or her address"

Page 15, line 10, before the semicolon, insert "or similar study required by the individual's state of residence when the subject of the study is not a resident of Minnesota; the court may order the responsible social services agency to make a referral under the Interstate Compact on the Placement of Children, sections 260.851 et al., when necessary to obtain a home study for an individual who wants to be considered for transfer of permanent legal and physical custody or adoption of the child"

Page 18, line 14, strike "who is in"

Page 18, lines 15 and 16, delete the new language

Page 20, line 17, strike "subdivision 2" and insert "section 260C.221"

Page 20, lines 28 and 31, delete "260C.201, subdivision 11a" and insert "260C.204"

Page 21, line 15, delete "involving" and insert "including"

Page 21, line 25, strike "this" and after "paragraph" insert "(d)" and strike "The relative notification"

Page 21, strike lines 26 to 28

Page 21, line 29, strike "child."

Page 24, delete line 35 and insert "health care provider that provides access to urgent care"

services, or a sheriff's department during its hours of operation."

Page 25, line 10, after "an" insert "ambulance or other" and after "responder" insert "under section 299J.02, subdivision 6,"

Page 26, lines 12 to 14, reinstate the stricken language

Page 26, delete line 15 and insert "has taken to find an adoptive family or other placement living arrangement for the child"

Page 26, line 16, reinstate the stricken language

Page 29, line 11, delete "the commissioner's agent,"

Page 29, line 14, delete "259.49" and insert "259.47"

Page 30, line 28, after "child" insert "and has the same meaning as "preadoptive parent" under section 259A.01, subdivision 23"

Page 31, line 28, delete everything after "section" and insert "260C.204."

Page 32, line 7, delete "260C.201, subdivision 2" and insert "260C.221"

Page 32, line 16, delete "exception" and insert "exemption"

Page 35, line 12, after "(a)" insert "At any time after the district court orders the child under the guardianship of the commissioner of human services, but not later than 30 days after receiving notice required under section 260C.613, subdivision 1, paragraph (c), that the agency has made an adoptive placement,"

Page 35, line 17, before the semicolon, insert ". The court may waive the residency requirement for the moving party if there is a reasonable basis to do so"

Page 36, delete lines 5 to 8 and insert:

"(f) In order to ensure that a timely adoption may occur, when the court orders the responsible social services agency to make an adoptive placement under this subdivision, the agency shall:

(1) make reasonable efforts to obtain a fully executed adoption placement agreement;

(2) work with the moving party regarding eligibility for adoption assistance as required under chapter 259A; and

(3) if the moving party is not a resident of Minnesota, timely refer the matter for approval of the adoptive placement through the Interstate Compact on the Placement of Children, section 260.851 et al."

Page 36, line 10, delete "appealable" and before the period, insert ", which may be appealed by the responsible social services agency, the moving party, the child, when age ten or over, the child's guardian ad litem, and any individual who had a fully executed adoption placement agreement regarding the child at the time the motion was filed if the court's order has the effect of terminating the adoption placement agreement"

Page 37, line 30, before the period, insert "on the form prescribed by the commissioner"

Page 38, line 30, delete everything after "(a)"

Page 38, line 31, delete everything before "The"

Page 38, line 32, delete "also"

Page 38, line 35, delete everything after "shall"

Page 38, line 36, delete everything before "of" and insert "notify the birth parents"

Page 39, after line 17, insert:

"Subd. 8. **Postadoption search services.** The responsible social services agency shall respond to requests from adopted persons aged 19 years and over, adoptive parents of a minor child, and birth parents for: social and medical history and genetic health conditions of the adopted person's birth family and genetic sibling information, according to section 259.83."

Page 39, line 21, after "(1)" insert "the medical care plan for and treatment of a child who is at imminent risk of death or who has a chronic disease that, in a physician's judgment, will result in the child's death in the near future, including" and delete "or for end-of-life"

Page 39, line 22, delete "care"

Page 39, line 24, after the period, insert "The decision to donate a body part under this subdivision shall take into consideration the child's wishes and the child's culture."

Page 39, line 27, after "study" insert "and placement"

Page 39, line 30, before the semicolon, insert "according to chapter 259A"

Page 41, line 10, delete "or" and insert a comma

Page 41, line 11, after "parent" insert ", or the birth parent or legal custodian of the child's sibling"

Page 42, line 23, delete "the adopting parent's county of residence"

Page 42, line 24, delete "continuing to conduct" and insert "conducting"

Page 42, line 27, delete "review" and insert "reviews"

Page 44, line 10, delete "adopting" and insert "adoptive"

Page 44, line 15, delete "adoption" and insert "adoptive placement"

Page 45, line 23, delete "by the court administrator"

Page 45, line 29, after the semicolon, insert "and"

Page 45, line 30, delete ", if the adopting parent is not the petitioner; and" and insert a period

Page 45, delete line 31

Page 46, line 13, delete "person" and insert "parent"

Page 47, line 7, before "If" insert "(a)"

Page 47, after line 12, insert:

"(b) The court responsible for conducting reviews under section 260C.607 shall set a hearing within 30 days of receiving notice of denial of the petition.

(c) Any appeal of the denial of an adoption petition under this section shall be made according to the requirements of the Minnesota Rules of Adoption Procedure."

Page 47, after line 29, insert:

"(e) Upon adoption, the court shall complete a certificate of adoption form and mail the form to the Office of the State Registrar at the Minnesota Department of Health. Upon receiving the certificate of adoption, the State Registrar shall register a replacement vital record in the new name of the adopted child as required under section 144.218."

Page 48, after line 3, insert:

"Sec. 49. **[260C.637] ACCESS TO ORIGINAL BIRTH RECORD INFORMATION.**

An adopted person may ask the commissioner of health to disclose the information on the adopted person's original birth record according to section 259.89."

Page 48, after line 26, insert:

"Sec. 52. Minnesota Statutes 2010, section 609.3785, is amended to read:

**609.3785 UNHARMED NEWBORNS LEFT AT HOSPITALS; AVOIDANCE OF PROSECUTION.**

A person may leave a newborn with a ~~hospital~~ an employee at a hospital safe place or with a 911 responder in this state without being subjected to prosecution for that act, provided that:

(1) the newborn was born within ~~72 hours~~ seven days of being left at ~~the hospital~~ a safe place or with a 911 responder, as determined within a reasonable degree of medical certainty;

(2) the newborn is left in an unharmed condition; and

(3) in cases where the person leaving the newborn is not the newborn's mother, the person has the mother's approval to do so."

Page 59, delete section 54

Page 59, after line 29, insert:

**"ARTICLE 2**

**CHILD CARE**

Section 1. Minnesota Statutes 2010, section 119B.09, subdivision 7, is amended to read:

Subd. 7. **Date of eligibility for assistance.** (a) The date of eligibility for child care assistance under this chapter is the later of the date the application was ~~signed~~ received by the county; the beginning date of employment, education, or training; the date the infant is born for applicants to the at-home infant care program; or the date a determination has been made that the applicant is a

participant in employment and training services under Minnesota Rules, part 3400.0080, or chapter 256J.

(b) Payment ceases for a family under the at-home infant child care program when a family has used a total of 12 months of assistance as specified under section 119B.035. Payment of child care assistance for employed persons on MFIP is effective the date of employment or the date of MFIP eligibility, whichever is later. Payment of child care assistance for MFIP or DWP participants in employment and training services is effective the date of commencement of the services or the date of MFIP or DWP eligibility, whichever is later. Payment of child care assistance for transition year child care must be made retroactive to the date of eligibility for transition year child care.

(c) Notwithstanding paragraph (b), payment of child care assistance for participants eligible under section 119B.05 may only be made retroactive for a maximum of six months from the date of application for child care assistance.

Sec. 2. Minnesota Statutes 2010, section 119B.12, subdivision 1, is amended to read:

Subdivision 1. **Fee schedule.** All changes to parent fees must be implemented on the first Monday of the service period following the effective date of the change.

PARENT FEE SCHEDULE. The parent fee schedule is as follows, except as noted in subdivision 2:

Income Range (as a percent of the state median income, except at the start of the first tier)	Co-payment (as a percentage of adjusted gross income)
0-74.99% of federal poverty guidelines	<del>\$0/month</del> <u>biweekly</u>
75.00-99.99% of federal poverty guidelines	<del>\$5/month</del> <u>\$2/biweekly</u>
100.00% of federal poverty guidelines-27.72%	2.61%
27.73-29.04%	2.61%
29.05-30.36%	2.61%
30.37-31.68%	2.61%
31.69-33.00%	2.91%
33.01-34.32%	2.91%
34.33-35.65%	2.91%
35.66-36.96%	2.91%
36.97-38.29%	3.21%
38.30-39.61%	3.21%
39.62-40.93%	3.21%
40.94-42.25%	3.84%
42.26-43.57%	3.84%
43.58-44.89%	4.46%
44.90-46.21%	4.76%

46.22-47.53%	5.05%
47.54-48.85%	5.65%
48.86-50.17%	5.95%
50.18-51.49%	6.24%
51.50-52.81%	6.84%
52.82-54.13%	7.58%
54.14-55.45%	8.33%
55.46-56.77%	9.20%
56.78-58.09%	10.07%
58.10-59.41%	10.94%
59.42-60.73%	11.55%
60.74-62.06%	12.16%
62.07-63.38%	12.77%
63.39-64.70%	13.38%
64.71- <del>66.99</del> 67.00%	14.00%
<u>Greater than 67.00%</u>	ineligible

A family's ~~monthly~~ biweekly co-payment fee is the fixed percentage established for the income range multiplied by the highest possible income within that income range.

Sec. 3. Minnesota Statutes 2010, section 119B.12, subdivision 2, is amended to read:

Subd. 2. **Parent fee.** A family must be assessed a parent fee for each service period. A family's parent fee must be a fixed percentage of its annual gross income. Parent fees must apply to families eligible for child care assistance under sections 119B.03 and 119B.05. Income must be as defined in section 119B.011, subdivision 15. The fixed percent is based on the relationship of the family's annual gross income to 100 percent of the annual state median income. Parent fees must begin at 75 percent of the poverty level. The minimum parent fees for families between 75 percent and 100 percent of poverty level must be ~~\$5 per month~~ \$2 per biweekly period. Parent fees must provide for graduated movement to full payment. Payment of part or all of a family's parent fee directly to the family's child care provider on behalf of the family by a source other than the family shall not affect the family's eligibility for child care assistance, and the amount paid shall be excluded from the family's income. Child care providers who accept third-party payments must maintain family specific documentation of payment source, amount, and time period covered by the payment.

Sec. 4. Minnesota Statutes 2010, section 119B.125, subdivision 1a, is amended to read:

Subd. 1a. **Background study required.** This subdivision only applies to legal, nonlicensed family child care providers. Prior to authorization, and as part of each reauthorization required in subdivision 1, the county shall perform a background study on every member of the provider's household who is age 13 and older. ~~The background study shall be conducted according to the procedures under subdivision 2.~~ The county shall also perform a background study on an individual



who has reached age ten but is not yet age 13 and is living in the household where the nonlicensed child care will be provided when the county has reasonable cause as defined under section 245C.02, subdivision 15.

Sec. 5. Minnesota Statutes 2010, section 119B.125, subdivision 2, is amended to read:

Subd. 2. **Persons who cannot be authorized.** (a) ~~When any member of the legal, nonlicensed family child care provider's household meets any of the conditions under paragraphs (b) to (n), the provider must not be authorized as a legal nonlicensed family child care provider. To determine whether any of the listed conditions exist, the county must request information about the provider and other household members for whom a background study is required under subdivision 1a from the Bureau of Criminal Apprehension, the juvenile courts, and social service agencies. When one of the listed entities does not maintain information on a statewide basis, the county must contact the entity in the county where the provider resides and any other county in which the provider or any household member previously resided in the past year. For purposes of this subdivision, a finding that a delinquency petition is proven in juvenile court must be considered a conviction in state district court. The provider seeking authorization under this section shall collect the information required under section 245C.05, subdivision 1, and forward the information to the county agency. The background study must include a review of the information required under section 245C.08, subdivisions 2, 3, and 4, paragraph (b). A nonlicensed family child care provider is not authorized under this section if any household member who is the subject of a background study is determined to have a disqualifying characteristic under paragraphs (b) to (e) or under section 245C.14 or 245C.15. If a county has determined that a provider is able to be authorized in that county, and a family in another county later selects that provider, the provider is able to be authorized in the second county without undergoing a new background investigation unless one of the following conditions exists:~~

- (1) two years have passed since the first authorization;
- (2) another person age 13 or older has joined the provider's household since the last authorization;
- (3) a current household member has turned 13 since the last authorization; or
- (4) there is reason to believe that a household member has a factor that prevents authorization.

~~(b) The person has been convicted of one of the following offenses or has admitted to committing or a preponderance of the evidence indicates that the person has committed an act that meets the definition of one of the following offenses: sections 609.185 to 609.195, murder in the first, second, or third degree; 609.2661 to 609.2663, murder of an unborn child in the first, second, or third degree; 609.322, solicitation, inducement, promotion of prostitution, or receiving profit from prostitution; 609.342 to 609.345, criminal sexual conduct in the first, second, third, or fourth degree; 609.352, solicitation of children to engage in sexual conduct; 609.365, incest; 609.377, felony malicious punishment of a child; 617.246, use of minors in sexual performance; 617.247, possession of pictorial representation of a minor; 609.2242 to 609.2243, felony domestic assault; a felony offense of spousal abuse; a felony offense of child abuse or neglect; a felony offense of a crime against children; or an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes; or an offense in any other state or country where the elements are substantially similar to any of the offenses listed in this paragraph.~~

~~(c) Less than 15 years have passed since the discharge of the sentence imposed for the offense and the person has received a felony conviction for one of the following offenses, or the person~~

has admitted to committing or a preponderance of the evidence indicates that the person has committed an act that meets the definition of a felony conviction for one of the following offenses: sections 609.20 to 609.205, manslaughter in the first or second degree; 609.21, criminal vehicular homicide; 609.215, aiding suicide or aiding attempted suicide; 609.221 to 609.2231, assault in the first, second, third, or fourth degree; 609.224, repeat offenses of fifth-degree assault; 609.228, great bodily harm caused by distribution of drugs; 609.2325, criminal abuse of a vulnerable adult; 609.2335, financial exploitation of a vulnerable adult; 609.235, use of drugs to injure or facilitate a crime; 609.24, simple robbery; 617.241, repeat offenses of obscene materials and performances; 609.245, aggravated robbery; 609.25, kidnapping; 609.255, false imprisonment; 609.2664 to 609.2665, manslaughter of an unborn child in the first or second degree; 609.267 to 609.2672, assault of an unborn child in the first, second, or third degree; 609.268, injury or death of an unborn child in the commission of a crime; 609.27, coercion; 609.275, attempt to coerce; 609.324, subdivision 1, other prohibited acts, minor engaged in prostitution; 609.3451, repeat offenses of criminal sexual conduct in the fifth degree; 609.378, neglect or endangerment of a child; 609.52, theft; 609.521, possession of shoplifting gear; 609.561 to 609.563, arson in the first, second, or third degree; 609.582, burglary in the first, second, third, or fourth degree; 609.625, aggravated forgery; 609.63, forgery; 609.631, check forgery, offering a forged check; 609.635, obtaining signature by false pretenses; 609.66, dangerous weapon; 609.665, setting a spring gun; 609.67, unlawfully owning, possessing, or operating a machine gun; 609.687, adulteration; 609.71, riot; 609.713, terrorist threats; 609.749, stalking; 260C.301, termination of parental rights; 152.021 to 152.022 and 152.0262, controlled substance crime in the first or second degree; 152.023, subdivision 1, clause (3) or (4), or 152.023, subdivision 2, clause (4), controlled substance crime in third degree; 152.024, subdivision 1, clause (2), (3), or (4), controlled substance crime in fourth degree; 617.23, repeat offenses of indecent exposure; an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes; or an offense in any other state or country where the elements are substantially similar to any of the offenses listed in this paragraph.

(d) Less than ten years have passed since the discharge of the sentence imposed for the offense and the person has received a gross misdemeanor conviction for one of the following offenses or the person has admitted to committing or a preponderance of the evidence indicates that the person has committed an act that meets the definition of a gross misdemeanor conviction for one of the following offenses: sections 609.224, fifth-degree assault; 609.2242 to 609.2243, domestic assault; 518B.01, subdivision 14, violation of an order for protection; 609.3451, fifth-degree criminal sexual conduct; 609.746, repeat offenses of interference with privacy; 617.23, repeat offenses of indecent exposure; 617.241, obscene materials and performances; 617.243, indecent literature, distribution; 617.293, disseminating or displaying harmful material to minors; 609.71, riot; 609.66, dangerous weapons; 609.749, stalking; 609.224, subdivision 2, paragraph (c), fifth-degree assault against a vulnerable adult by a caregiver; 609.23, mistreatment of persons confined; 609.231, mistreatment of residents or patients; 609.2325, criminal abuse of a vulnerable adult; 609.2335, financial exploitation of a vulnerable adult; 609.233, criminal neglect of a vulnerable adult; 609.234, failure to report maltreatment of a vulnerable adult; 609.72, subdivision 3, disorderly conduct against a vulnerable adult; 609.265, abduction; 609.378, neglect or endangerment of a child; 609.377, malicious punishment of a child; 609.324, subdivision 1a, other prohibited acts, minor engaged in prostitution; 609.33, disorderly house; 609.52, theft; 609.582, burglary in the first, second, third, or fourth degree; 609.631, check forgery, offering a forged check; 609.275, attempt to coerce; an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes; or an offense in any other state or country where the elements are substantially similar to

any of the offenses listed in this paragraph.

~~(e)~~ Less than seven years have passed since the discharge of the sentence imposed for the offense and the person has received a misdemeanor conviction for one of the following offenses or the person has admitted to committing or a preponderance of the evidence indicates that the person has committed an act that meets the definition of a misdemeanor conviction for one of the following offenses: sections 609.224, fifth-degree assault; 609.2242, domestic assault; 518B.01, violation of an order for protection; 609.3232, violation of an order for protection; 609.746, interference with privacy; 609.79, obscene or harassing telephone calls; 609.795, letter, telegram, or package opening, harassment; 617.23, indecent exposure; 609.2672, assault of an unborn child, third degree; 617.293, dissemination and display of harmful materials to minors; 609.66, dangerous weapons; 609.665, spring guns; an attempt or conspiracy to commit any of these offenses as defined in Minnesota Statutes; or an offense in any other state or country where the elements are substantially similar to any of the offenses listed in this paragraph.

~~(f)~~ The person has been identified by the child protection agency in the county where the provider resides or a county where the provider has resided or by the statewide child protection database as a person found by a preponderance of evidence under section 626.556 to be responsible for physical or sexual abuse of a child within the last seven years.

~~(g)~~ The person has been identified by the adult protection agency in the county where the provider resides or a county where the provider has resided or by the statewide adult protection database as the person responsible for abuse or neglect of a vulnerable adult within the last seven years.

~~(h)~~ (b) The person has refused to give written consent for disclosure of criminal history records.

~~(i)~~ (c) The person has been denied a family child care license or has received a fine or a sanction as a licensed child care provider that has not been reversed on appeal.

~~(j)~~ (d) The person has a family child care licensing disqualification that has not been set aside.

~~(k)~~ (e) The person has admitted or a county has found that there is a preponderance of evidence that fraudulent information was given to the county for child care assistance application purposes or was used in submitting child care assistance bills for payment.

~~(l)~~ The person has been convicted of the crime of theft by wrongfully obtaining public assistance or has been found guilty of wrongfully obtaining public assistance by a federal court, state court, or an administrative hearing determination or waiver, through a disqualification consent agreement, as part of an approved diversion plan under section 401.065, or a court-ordered stay with probationary or other conditions.

~~(m)~~ The person has a household member age 13 or older who has access to children during the hours that care is provided and who meets one of the conditions listed in paragraphs (b) to (l).

~~(n)~~ The person has a household member ages ten to 12 who has access to children during the hours that care is provided; information or circumstances exist which provide the county with articulable suspicion that further pertinent information may exist showing the household member meets one of the conditions listed in paragraphs (b) to (l); and the household member actually meets one of the conditions listed in paragraphs (b) to (l).

Sec. 6. Minnesota Statutes 2010, section 119B.125, subdivision 6, is amended to read:

Subd. 6. **Record-keeping requirement.** All providers receiving child care assistance payments must keep daily attendance records for children receiving child care assistance and must make those records available immediately to the county upon request. The attendance records must be completed daily and include the date, the first and last name of each child in attendance, and the times when each child is dropped off and picked up. To the extent possible, the times that the child was dropped off to and picked up from the child care provider must be entered by the person dropping off or picking up the child. The daily attendance records must be retained for six years after the date of service. A county may deny authorization as a child care provider to any applicant or rescind authorization of any provider when the county knows or has reason to believe that the provider has not complied with the record-keeping requirement in this subdivision.

Sec. 7. Minnesota Statutes 2011 Supplement, section 119B.13, subdivision 1, is amended to read:

Subdivision 1. **Subsidy restrictions.** (a) Beginning October 31, 2011, the maximum rate paid for child care assistance in any county or multicounty region under the child care fund shall be the rate for like-care arrangements in the county effective July 1, 2006, decreased by 2.5 percent.

(b) ~~Every year~~ Biennially, beginning in 2012, the commissioner shall survey rates charged by child care providers in Minnesota to determine the 75th percentile for like-care arrangements in counties. When the commissioner determines that, using the commissioner's established protocol, the number of providers responding to the survey is too small to determine the 75th percentile rate for like-care arrangements in a county or multicounty region, the commissioner may establish the 75th percentile maximum rate based on like-care arrangements in a county, region, or category that the commissioner deems to be similar.

(c) A rate which includes a special needs rate paid under subdivision 3 or under a school readiness service agreement paid under section 119B.231, may be in excess of the maximum rate allowed under this subdivision.

(d) The department shall monitor the effect of this paragraph on provider rates. The county shall pay the provider's full charges for every child in care up to the maximum established. The commissioner shall determine the maximum rate for each type of care on an hourly, full-day, and weekly basis, including special needs and disability care. The maximum payment to a provider for one day of care must not exceed the daily rate. The maximum payment to a provider for one week of care must not exceed the weekly rate.

(e) Child care providers receiving reimbursement under this chapter must not be paid activity fees or an additional amount above the maximum rates for care provided during nonstandard hours for families receiving assistance.

(f) When the provider charge is greater than the maximum provider rate allowed, the parent is responsible for payment of the difference in the rates in addition to any family co-payment fee.

(g) All maximum provider rates changes shall be implemented on the Monday following the effective date of the maximum provider rate.

Sec. 8. Minnesota Statutes 2010, section 119B.13, subdivision 6, is amended to read:

Subd. 6. **Provider payments.** (a) The provider shall bill for services provided within ten days of the end of the service period. If bills are submitted within ten days of the end of the service

period, payments under the child care fund shall be made within 30 days of receiving a bill from the provider. Counties or the state may establish policies that make payments on a more frequent basis.

(b) If a provider has received an authorization of care and been issued a billing form for an eligible family, the bill must be submitted within 60 days of the last date of service on the bill. A bill submitted more than 60 days after the last date of service must be paid if the county determines that the provider has shown good cause why the bill was not submitted within 60 days. Good cause must be defined in the county's child care fund plan under section 119B.08, subdivision 3, and the definition of good cause must include county error. Any bill submitted more than a year after the last date of service on the bill must not be paid.

(c) If a provider provided care for a time period without receiving an authorization of care and a billing form for an eligible family, payment of child care assistance may only be made retroactively for a maximum of six months from the date the provider is issued an authorization of care and billing form.

(d) A county may refuse to issue a child care authorization to a licensed or legal nonlicensed provider, revoke an existing child care authorization to a licensed or legal nonlicensed provider, stop payment issued to a licensed or legal nonlicensed provider, or may refuse to pay a bill submitted by a licensed or legal nonlicensed provider if:

(1) the provider admits to intentionally giving the county materially false information on the provider's billing forms; ~~or~~

(2) a county finds by a preponderance of the evidence that the provider intentionally gave the county materially false information on the provider's billing forms;

(3) the provider is in violation of licensing or child care assistance program rules and the provider has not corrected the violation;

(4) the provider submits false attendance reports or refuses to provide documentation of the child's attendance upon request; or

(5) the provider gives false child care price information.

(e) A county's payment policies must be included in the county's child care plan under section 119B.08, subdivision 3. If payments are made by the state, in addition to being in compliance with this subdivision, the payments must be made in compliance with section 16A.124.

#### Sec. 9. CHILD CARE ASSISTANCE PROGRAM RULE CHANGE.

The commissioner shall amend Minnesota Rules, part 3400.0035, subpart 2, to remove the requirement that applications must be submitted by mail or delivered to the agency within 15 calendar days after the date of signature. The commissioner shall comply with Minnesota Statutes, section 14.389, in adopting the amendment.

### ARTICLE 3

#### SIMPLIFICATION OF MFIP AND DWP

Section 1. Minnesota Statutes 2010, section 256J.08, subdivision 11, is amended to read:

Subd. 11. **Caregiver.** "Caregiver" means a minor child's ~~natural~~ birth or adoptive parent or parents and stepparent who live in the home with the minor child. For purposes of determining eligibility for this program, caregiver also means any of the following individuals, if adults, who live with and provide care and support to a minor child when the minor child's ~~natural~~ birth or adoptive parent or parents or stepparents do not reside in the same home: legal custodian or guardian, grandfather, grandmother, brother, sister, half brother, half sister, stepbrother, stepsister, uncle, aunt, first cousin or first cousin once removed, nephew, niece, person of preceding generation as denoted by prefixes of "great," "great-great," or "great-great-great," or a spouse of any person named in the above groups even after the marriage ends by death or divorce.

Sec. 2. Minnesota Statutes 2010, section 256J.24, subdivision 2, is amended to read:

Subd. 2. **Mandatory assistance unit composition.** Except for minor caregivers and their children who must be in a separate assistance unit from the other persons in the household, when the following individuals live together, they must be included in the assistance unit:

- (1) a minor child, including a pregnant minor;
- (2) the minor child's minor siblings, minor half siblings, and minor stepsiblings;
- (3) the minor child's ~~natural~~ birth parents, adoptive parents, and stepparents; and
- (4) the spouse of a pregnant woman.

A minor child must have a caregiver for the child to be included in the assistance unit.

Sec. 3. Minnesota Statutes 2010, section 256J.32, subdivision 6, is amended to read:

Subd. 6. **Recertification.** (a) The county agency shall recertify eligibility in an annual face-to-face interview with the participant ~~and~~. The county agency may waive the face-to-face interview and conduct a phone interview for participants who qualify under paragraph (b). During the interview the county agency shall verify the following:

- (1) presence of the minor child in the home, if questionable;
- (2) income, unless excluded, including self-employment expenses used as a deduction or deposits or withdrawals from business accounts;
- (3) assets when the value is within \$200 of the asset limit;
- (4) information to establish an exception under section 256J.24, subdivision 9, if questionable;
- (5) inconsistent information, if related to eligibility; and
- (6) whether a single caregiver household meets requirements in section 256J.575, subdivision 3.

(b) A participant who is employed any number of hours must be given the option of conducting a face-to-face or phone interview to recertify eligibility. The participant must be employed at the time the interview is scheduled. If the participant loses the participant's job between the time the interview is scheduled and when it is to be conducted, the phone interview may still be conducted.

**EFFECTIVE DATE.** This section is effective October 1, 2012.

Sec. 4. Minnesota Statutes 2010, section 256J.621, is amended to read:

**256J.621 WORK PARTICIPATION CASH BENEFITS.**

(a) Effective October 1, 2009, upon exiting the diversionary work program (DWP) or upon terminating the Minnesota family investment program with earnings, a participant who is employed may be eligible for work participation cash benefits of \$25 per month to assist in meeting the family's basic needs as the participant continues to move toward self-sufficiency.

(b) To be eligible for work participation cash benefits, the participant shall not receive MFIP or diversionary work program assistance during the month and the participant or participants must meet the following work requirements:

(1) if the participant is a single caregiver and has a child under six years of age, the participant must be employed at least 87 hours per month;

(2) if the participant is a single caregiver and does not have a child under six years of age, the participant must be employed at least 130 hours per month; or

(3) if the household is a two-parent family, at least one of the parents must be employed ~~an average of at least~~ 130 hours per month.

Whenever a participant exits the diversionary work program or is terminated from MFIP and meets the other criteria in this section, work participation cash benefits are available for up to 24 consecutive months.

(c) Expenditures on the program are maintenance of effort state funds under a separate state program for participants under paragraph (b), clauses (1) and (2). Expenditures for participants under paragraph (b), clause (3), are nonmaintenance of effort funds. Months in which a participant receives work participation cash benefits under this section do not count toward the participant's MFIP 60-month time limit.

Sec. 5. Minnesota Statutes 2010, section 256J.68, subdivision 7, is amended to read:

Subd. 7. **Exclusive procedure.** The procedure established by this section is exclusive of all other legal, equitable, and statutory remedies against the state, its political subdivisions, or employees of the state or its political subdivisions. The claimant shall not be entitled to seek damages from any state, county, tribal, or reservation insurance policy or self-insurance program. A provider who accepts or agrees to accept an injury protection program payment for services provided to an individual must not require any payment from the individual.

Sec. 6. Minnesota Statutes 2010, section 256J.95, subdivision 3, is amended to read:

Subd. 3. **Eligibility for diversionary work program.** (a) Except for the categories of family units listed ~~below~~ in clauses (1) to (8), all family units who apply for cash benefits and who meet MFIP eligibility as required in sections 256J.11 to 256J.15 are eligible and must participate in the diversionary work program. Family units or individuals that are not eligible for the diversionary work program include:

(1) child only cases;

(2) ~~a single-parent family unit~~ units that includes include a child under 12 months of age. A parent is eligible for this exception once in a parent's lifetime;

- (3) family units with a minor parent without a high school diploma or its equivalent;
- (4) family units with an 18- or 19-year-old caregiver without a high school diploma or its equivalent who chooses to have an employment plan with an education option;
- ~~(5) a caregiver age 60 or over;~~
- ~~(6)~~ (5) family units with a caregiver who received DWP benefits in within the 12 months prior to the month the family applied for DWP, except as provided in paragraph (c);
- ~~(7)~~ (6) family units with a caregiver who received MFIP within the 12 months prior to the month the family unit applied for DWP;
- ~~(8)~~ a (7) family unit units with a caregiver who received 60 or more months of TANF assistance;  
and
- ~~(9)~~ (8) family units with a caregiver who is disqualified from the work participation cash benefit program, DWP, or MFIP due to fraud; and
- ~~(10) refugees and asylees as defined in Code of Federal Regulations, title 45, part 400, subpart d, section 400.43, who arrived in the United States in the 12 months prior to the date of application for family cash assistance.~~
- (b) A two-parent family must participate in DWP unless both caregivers meet the criteria for an exception under paragraph (a), clauses (1) through (5), or the family unit includes a parent who meets the criteria in paragraph (a), clause (6), (7), or (8); ~~(9); or (10).~~
- (c) Once DWP eligibility is determined, the four months run consecutively. If a participant leaves the program for any reason and reapplies during the four-month period, the county must redetermine eligibility for DWP."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "support" insert ", child care and MFIP"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

**Senator Olson from the Committee on Education, to which was referred**

**H.F. No. 1870:** A bill for an act relating to education; allowing school districts to base unrequested leave of absence and certain discharge and demotion decisions on teacher evaluation outcomes; amending Minnesota Statutes 2010, sections 122A.40, subdivisions 10, 11, 19; 122A.41, subdivisions 14, 15; 123A.75, subdivision 1; Minnesota Statutes 2011 Supplement, sections 122A.245, subdivision 1; 122A.41, subdivision 6.

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

Delete everything after the enacting clause and insert:



"Section 1. Minnesota Statutes 2011 Supplement, section 122A.245, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year limited-term license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a standard license. The following entities are eligible to participate under this section:

(1) a school district or charter school that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

(2) a school district or charter school, after consulting with a college or university with a board-approved teacher preparation program, forms a partnership with a nonprofit corporation organized under chapter 317A for an education-related purpose that has a board-approved teacher preparation program.

(b) Before participating in this program, a candidate must:

(1) have a bachelor's degree with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria;

(2) pass the reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

(3) obtain qualifying scores on applicable board-approved rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year limited-term license to a person who enrolls in an alternative teacher preparation program. This limited-term license is not a provisional license under section 122A.40 or section 122A.41.

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

Sec. 2. Minnesota Statutes 2010, section 122A.40, subdivision 10, is amended to read:

Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the exclusive bargaining representative of the teachers may negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. ~~Failing to successfully negotiate such a plan, the provisions of subdivision 11 shall apply.~~ The negotiated plan must not include provisions which would result in the exercise of seniority by a teacher holding a provisional license, other than a vocational education license if required for the position, contrary to the provisions of subdivision 11, ~~clause~~ paragraph (c), or the reinstatement of a teacher holding a provisional license, other than a vocational education license required for the position, contrary to the provisions of subdivision 11, ~~clause (e)~~ paragraph (f). The provisions of section 179A.16 do not apply for the purposes of this subdivision. Notwithstanding other law to the contrary, the school board and the exclusive bargaining representative of the teachers may negotiate a plan to base unrequested leave of absence decisions on teachers' subject matter licensure fields and evaluation outcomes, from the least to most effective category under subdivision

8 and from least to greatest seniority, including probationary teachers, within each category, which if negotiated, must be consistent with subdivision 11, paragraph (n).

(b) Notwithstanding other law to the contrary, if a school board fails to successfully negotiate a plan under paragraph (a), the provisions of subdivision 11 apply unless a majority of school board members formally decides to place teachers on unrequested leave of absence based on teachers' subject matter licensure fields and evaluation outcomes, from the least to most effective category under subdivision 8 and from least to greatest seniority, including probationary teachers, within each effectiveness category; the decision must be consistent with subdivision 11, paragraph (n). In such a case the board must develop, publish, and implement an unrequested leave of absence plan based on teachers' subject matter licensure fields and evaluation outcomes, from the least to most effective category under subdivision 8 and from least to greatest seniority, including probationary teachers, within each effectiveness category, and subdivision 11, paragraphs (a) through (m), do not apply.

(c) For purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, nothing in this subdivision requires a school board to reassign a teacher with more seniority to a different subject matter licensure field or to a substantially different grade level assignment in order to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority. For purposes of this subdivision, a teacher holding a provisional license in a subject area includes a teacher who has received a waiver or variance to teach that subject from the Minnesota Board of Teaching. "A substantially different grade level assignment" means an assignment between kindergarten, grades 1 through 6, junior high school, and senior high school.

(d) Nothing in this subdivision permits a school board to use a teacher's remuneration as the basis for making unrequested leave of absence or discharge decisions.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to negotiated plans agreed to after that date.

Sec. 3. Minnesota Statutes 2010, section 122A.40, subdivision 11, is amended to read:

Subd. 11. **Unrequested leave of absence.** The board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation or reorganization of districts under chapter 123A. The unrequested leave is effective at the close of the school year. In placing teachers on unrequested leave, the board is governed by the following provisions:

(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. A teacher who has acquired continuing contract rights must not be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed;

(b) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed is negotiable;

(c) Notwithstanding the provisions of ~~clause paragraph~~ (b), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field. The provisions of this ~~clause paragraph~~ do not apply to vocational education licenses required for available positions;

(d) Notwithstanding ~~clauses paragraphs~~ (a), (b) and (c), if the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, or the restriction imposed by the provisions of ~~clause paragraph~~ (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;

(e) For purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, nothing in this subdivision requires a school board to reassign a teacher with more seniority to a different subject matter licensure field or to a substantially different grade level assignment in order to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority. "A substantially different grade level assignment" means an assignment between kindergarten, grades 1 through 6, junior high school, and senior high school;

(f) Teachers placed on unrequested leave of absence must be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement must be in the inverse order of placement on leave of absence. A teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license if required for the position, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year is negotiable;

~~(g)~~ (g) Appointment of a new teacher must not be made while there is available, on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to that teacher who may return to employment and assume the duties of the position to which appointed on a future date determined by the board;

~~(g)~~ (h) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;

~~(h)~~ (i) The unrequested leave of absence must not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;

~~(i)~~ (j) Consistent with paragraph (n) and subdivision 10, the unrequested leave of absence of a teacher who is categorized as effective or better under subdivision 8, who is placed on unrequested leave of absence, and who is not reinstated shall continue for a period of five years, after which the right to reinstatement shall terminate terminates. The teacher's right to reinstatement shall also terminate terminates if the teacher fails to file with the board by April 1 of any each year a written statement requesting reinstatement;

(k) Consistent with paragraph (n) and subdivision 10, the unrequested leave of absence of a teacher who is categorized as ineffective or less under subdivision 8, who is placed on unrequested leave of absence, and who is not reinstated continues for the following school year only, after which the teacher's right to reinstatement terminates. The teacher's right to reinstatement also terminates if the teacher fails to file with the board by April 1 in that following school year a written statement requesting reinstatement;

~~(j)~~ (l) The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

~~(k)~~ (m) Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment benefits if otherwise eligible;

(n) Beginning in the 2016-2017 school year and later, and notwithstanding any contradictory provisions in this subdivision, a school board must place teachers on unrequested leave of absence based on their subject matter licensure fields and most recent evaluation outcomes, from the least to most effective category under subdivision 8 and from least to greatest seniority, including probationary teachers, within each effectiveness category. A school board is not required to reassign a teacher with more seniority to a different subject matter licensure field or to a substantially different grade level assignment in order to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority. A school board may decide not to renew a probationary teacher's contract as it sees fit. The school board must make available to the public in a readily accessible format the unrequested leave of absence plan it develops and implements under this paragraph.

(o) For purposes of this subdivision, a teacher who holds a provisional license in a subject area includes a teacher who has received a waiver or variance to teach that subject from the Minnesota Board of Teaching.

**EFFECTIVE DATE.** This section is effective the day following final enactment except that paragraph (n) is effective for the 2016-2017 school year and later.

Sec. 4. Minnesota Statutes 2011 Supplement, section 122A.41, subdivision 6, is amended to read:

Subd. 6. **Grounds for discharge or demotion.** (a) Except as otherwise provided in paragraph (b), causes for the discharge or demotion of a teacher either during or after the probationary period must be:

- (1) immoral character, conduct unbecoming a teacher, or insubordination;
- (2) failure without justifiable cause to teach without first securing the written release of the school board having the care, management, or control of the school in which the teacher is employed;
- (3) inefficiency in teaching or in the management of a school, consistent with subdivision 5, paragraph (b);
- (4) affliction with active tuberculosis or other communicable disease must be considered as cause for removal or suspension while the teacher is suffering from such disability; or
- (5) discontinuance of position or lack of pupils.

Notwithstanding other law to the contrary, the school board and the exclusive representative of the teachers may negotiate an agreement to discharge or demote teachers under clause (5) based on their subject matter licensure fields and evaluation outcomes, from the least to most effective category under subdivision 5 and from least to greatest seniority, including probationary teachers, within each effectiveness category. Alternatively, the majority of the school board members may formally decide to discharge or demote teachers under clause (5) based on their subject matter licensure fields and evaluation outcomes, from the least to most effective category under subdivision 5 and from least to greatest seniority, including probationary teachers, within each effectiveness category; in this case the board must develop and implement a discharge and demotion plan based on teachers' subject matter licensure fields and evaluation outcomes, from the least to most effective category and from least to greatest seniority, including probationary teachers, within each effectiveness category. Beginning in the 2016-2017 school year and later, and notwithstanding any contradictory provisions in this subdivision, the school board must discharge or demote teachers under clause (5) based on their subject matter licensure fields and most recent evaluation outcomes, from the least to most effective category under subdivision 5 and from least to greatest seniority, including probationary teachers, within each effectiveness category. Nothing in this subdivision permits a school board to use a teacher's remuneration as the basis for making discharge or demotion decisions. The school board must make available to the public in a readily accessible format any discharge and demotion plan it develops to implement clause (5) of this paragraph.

For purposes of this paragraph, conduct unbecoming a teacher includes an unfair discriminatory practice described in section 363A.13.

(b) A probationary or continuing-contract teacher must be discharged immediately upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to negotiated plans agreed to after that date.

Sec. 5. Minnesota Statutes 2010, section 122A.41, subdivision 14, is amended to read:

**Subd. 14. Services terminated by discontinuance or lack of pupils; preference given.** (a) To the extent consistent with paragraph (c) and subdivision 6, paragraph (a), clause (5), a teacher whose services are terminated on account of discontinuance of position or lack of pupils must receive first consideration for other positions in the district for which that teacher is qualified. ~~In the event~~ If it becomes necessary to discontinue one or more positions, in making such discontinuance, teachers must be discontinued in any department in the inverse order in which they were employed, unless a board and the exclusive representative of teachers in the district negotiate a plan providing otherwise.

(b) Notwithstanding the provisions of ~~clause paragraph~~ (a), and to the extent consistent with paragraph (c) and subdivision 6, paragraph (a), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the Board of Teaching, unless that exercise of seniority results in the termination of services, on account of discontinuance of position or lack of pupils, of another teacher who also holds a provisional license in the same field. The provisions of this clause do not apply to vocational education licenses.

(c) For purposes of discharging, demoting, or recalling a teacher whose services are terminated

under this subdivision, nothing in this subdivision requires a school board to reassign a teacher with more seniority to a different subject matter licensure field or to a substantially different grade level assignment in order to accommodate the seniority claims of a teacher who is similarly licensed and effective but with less seniority. "A substantially different grade level assignment" means an assignment between kindergarten, grades 1 through 6, junior high school, and senior high school.

(d) Notwithstanding the provisions of ~~clause~~ paragraph (a), and to the extent consistent with paragraph (c) and subdivision 6, paragraph (a), a teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license if required for the position, while another teacher who holds a nonprovisional license in the same field is available for reinstatement.

(e) For purposes of this subdivision, a teacher who holds a provisional license in a subject area includes a teacher who has received a waiver or variance to teach that subject from the Minnesota Board of Teaching.

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

Sec. 6. Minnesota Statutes 2010, section 123A.75, subdivision 1, is amended to read:

Subdivision 1. **Teacher assignment.** (a) As of the effective date of a consolidation in which a district is divided or the dissolution of a district and its attachment to two or more existing districts, each teacher employed by an affected district shall be assigned to the newly created or enlarged district on the basis of a ratio of the pupils assigned to each district according to the new district boundaries. The district receiving the greatest number of pupils must be assigned the teacher with the greatest seniority, and the remaining teachers must be alternately assigned to each district until the district receiving the fewest pupils has received its ratio of teachers who will not be retiring before the effective date of the consolidation or dissolution.

(b) Notwithstanding paragraph (a), the board and the exclusive representative of teachers in each district involved in the consolidation or dissolution and attachment may negotiate a plan for assigning teachers to each newly created or enlarged district.

(c) Notwithstanding other law to the contrary, the provisions of this section apply only to the extent they are consistent with section 122A.40, subdivisions 8, 10, and 11.

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

Amend the title numbers accordingly

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

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1844:** A bill for an act relating to natural resources; providing for continued operation of the Minnesota Zoological Garden when biennial appropriations have not been enacted; appropriating money; amending Minnesota Statutes 2010, section 85A.04, subdivision 1.

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

Page 1, line 19, after the period, insert "As necessary, the commissioner may transfer a portion of this appropriation to other state agencies to support carrying out these functions."

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

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1911:** A bill for an act relating to natural resources; enacting the Freedom to Hunt and Fish Act of 2012; requiring the availability of game and fish licenses by electronic transaction; appropriating money; amending Minnesota Statutes 2010, section 84.027, subdivision 15.

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

Page 2, line 27, after the period, insert "As necessary, the commissioner may transfer a portion of this appropriation to other state agencies to support carrying out these functions."

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

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1843:** A bill for an act relating to natural resources; providing for continued operation of state parks and recreation areas when biennial appropriations have not been enacted; appropriating money; amending Minnesota Statutes 2010, section 85.055, subdivision 2.

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

Page 1, line 23, after the period, insert "As necessary, the commissioner may transfer a portion of this appropriation to other state agencies to support carrying out these functions."

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

**Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred**

**S.F. No. 752:** A bill for an act relating to insurance; providing for the establishment of an online motor vehicle insurance verification system; appropriating money; amending Minnesota Statutes 2010, section 169.09, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Page 1, before line 7, insert:

"Section 1. Minnesota Statutes 2010, section 65B.482, is amended to read:

**65B.482 INSURANCE IDENTIFICATION CARDS.**

Subdivision 1. **Issuance of card.** Every obligor transacting business in this state shall provide an insurance identification card for each vehicle covered at the time of initiating each policy of automobile insurance, as defined in section 65B.14, subdivision 2, and at the time of policy renewal. The insurance identification card may be provided in an electronic format if the insured agrees. When an insured has five or more vehicles registered in this state, the obligor may use the designation "all owned vehicles" on each identification card in lieu of a specified description. The card must state:

- (1) the insured's name;
- (2) the policy number;
- (3) the policy dates of coverage;
- (4) the make, model, and year of the vehicle being covered;
- (5) the vehicle identification number or at least the last three digits of that number; and
- (6) the name of the obligor providing coverage.

Subd. 2. **Notice of criminal penalties.** Every obligor transacting business in this state shall provide to the insured at the time of issuing an insurance identification card under subdivision 1 a plain-language summary of the criminal penalties imposed by sections 169.791, 169.793, and 169.797."

Page 3, line 18, delete "15" and insert "14"

Page 5, delete subdivision 15

Page 6, after line 4, insert:

"Sec. 5. **REPEALER.**

Minnesota Statutes 2010, section 65B.482, as amended by section 1, is repealed effective August 1, 2013."

Page 6, line 6, delete "3" and insert "4" and delete "2011" and insert "2012"

Page 6, line 7, delete "2012" and insert "2013"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "appropriating money;"

Amend the title numbers accordingly

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

**Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred**

**S.F. No. 1572:** A bill for an act relating to corporations; providing for incorporation of for-profit



public benefit corporations; proposing coding for new law as Minnesota Statutes, chapter 304A.

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

**Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred**

**S.F. No. 1735:** A bill for an act relating to financial institutions; clarifying state bank closures for holidays; making changes in state bank lending limits to comply with federal law; repealing obsolete language relating to deposits payable on demand; amending Minnesota Statutes 2010, sections 47.015, subdivision 2; 48.24, subdivision 1; repealing Minnesota Statutes 2010, sections 48.50; 48.51.

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

Page 2, line 14, delete everything after "transaction"

Page 2, line 15, delete everything before the period

Page 2, delete lines 17 to 19 and insert "or note that is based, in whole or in part, on the value of, any interest in, or any quantitative measure or the occurrence of any event relating to, one or more currencies, interest or other rates, or interest rate indices, and that is subject to regulation by the commissioner of commerce."

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

**Senator Hann from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1835:** A bill for an act relating to human services; modifying residency requirements; amending Minnesota Statutes 2010, sections 256D.02, subdivision 12a; 256J.12, subdivisions 1a, 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 256D.02, is amended by adding a subdivision to read:

Subd. 12b. **Resident; general assistance.** (a) For purposes of eligibility for general assistance, a person must be a resident of this state.

(b) A "resident" is a person living in the state for at least 60 days with the intention of making the person's home here and not for any temporary purpose. Time spent in a shelter for battered women shall count toward satisfying the 60-day residency requirement. All applicants for this program are required to demonstrate the requisite intent and may do so in any of the following ways:

(1) by showing that the applicant maintains a residence at a verified address, other than a place of public accommodation. An applicant may verify a residence address by presenting a valid state driver's license, a state identification card, a voter registration card, or a rent receipt; or

(2) by verifying residence according to Minnesota Rules, part 9500.1219, subpart 3, item C.

(c) The county shall not deny an application solely because the applicant does not meet at least one of the criteria in this subdivision, but shall continue to process the application and leave the application pending until the residency requirement is met or until eligibility or ineligibility is established.

(d) For purposes of eligibility for emergency general assistance, the 60-day residency requirement under this section may be waived.

(e) If any provision of this subdivision is enjoined from implementation or found unconstitutional by any court of competent jurisdiction, the remaining provisions shall remain valid and shall be given full effect.

Sec. 2. Minnesota Statutes 2010, section 256J.12, subdivision 1a, is amended to read:

Subd. 1a. ~~30-day~~ 60-day residency requirement. An assistance unit is considered to have established residency in this state only when a child or caregiver has resided in this state for at least ~~30~~ 60 consecutive days with the intention of making the person's home here and not for any temporary purpose. The birth of a child in Minnesota to a member of the assistance unit does not automatically establish the residency in this state under this subdivision of the other members of the assistance unit. Time spent in a shelter for battered women shall count toward satisfying the ~~30-day~~ 60-day residency requirement.

Sec. 3. Minnesota Statutes 2010, section 256J.12, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** ~~(a) A county shall waive the 30-day residency requirement where unusual hardship would result from denial of assistance.~~

~~(b) For purposes of this section, unusual hardship means an assistance unit:~~

~~(1) is without alternative shelter; or~~

~~(2) is without available resources for food.~~

~~(c) For purposes of this subdivision, the following definitions apply (1) "metropolitan statistical area" is as defined by the U.S. Census Bureau; (2) "alternative shelter" includes any shelter that is located within the metropolitan statistical area containing the county and for which the family is eligible, provided the assistance unit does not have to travel more than 20 miles to reach the shelter and has access to transportation to the shelter. Clause (2) does not apply to counties in the Minneapolis-St. Paul metropolitan statistical area.~~

~~(d)~~ (a) Applicants are considered to meet the residency requirement under subdivision 1a if they once resided in Minnesota and:

(1) joined the United States armed services, returned to Minnesota within 30 days of leaving the armed services, and intend to remain in Minnesota; or

(2) left to attend school in another state, paid nonresident tuition or Minnesota tuition rates under a reciprocity agreement, and returned to Minnesota within 30 days of graduation with the intent to remain in Minnesota.

~~(e)~~ (b) The ~~30-day~~ 60-day residence requirement is met when:

(1) a minor child or a minor caregiver moves from another state to the residence of a relative caregiver; and

(2) the relative caregiver has resided in Minnesota for at least ~~30~~ 60 consecutive days and:

(i) the minor caregiver applies for and receives MFIP; or

(ii) the relative caregiver applies for assistance for the minor child but does not choose to be a member of the MFIP assistance unit.

(c) For purposes of eligibility for emergency assistance, the 60-day residency requirement under this section may be waived.

Sec. 4. **REPEALER.**

Minnesota Statutes 2010, sections 256D.02, subdivision 12a; and 256J.12, subdivision 2a, are repealed."

Amend the title numbers accordingly

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

**Senator Hann from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1834:** A bill for an act relating to human services; limiting electronic benefit card transactions; amending Minnesota Statutes 2011 Supplement, section 256.987, by adding a subdivision.

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

Page 1, line 10, after "vendors" insert "and automated teller machines" and after "Minnesota" insert ", except for Minnesota's contiguous states"

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

**Senator Michel from the Committee on Jobs and Economic Growth, to which was referred**

**S.F. No. 1717:** A bill for an act relating to labor and industry; making changes to the State Building Code; amending Minnesota Statutes 2010, sections 326B.092, subdivisions 2, 7; 326B.103, subdivision 3; Minnesota Statutes 2011 Supplement, sections 326B.46, subdivision 1a; 326B.49, subdivision 1; repealing Minnesota Rules, parts 1301.1201; 1302.0600; 3801.3640; 3801.3650; 3801.3660; 3801.3670; 3801.3680; 3801.3690; 3801.3700; 3801.3710; 3801.3720; 3801.3730; 3801.3740; 3801.3760; 3801.3790; 3801.3800.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 2010, section 178.01, is amended to read:

**178.01 PURPOSES.**

The purposes of this chapter are: to open to ~~young~~ all people regardless of race, sex, creed, color or national origin, the opportunity to obtain training and on-the-job learning that will equip them for profitable employment and citizenship; to establish as a means to this end, a program of voluntary apprenticeship under approved ~~apprentice~~ apprenticeship agreements providing facilities for their training and guidance in the arts, skills, and crafts of industry and trade or occupation, with concurrent, supplementary instruction in related subjects; to promote apprenticeship opportunities under conditions providing adequate training and on-the-job learning and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Board and apprenticeship committees to assist in effectuating the purposes of this chapter; to provide for a Division of Labor Standards and Apprenticeship within the Department of Labor and Industry; to provide for reports to the legislature regarding the status of apprentice training in the state; to establish a procedure for the determination of ~~apprentice~~ apprenticeship agreement controversies; and to accomplish related ends.

Sec. 2. Minnesota Statutes 2010, section 178.03, subdivision 3, is amended to read:

Subd. 3. **Duties and functions.** The director, under the supervision of the commissioner, and with the advice and consultation of the Apprenticeship Board, is authorized: to administer the provisions of this chapter; to promote apprenticeship and other forms of on-the-job learning; to establish, in cooperation and consultation with the Apprenticeship Board and with the apprenticeship committees, conditions, training, and learning standards for the approval of apprenticeship programs and agreements, which conditions and standards shall in no case be lower than those (1) prescribed by this chapter, and (2) established under Code of Federal Regulations, title 29, part 29; to promote equal employment opportunity in apprenticeship and other on-the-job learning and to establish a Minnesota plan for equal employment opportunity in apprenticeship which shall be consistent with standards established under Code of Federal Regulations, title 29, part 30, as amended; to issue certificates of registration to sponsors of approved apprenticeship programs; to act as secretary of the Apprenticeship Board; to approve, if of the opinion that approval is for the best interest of the apprentice, any apprenticeship agreement which meets the standards established hereunder; to terminate any apprenticeship agreement in accordance with the provisions of such agreement; to keep a record of apprenticeship agreements and their disposition; to issue certificates of completion of apprenticeship; and to perform such other duties as the commissioner deems necessary to carry out the intent of this chapter; provided, that the administration and supervision of supplementary instruction in related subjects for apprentices; coordination of instruction on a concurrent basis with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the function of state and local boards responsible for vocational education. The director shall have the authority to make wage determinations applicable to the graduated schedule of wages and ~~journeyman~~ journeyworker wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeymen that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.

Sec. 3. Minnesota Statutes 2010, section 178.03, subdivision 4, is amended to read:

Subd. 4. **Reciprocity approval.** The director, if requested by a sponsoring entity, shall grant reciprocity approval to apprenticeship programs of employers and unions who jointly form a sponsoring entity on a multistate basis in other than the building construction industry if such programs are in conformity with this chapter and have been registered in compliance with Code of Federal Regulations, title 29, part 29, by a state apprenticeship council recognized by or registered with the ~~Bureau of Apprenticeship and Training~~, United States Department of Labor, Office of Apprenticeship, when such approval is necessary for federal purposes under Code of Federal Regulations, title 29, section 29.13(a) or 29.13(b)(7).

Sec. 4. Minnesota Statutes 2010, section 178.05, subdivision 1, is amended to read:

Subdivision 1. **Establishment of committees.** Apprenticeship committees may be established by the director to supervise the operation of apprenticeship programs. Establishment of a committee may be considered justified if either of the following conditions are met:

- (a) When the employers and employees in a trade or occupation or trades or occupations are parties to a collective bargaining agreement requiring joint participation in program operation; or
- (b) When five or more apprentices are enrolled under a program.

Sec. 5. Minnesota Statutes 2010, section 178.05, subdivision 2, is amended to read:

Subd. 2. **Members.** (a) The total number of members on a committee may range from four to twelve.

(b) In joint participation there shall be equal representation of employers and employees.

(c) Members shall be selected by the group or groups they represent subject to approval by the director.

~~(d) A committee may have as one of its employee representatives, an active apprentice of record, provided that the apprentice has completed a minimum of 6,000 hours of an apprenticeship term or has entered the fourth year of the term.~~

Sec. 6. Minnesota Statutes 2010, section 178.06, is amended to read:

#### **178.06 APPRENTICE.**

The term "apprentice," as used herein, means a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice apprenticeship agreement, with a committee, an employer, an association of employers, or an organization of employees, which ~~apprentice agreement~~ provides for learning consistent with this chapter and Code of Federal Regulations, title 29, section 29.5(b)(1) and (b)(2):

- (1) a time-based approach involving not less than 2,000 hours or one year of reasonably continuous employment for such person and for participation in an approved program of on-the-job learning through employment and through concurrent, supplementary education in related subjects;
- (2) a competency-based approach involving successful demonstration of acquired skills and knowledge by an apprentice plus on-the-job learning; or
- (3) a hybrid approach involving the completion of a specified minimum number of hours plus

the successful demonstration of competency.

Whenever a minimum age exceeding 16 years is prescribed by federal or state law to apply to workers in certain hazardous occupations, the minimum age so prescribed shall be applicable to apprentices.

Sec. 7. Minnesota Statutes 2010, section 178.07, is amended to read:

**178.07 ~~APPRENTICE~~ APPRENTICESHIP AGREEMENTS.**

Every ~~apprentice~~ apprenticeship agreement entered into under this chapter shall contain:

- (1) the names of the contracting parties;
- (2) the date of birth, and information as to the race and sex of the apprentice;
- (3) a statement of the trade, craft, occupation, or business which the apprentice is to be taught, and the time at which the apprenticeship will begin and end;
- (4) a statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in concurrent, supplementary instruction in related subjects, which instruction shall be not less than 144 hours during each year of the apprenticeship term. The maximum number of hours of work per week not including time spent in related and supplemental instruction for any apprentice shall not exceed either the number prescribed by law or the customary regular number of hours per week for the employees of the company by which the apprentice is employed. An apprentice may be allowed to work overtime provided that the overtime work does not conflict with supplementary instruction course attendance. All time in excess of the number of hours of work per week as specified in the apprenticeship agreement shall be considered overtime. For overtime, the apprentice's rate of pay shall be increased by the same percentage as the ~~journeyman's~~ journeyworker's rate of pay for overtime is increased in the same industry or establishment;
- (5) a statement setting forth a schedule of the processes in the trade, occupation, or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process;
- (6) a statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;
- (7) a statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than four months, during which time the ~~apprentice~~ apprenticeship agreement shall be terminated by the director upon written request of either party, and providing that after such probationary period the ~~apprentice~~ apprenticeship agreement may be terminated by the director by mutual agreement of all parties thereto, or terminated by the director for good and sufficient reason;
- (8) a provision that controversies or differences concerning the terms of the ~~apprentice~~ apprenticeship agreement which cannot be resolved by the parties thereto, or which are not covered by a collective bargaining agreement, may be submitted to the director for determination as provided for in section 178.09;
- (9) a provision that an employer who is unable to fulfill an obligation under the ~~apprentice~~ apprenticeship agreement may, with the approval of the director, transfer such contract to any other

employer, provided that the apprentice consents and that such other employer agrees to assume the obligations of the ~~apprentice~~ apprenticeship agreement; and

(10) such additional terms and conditions as may be prescribed or approved by the director not inconsistent with the provisions of this chapter.

Sec. 8. Minnesota Statutes 2010, section 178.08, is amended to read:

**178.08 DIRECTOR TO APPROVE ~~APPRENTICE~~ APPRENTICESHIP AGREEMENTS.**

Every ~~apprentice~~ apprenticeship agreement is subject to approval by the director and shall be signed by the committee, the employer, an association of employers, or an organization of employees, and by the apprentice, and if the apprentice is a minor, by a parent or legal guardian. When a minor enters into an ~~apprentice~~ apprenticeship agreement under this chapter for a period of learning extending into majority the ~~apprentice~~ apprenticeship agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

Sec. 9. Minnesota Statutes 2010, section 178.09, subdivision 1, is amended to read:

Subdivision 1. **Complaint.** Upon the complaint of any interested person or upon the director's own initiative the director may investigate to determine if there has been a violation of the terms of an ~~apprentice~~ apprenticeship agreement made under this chapter. The director may conduct such proceedings as are necessary for that investigation and determination. All such proceedings shall be on a fair and impartial basis and shall be conducted according to rules promulgated under section 178.041.

Sec. 10. Minnesota Statutes 2010, section 178.09, subdivision 2, is amended to read:

Subd. 2. **Determination; appeal.** The determination of the director shall be filed with the commissioner and written notice shall be served on all parties affected by it. Any person aggrieved by any determination or action of the director may appeal to the commissioner. If no appeal is filed with the commissioner within ten days of the date of service, the director's determination shall become the order of the commissioner. If an appeal is filed, the commissioner shall appoint and convene a hearing board to be composed of three members of the ~~council~~ Apprenticeship Board appointed under section 178.02, one member being a representative of an employer organization, one representative being a member of an employee organization, and one member representing the general public. The board shall hold a hearing on the appeal after due notice to the interested parties and shall submit to the commissioner findings of fact and a recommended decision accompanied by a memorandum of the reasons for it. Within 30 days after submission, the commissioner may adopt the recommended decision of the board, or disregard the recommended decision of the board and prepare a decision based on the findings of fact and accompanied by a memorandum of reasons for that decision. Written notice of the commissioner's determination and order shall be served on all parties affected by it. Any person aggrieved or affected by any determination or order of the commissioner may appeal from it to the district court having jurisdiction at any time within 30 days after the date of the order by service of a written notice of appeal on the commissioner. Upon service of the notice of appeal, the commissioner shall file with the court administrator of the district court to which the appeal is taken a certified copy of the order appealed from, together with findings of fact on which it is based. The person serving a notice of appeal shall, within five days after its service, file it, with proof of service, with the court administrator of the court to which the

appeal is taken. The district court shall then have jurisdiction over the appeal and it shall be entered in the records of the district court and tried de novo according to the applicable rules. Any person aggrieved or affected by any determination, order, or decision of the district court may appeal as in other civil cases."

Page 2, line 36, delete ", paragraph (e)"

Page 3, line 3, strike "produce or"

Page 5, line 1, after "parts" insert "1300.0230, subpart 4;"

Renumber the sections in sequence

Amend the title numbers accordingly

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

**Senator Michel from the Committee on Jobs and Economic Growth, to which was referred**

**S.F. No. 1524:** A bill for an act relating to occupations and professions; modifying licensing provisions and fees for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2010, sections 326.02, subdivision 3; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.105; 326.107, subdivisions 1, 2, 7; 326.12, subdivision 2.

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

Page 2, line 10, after the period, insert "This section does not preclude public entities from including additional requirements when soliciting public contracts for engineering services."

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

**Senator Rosen from the Committee on Energy, Utilities and Telecommunications, to which was referred**

**S.F. No. 1788:** A bill for an act relating to utilities; requiring a study for the purpose of reducing regulatory burdens.

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

Page 1, line 5, delete "PUBLIC UTILITIES COMMISSION REGULATORY BURDEN" and insert "[216B.021] DECENNIAL REVIEW OF ELECTRIC INDUSTRY REGULATION."

Page 1, line 6, delete "STUDY."

Page 1, line 7, after "must" insert "every ten years"

Page 1, line 8, before the period, insert ", and related rules"

Page 1, line 12, before "to" insert "and on every ten-year anniversary thereafter,"



Delete the title and insert:

"A bill for an act relating to utilities; requiring studies for the purpose of reducing regulatory burdens; proposing coding for new law in Minnesota Statutes, chapter 216."

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

**Senator Senjem, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 1926** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				1926	1527

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**Senator Senjem, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 300** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
300	1160				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 300 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 300, the first engrossment; and insert the language after the enacting clause of S.F. No. 1160, the first engrossment; further, delete the title of H.F. No. 300, the first engrossment; and insert the title of S.F. No. 1160, the first engrossment.

And when so amended H.F. No. 300 will be identical to S.F. No. 1160, and further recommends that H.F. No. 300 be given its second reading and substituted for S.F. No. 1160, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1530, 1190, 1450, 1651, 993, 1994, 1735 and 1788 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 1585, 1870, 1926 and 300 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Hayden and Dibble introduced—**

**S.F. No. 1995:** A bill for an act relating to human services; appropriating money for the Aliveness Project of Minneapolis.

Referred to the Committee on Health and Human Services.

**Senators Nienow and Ortman introduced—**

**S.F. No. 1996:** A bill for an act relating to human services; requiring screening for use of controlled substances in the MFIP and general assistance program; proposing coding for new law in Minnesota Statutes, chapters 256D; 256J.

Referred to the Committee on Health and Human Services.

**Senators Carlson, Howe, Hayden and Ingebrigtsen introduced—**

**S.F. No. 1997:** A bill for an act relating to commerce; weights and measures; clarifying use of petroleum inspection fee revenues; amending Minnesota Statutes 2010, section 239.101, subdivision 3.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Dahms, Michel, Pappas, Magnus and Gerlach introduced—**

**S.F. No. 1998:** A bill for an act relating to taxation; liquor; modifying the definition of a qualified brewer; amending Minnesota Statutes 2010, section 297G.04, subdivision 2.

Referred to the Committee on Taxes.

**Senators Rosen, Bonoff and Michel introduced—**

**S.F. No. 1999:** A bill for an act relating to economic development; appropriating money for the Minnesota Science and Technology Authority.

Referred to the Committee on Jobs and Economic Growth.

**Senators Kruse, Hall, Sparks, Vandever and Eaton introduced—**

**S.F. No. 2000:** A bill for an act relating to mortgages; modifying provisions relating to

foreclosure consultants; amending Minnesota Statutes 2010, section 325N.01.

Referred to the Committee on Judiciary and Public Safety.

**Senator Harrington introduced—**

**S.F. No. 2001:** A bill for an act relating to public safety; directing the commissioner of corrections to implement a gardening program at state correctional facilities; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Judiciary and Public Safety.

**Senators Ortman, Nelson, Limmer, Hann and Dahms introduced—**

**S.F. No. 2002:** A bill for an act relating to taxation; conforming to changes made in the Internal Revenue Code; issuing a refund; amending Minnesota Statutes 2011 Supplement, section 290.01, subdivision 19a.

Referred to the Committee on Taxes.

**Senators Magnus, Carlson, Gazelka and Saxhaug introduced—**

**S.F. No. 2003:** A bill for an act relating to natural resources; modifying prohibition on snowmobile metal traction devices; amending Minnesota Statutes 2010, section 84.8712, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senator Hoffman introduced—**

**S.F. No. 2004:** A bill for an act relating to natural resources; setting standards for diversion or sale of water; amending Minnesota Statutes 2010, sections 103G.261; 103G.265, subdivision 2, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Magnus, Carlson, Gazelka and Saxhaug introduced—**

**S.F. No. 2005:** A bill for an act relating to natural resources; providing for snowmobile registration by agents; modifying snowmobile registration and trail sticker requirements; modifying fees; providing for disposition of fees; authorizing rulemaking; amending Minnesota Statutes 2010, sections 84.82, subdivisions 2, 3, by adding a subdivision; 84.8205, subdivision 1; 84.83, subdivisions 2, 3; 84.86, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senators Ortman, Daley, Koch, Reinert and Wiger introduced—**

**S.F. No. 2006:** A bill for an act relating to taxation; individual income; providing a phased-in subtraction for military retirement pay; amending Minnesota Statutes 2011 Supplement, sections

290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senator Pappas introduced—**

**S.F. No. 2007:** A bill for an act relating to taxation; property; limiting valuation increases for certain properties along the central corridor light rail line; amending Minnesota Statutes 2010, section 273.11, subdivision 1a.

Referred to the Committee on Taxes.

**Senator Hann introduced—**

**S.F. No. 2008:** A bill for an act relating to education; requiring the State High School League to arrange a requesting school's football schedule; amending Minnesota Statutes 2010, section 128C.02, by adding a subdivision.

Referred to the Committee on Education.

**Senator Rosen introduced—**

**S.F. No. 2009:** A bill for an act relating to retirement; Teachers Retirement Association; revising deferred annuity augmentation rates for certain deferred annuitants; amending Minnesota Statutes 2010, section 354.55, subdivision 11.

Referred to the Committee on State Government Innovation and Veterans.

**Senator Rosen introduced—**

**S.F. No. 2010:** A bill for an act relating to retirement; Minnesota statewide and major local defined benefit retirement plan actuarial reporting; revising the interest, salary scale, and payroll growth actuarial assumptions; amending Minnesota Statutes 2010, sections 3A.03, subdivision 2; 352.01, subdivision 13a; 352.017, subdivision 2; 352.04, subdivisions 8, 9; 352.23; 352.27; 352.271; 352.955, subdivisions 2, 3; 352B.013, subdivision 2; 352B.085; 352B.086; 352B.11, subdivision 4; 352D.05, subdivision 4; 352D.11, subdivision 2; 352D.12; 353.0161, subdivision 2; 353.0162; 353.27, subdivisions 7a, 12, 12a; 353.28, subdivision 5; 353.35, subdivision 1; 353.665, subdivision 8; 354.42, subdivision 7; 354.50, subdivision 2; 354.51, subdivision 5; 354.52, subdivision 4; 354.72, subdivision 2; 354A.093, subdivision 6; 354A.096; 354A.108; 354A.38, subdivision 3; 354B.23, subdivision 5; 354C.12, subdivision 2; 356.195, subdivision 2; 356.215, subdivision 1; 356.44; 356.50, subdivision 2; 356.551, subdivision 2; 490.121, subdivision 4; 490.1211; 490.124, subdivision 12; Minnesota Statutes 2011 Supplement, sections 353.01, subdivision 16; 356.215, subdivision 8.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Rosen and Sheran introduced—**

**S.F. No. 2011:** A bill for an act relating to higher education; providing funding for the

International Renewable Energy Technology Institute at Minnesota State University, Mankato; appropriating money.

Referred to the Committee on Higher Education.

**Senator Skoe introduced—**

**S.F. No. 2012:** A bill for an act relating to education; making an exception to the school start date for school districts that suffer natural disasters; amending Minnesota Statutes 2010, section 120A.40.

Referred to the Committee on Education.

**Senators Lourey, Hann, Nienow, Marty and Sheran introduced—**

**S.F. No. 2013:** A bill for an act relating to human services; providing an exemption from a licensing moratorium; establishing certification requirements; amending Minnesota Statutes 2010, section 245A.03, by adding a subdivision; Minnesota Statutes 2011 Supplement, section 245A.03, subdivision 7.

Referred to the Committee on Health and Human Services.

**Senators Kruse, Lillie and Thompson introduced—**

**S.F. No. 2014:** A bill for an act relating to metropolitan government; providing for staggered, four-year terms for members of the Metropolitan Council; amending Minnesota Statutes 2010, section 473.123, subdivision 2a.

Referred to the Committee on Local Government and Elections.

**Senator Kruse introduced—**

**S.F. No. 2015:** A bill for an act relating to retirement; Teachers Retirement Association; authorizing an Anoka-Hennepin school district teacher to purchase service credit for a voluntary layoff and extended leave of absence despite a failure to make timely payments.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Kruse and Eaton introduced—**

**S.F. No. 2016:** A bill for an act relating to taxation; tax increment financing; modifying expenditures outside district; amending Minnesota Statutes 2011 Supplement, section 469.1763, subdivision 2.

Referred to the Committee on Taxes.

**Senators Pappas, Bonoff, Latz, McGuire and Eaton introduced—**

**S.F. No. 2017:** A bill for an act proposing an amendment to the Minnesota Constitution, article IX, section 1; requiring a two-thirds vote of each house of the legislature to submit a constitutional

amendment to the people.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Pappas and Robling introduced–**

**S.F. No. 2018:** A bill for an act relating to higher education; encouraging the reduction of student course material costs; amending Minnesota Statutes 2010, section 135A.25, subdivision 3.

Referred to the Committee on Higher Education.

**Senators Dahms, Carlson, Sheran, Pederson and Stumpf introduced–**

**S.F. No. 2019:** A bill for an act relating to capital investment; appropriating money for the design of a science lab renovation at Southwest Minnesota State University; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Pappas, Latz, McGuire, Marty and Lourey introduced–**

**S.F. No. 2020:** A bill for an act relating to higher education; prohibiting certain officials from serving on the University of Minnesota Board of Regents or Board of Trustees of the Minnesota State Colleges and Universities system for a limited time; amending Minnesota Statutes 2010, section 136F.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Higher Education.

**Senators Pappas, McGuire, Dziedzic, Sieben and Dibble introduced–**

**S.F. No. 2021:** A bill for an act relating to employment; requiring pregnancy leave; requiring employment accommodations for pregnant women; amending Minnesota Statutes 2010, section 181.942, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Jobs and Economic Growth.

**Senators Pappas, Latz, Harrington, Goodwin and Sheran introduced–**

**S.F. No. 2022:** A bill for an act relating to higher education; modifying certain requirements for University of Minnesota regents; amending Minnesota Statutes 2010, sections 137.0245, subdivision 3; 137.0246, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Higher Education.

**Senators Sieben and Bonoff introduced–**

**S.F. No. 2023:** A bill for an act relating to capital investment; appropriating money for grants to metropolitan area cities to address inflow and infiltration in the sewer system; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators McGuire, Dibble, Goodwin and Higgins introduced—**

**S.F. No. 2024:** A bill for an act relating to natural resources; providing for financial assurance for nonferrous metallic mineral mining; amending Minnesota Statutes 2010, sections 93.481, subdivision 1, by adding a subdivision; 93.49; proposing coding for new law in Minnesota Statutes, chapter 93.

Referred to the Committee on Environment and Natural Resources.

**Senators Sparks and Brown introduced—**

**S.F. No. 2025:** A bill for an act relating to liquor; providing for transfer of license or business; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Harrington, Pappas, Chamberlain and Rosen introduced—**

**S.F. No. 2026:** A bill for an act relating to capital investment; appropriating money for the Metropolitan State University science education center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Rosen introduced—**

**S.F. No. 2027:** A bill for an act relating to human services; modifying requirements for background studies; amending Minnesota Statutes 2010, section 245C.04, subdivision 1.

Referred to the Committee on Health and Human Services.

**Senators Harrington, Limmer, McGuire, Latz and Ingebrigtsen introduced—**

**S.F. No. 2028:** A bill for an act relating to corrections; authorizing the fugitive apprehension unit to apply for search warrants; amending Minnesota Statutes 2010, sections 241.025, subdivision 2; 626.05, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

**Senators Sieben, Marty, Bakk, Dibble and McGuire introduced—**

**S.F. No. 2029:** A bill for an act relating to the financing and operation of state government; income and corporate franchise taxation; eliminating the preferences for foreign source income; repealing the subtraction for foreign royalties; expanding the definition of domestic corporations to include certain foreign corporations incorporated or doing business in tax havens; modifying JOBZ tax benefits; reducing the corporate franchise tax rates; modifying the apportionment of income; repealing foreign operating corporations; repealing the special apportionment formula

for certain mail order businesses; repaying the school aid payment and property tax recognition shifts; amending Minnesota Statutes 2010, sections 127A.45, by adding a subdivision; 289A.08, subdivision 3; 290.01, subdivisions 5, 19d, 29, by adding a subdivision; 290.17, subdivision 4; 290.191, subdivisions 2, 3, 5; 469.315; 469.319, subdivision 4; Minnesota Statutes 2011 Supplement, sections 123B.75, subdivision 5; 290.01, subdivision 19c; repealing Minnesota Statutes 2010, sections 290.01, subdivision 6b; 290.06, subdivision 29; 290.0921, subdivision 7; 290.191, subdivision 4; 469.317; 469.318.

Referred to the Committee on Taxes.

**Senator Sieben introduced—**

**S.F. No. 2030:** A bill for an act relating to capital investment; appropriating money for a grant to the city of Cottage Grove to convert the former city hall to a business incubator; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Rosen introduced—**

**S.F. No. 2031:** A bill for an act relating to retirement; defined benefit retirement plans administered by the Public Employees Retirement Association; increasing minimum monthly salary amount for plan coverage eligibility; amending Minnesota Statutes 2010, section 353.01, subdivision 2b, by adding a subdivision; Minnesota Statutes 2011 Supplement, section 353.01, subdivision 2a.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Torres Ray, Nienow, DeKruif and Sieben introduced—**

**S.F. No. 2032:** A bill for an act relating to education; allowing resident pupils temporarily placed in a care and treatment center to continue to participate in district extracurricular activities; amending Minnesota Statutes 2010, section 123B.49, subdivision 4.

Referred to the Committee on Education.

**Senators Pappas, Goodwin and McGuire introduced—**

**S.F. No. 2033:** A bill for an act relating to health; requiring certain information be provided to patients seeking in vitro fertilization therapy or donating gametes; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services.

**Senators Pappas, Harrington, Goodwin, Sheran and Torres Ray introduced—**

**S.F. No. 2034:** A bill for an act relating to education; making proficiency in a second world language a requirement for high school graduation; requiring rulemaking; amending Minnesota Statutes 2010, sections 120B.021; 120B.022, subdivision 1; 120B.023, subdivision 2; 120B.024.



Referred to the Committee on Education.

**Senators Hann, Gazelka, Carlson, Dahms and Newman introduced—**

**S.F. No. 2035:** A bill for an act relating to insurance; regulating insurance agents; defining a term; amending Minnesota Statutes 2010, sections 60K.31, subdivision 6, by adding a subdivision; 60K.32.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Vandever, Ingebrigtsen, Fischbach, Harrington and Hann introduced—**

**S.F. No. 2036:** A bill for an act relating to higher education; authorizing a safety officer survivor education benefit for graduate study; amending Minnesota Statutes 2010, section 299A.45, subdivisions 1, 2.

Referred to the Committee on Higher Education.

**Senators Hann, Nienow, Newman and Thompson introduced—**

**S.F. No. 2037:** A bill for an act relating to insurance; repealing the mandated health insurance coverages; amending Minnesota Statutes 2010, section 62Q.021; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2010, sections 62A.041, subdivisions 1, 2; 62A.0411; 62A.042; 62A.043; 62A.047; 62A.048; 62A.14; 62A.141; 62A.145; 62A.146; 62A.147; 62A.148; 62A.149, subdivision 1; 62A.15; 62A.151; 62A.152; 62A.153; 62A.154; 62A.155; 62A.17, subdivisions 1, 2, 4, 5, 5b, 6; 62A.20; 62A.21, subdivisions 1, 2a, 2b, 3; 62A.25; 62A.26; 62A.265; 62A.27; 62A.28; 62A.285, subdivisions 1, 2, 3; 62A.30; 62A.302; 62A.304; 62A.305; 62A.307; 62A.3075; 62A.308; 62A.3091; 62A.3092; 62A.3093; 62D.101; 62D.102; 62D.103; 62D.105; 62D.107; 62Q.19; 62Q.23; 62Q.47; 62Q.471; 62Q.50; 62Q.525; 62Q.527; 62Q.53; 62Q.535; 62Q.545; 62Q.55; 62Q.66; 62Q.67; 62Q.675.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Vandever and Hann introduced—**

**S.F. No. 2038:** A bill for an act relating to education finance; clarifying shared time aid for home-schooled students attending charter schools; amending Minnesota Statutes 2010, section 126C.19, subdivision 2; Minnesota Statutes 2011 Supplement, section 124D.10, subdivision 8.

Referred to the Committee on Education.

**Senator Howe introduced—**

**S.F. No. 2039:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water.

Referred to the Committee on Environment and Natural Resources.

**Senator Metzen introduced—**

**S.F. No. 2040:** A bill for an act relating to taxation; authorizing the Dakota County Community Development Authority to create a tax increment financing district subject to special rules.

Referred to the Committee on Taxes.

**Senators Stumpf, Olson and Harrington introduced—**

**S.F. No. 2041:** A bill for an act relating to education finance; eliminating the limitation on the career and technical levy; amending Minnesota Statutes 2011 Supplement, section 124D.4531, subdivision 1.

Referred to the Committee on Education.

**Senators Dahms, Langseth, Hoffman, Skoe and Gimse introduced—**

**S.F. No. 2042:** A bill for an act relating to natural resources; modifying Wetland Conservation Act; amending Minnesota Statutes 2010, sections 103G.2241, subdivision 9; 103G.2242, subdivision 3; Minnesota Statutes 2011 Supplement, section 103G.222, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

**Senators Chamberlain and Sieben introduced—**

**S.F. No. 2043:** A bill for an act relating to elections; modifying certain election administration procedures for individuals who have been convicted of a felony; amending Minnesota Statutes 2010, sections 201.054, subdivision 2, by adding a subdivision; 201.157; 201.275; 204C.14; 241.065, subdivision 2; Minnesota Statutes 2011 Supplement, section 203B.06, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Local Government and Elections.

**Senator Parry introduced—**

**S.F. No. 2044:** A bill for an act relating to capital investment; appropriating money for classroom renovation and addition at South Central College in Faribault; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hann introduced—**

**S.F. No. 2045:** A bill for an act relating to education; clarifying teacher due process procedures; amending Minnesota Statutes 2010, sections 122A.40, subdivisions 9, 13, 14; 122A.41, subdivisions 7, 12, 13.

Referred to the Committee on Education.

**Senators Rosen and Sheran introduced—**

**S.F. No. 2046:** A bill for an act relating to human services; providing a nursing facility rate increase for health information technology costs; appropriating money; amending Minnesota Statutes 2010, section 256B.441, by adding a subdivision.

Referred to the Committee on Health and Human Services.

**Senators Pappas, Goodwin, Tomassoni and Kelash introduced—**

**S.F. No. 2047:** A bill for an act relating to alcohol; allowing certain persons under the age of 21 to drink alcohol under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

**Senator Hann introduced—**

**S.F. No. 2048:** A bill for an act relating to insurance; specifying financial responsibility for hospital-acquired infections; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Health and Human Services.

**Senators Hann and Gazelka introduced—**

**S.F. No. 2049:** A bill for an act relating to insurance; expanding the small employer health insurance market; amending Minnesota Statutes 2010, sections 62L.02, subdivision 26, by adding a subdivision; 62L.08, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Vandever, Sieben, Lillie and Wiger introduced—**

**S.F. No. 2050:** A bill for an act relating to the Washington County Housing and Redevelopment Authority; clarifying the jurisdiction of the authority; amending Laws 1974, chapter 475, sections 1; 2, subdivision 1.

Referred to the Committee on Local Government and Elections.

**Senator Nienow introduced—**

**S.F. No. 2051:** A bill for an act relating to health; requiring certain changes in managed care plan financial reporting; requiring an annual independent third-party audit; amending Minnesota Statutes 2011 Supplement, section 256B.69, subdivision 9c.

Referred to the Committee on Health and Human Services.

**Senators Tomassoni and Marty introduced—**

**S.F. No. 2052:** A bill for an act relating to education finance; proportionately increasing early

childhood education funding when the basic formula allowance increases; amending Minnesota Statutes 2010, section 124D.135, subdivision 1.

Referred to the Committee on Education.

**Senators Lourey and Dibble introduced—**

**S.F. No. 2053:** A bill for an act relating to transportation; requiring commissioner of transportation to establish guidelines for highway construction project information signs; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

**Senators Lourey and Dibble introduced—**

**S.F. No. 2054:** A bill for an act relating to transportation; requiring the commissioner of transportation to establish wireless Internet service at safety rest areas.

Referred to the Committee on Transportation.

**Senators Dahms and Ingebrigtsen introduced—**

**S.F. No. 2055:** A bill for an act relating to natural resources; authorizing and clarifying the use of general permits; amending Minnesota Statutes 2010, sections 84.0895, subdivision 7; 97A.401, subdivision 1; 103G.245, subdivision 3; 103G.271, subdivision 1; 103G.301, subdivisions 2, 4, 5, 5a; 103G.611, by adding a subdivision; Minnesota Statutes 2011 Supplement, section 103G.615, subdivisions 1, 2.

Referred to the Committee on Environment and Natural Resources.

**Senators Ingebrigtsen and Harrington introduced—**

**S.F. No. 2056:** A bill for an act relating to crime prevention; providing for indeterminate sentencing for certain sex offenders; creating a sex offender indeterminate sentence review board; amending Minnesota Statutes 2010, sections 609.342, subdivision 2; 609.343, subdivision 2; 609.344, subdivision 2; 609.345, subdivision 2; 609.3451, subdivision 3; 609.3455; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary and Public Safety.

**Senators Latz, Hall and Harrington introduced—**

**S.F. No. 2057:** A bill for an act relating to public safety; adding fifth degree assault and certain domestic assault provisions to crime of violence; amending Minnesota Statutes 2010, section 624.712, subdivision 5.

Referred to the Committee on Judiciary and Public Safety.

**Senators Chamberlain and Wolf introduced—**

**S.F. No. 2058:** A bill for an act relating to education; repealing obsolete statutes; amending Minnesota Statutes 2010, sections 120A.22, subdivision 2; 126C.12, subdivision 2; Minnesota Statutes 2011 Supplement, section 120B.30, subdivision 1; repealing Minnesota Statutes 2010, sections 120A.28; 120B.019; 120B.13, subdivision 1; 120B.31, subdivision 3; 121A.60, subdivisions 3, 4; 121A.62; 121A.63; 122A.18, subdivision 9; 122A.68.

Referred to the Committee on Education.

**Senators Nelson, Nienow, Hann, Thompson and Daley introduced—**

**S.F. No. 2059:** A bill for an act relating to education; striking the requirement to allocate portions of reserved staff development revenue for particular purposes; amending Minnesota Statutes 2010, section 122A.61, subdivision 1.

Referred to the Committee on Education.

**Senators Limmer and Latz introduced—**

**S.F. No. 2060:** A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2010, sections 5.25, subdivision 1; 12A.04; 12A.08, subdivision 1; 12A.09, subdivision 2; 12A.10, subdivision 1; 12A.12, subdivision 1; 13.383, subdivision 10; 13.6401, subdivision 2; 13.716, subdivision 1; 13.7191, by adding subdivisions; 13.805, subdivision 1; 60A.0811, subdivision 1; 62L.05, subdivision 13; 67A.40, subdivision 1; 82B.195, subdivision 1; 124D.09, subdivision 16; 129D.01; 144.291, subdivision 2; 144A.01, subdivision 4; 145.883, subdivision 1; 145A.12, subdivision 7; 145A.131, subdivision 3; 148D.061; 148D.062, subdivision 4; 148D.063, subdivision 2; 148E.100, subdivision 2a; 148E.105, subdivision 2a; 148E.106, subdivision 2a; 148E.110, subdivision 1a; 148E.115, subdivision 1a; 148E.130, subdivision 1a; 171.306, subdivision 7; 204B.04, subdivision 3; 204B.07, subdivision 1; 204B.11, subdivision 2; 204B.13, subdivision 6; 205.02, subdivision 2; 205A.06, subdivision 1; 214.01, subdivision 2; 216B.1694, subdivision 2; 245.4835, subdivision 1; 256B.0625, subdivision 19c; 256B.0755, subdivision 1; 256B.094, subdivision 6; 256B.69, subdivision 20; 256B.75; 256J.49, subdivision 4; 256L.12, subdivision 6; 270B.14, subdivision 11; 273.1392; 282.08; 297I.06, subdivision 2; 298.018; 299L.03, subdivision 1; 349.15, subdivision 2; 349.151, subdivisions 2, 4a; 349.166, subdivision 1; 352.01, subdivision 11; 352D.05, subdivision 3; 353.46, subdivision 6; 390.32, subdivision 9; 609.131, subdivision 2; Minnesota Statutes 2011 Supplement, sections 12A.05, subdivision 1; 12A.06, subdivision 1; 12A.07, subdivision 1; 60A.206, subdivision 3; 122A.41, subdivision 5; 123B.75, subdivision 5; 124D.10, subdivision 15; 127A.441; 176.307; 256B.021, subdivision 4; 268.035, subdivision 29; 270C.991, subdivision 4; 297A.668, subdivision 7; 297A.70, subdivision 3; 297A.75, subdivision 1; 349.15, subdivision 1; 353.6511, subdivisions 2, 7; 353.667, subdivision 8; 353.668, subdivision 8; 402A.35, subdivision 4; 515B.1-102; 515B.3-105; 515B.3-1151; Laws 2011, First Special Session chapter 8, article 7, section 19; repealing Minnesota Statutes 2010, sections 62Q.10; 148C.04, subdivision 3; 326B.82, subdivision 1; Laws 2011, chapter 22, article 1, section 1; Laws 2011, First Special Session chapter 9, article 6, section 87; Minnesota Rules, part 4604.0600, subpart 2.

Referred to the Committee on Judiciary and Public Safety.

**Senators Magnus, Skoe, Brown, Kubly and Dahms introduced—**

**S.F. No. 2061:** A bill for an act relating to agriculture; modifying provisions related to pesticides, plants, nursery law, inspections, enforcements, food, animals, grain, and weights and measures; establishing Dairy Research, Teaching, and Consumer Education Authority; requiring reports; amending Minnesota Statutes 2010, sections 17.114, subdivisions 3, 4; 18B.065, subdivision 2a, by adding a subdivision; 18B.316, subdivision 6; 18G.02, subdivision 14; 18G.07, subdivision 1; 18G.10, subdivision 7, by adding a subdivision; 18H.02, subdivision 14, by adding a subdivision; 18H.10; 18H.14; 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 21.82, subdivisions 7, 8; 31.13; 31.94; 35.0661, subdivisions 2, 3; 40A.17; 41A.12, subdivisions 2, 4; 223.16, subdivision 12; 223.17, subdivisions 1, 4, 6, 9; 232.21, subdivisions 2, 6, 12; 232.22, subdivisions 3, 4, 5, 7; 232.23, subdivisions 2, 5, 10; 232.24, subdivisions 1, 2; 239.092; 239.093; Laws 2011, chapter 14, section 6; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 2010, sections 17B.01; 17B.02; 17B.03; 17B.04; 17B.041; 17B.0451; 17B.048; 17B.05; 17B.06; 17B.07; 17B.10; 17B.11; 17B.12; 17B.13; 17B.14; 17B.15, subdivisions 1, 3; 17B.16; 17B.17; 17B.18; 17B.20; 17B.22, subdivisions 1, 2; 17B.28; 17B.29; 27.19, subdivisions 2, 3; 27.20; 223.16, subdivision 7; 223.18; 232.21, subdivision 4; 232.24, subdivision 3; 232.25; 233.01; 233.015; 233.017; 233.02; 233.03; 233.04; 233.05; 233.06; 233.07; 233.08; 233.09; 233.10; 233.11; 233.12; 233.22; 233.23; 233.24; 233.33; 234.01; 234.03; 234.04; 234.05; 234.06; 234.08; 234.09; 234.10; 234.11; 234.12; 234.13; 234.14; 234.15; 234.16; 234.17; 234.18; 234.19; 234.20; 234.21; 234.22; 234.23; 234.24; 234.25; 234.27; 235.01; 235.02; 235.04; 235.05; 235.06; 235.07; 235.08; 235.09; 235.10; 235.13; 235.18; 236.01; 236.02; 236.03; 236.04; 236.05; 236.06; 236.07; 236.08; 236.09; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24; Minnesota Rules, parts 1505.0780; 1505.0810; 1511.0100; 1511.0110; 1511.0120; 1511.0130; 1511.0140; 1511.0150; 1511.0160; 1511.0170; 1562.0100, subparts 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25; 1562.0200; 1562.0400; 1562.0700; 1562.0900; 1562.1300; 1562.1800.

Referred to the Committee on Agriculture and Rural Economies.

**Senators Nienow, Rosen, Sheran, Higgins and Hayden introduced—**

**S.F. No. 2062:** A bill for an act relating to health; modifying the continuity of care provision of the health care bill of rights; amending Minnesota Statutes 2010, section 144.651, subdivision 11.

Referred to the Committee on Health and Human Services.

**Senator Torres Ray introduced—**

**S.F. No. 2063:** A bill for an act relating to limited liability companies; providing for the creation and operation of low-profit limited liability companies; amending Minnesota Statutes 2010, sections 322B.03, by adding a subdivision; 322B.115, subdivision 1; 322B.12, subdivision 1; 322B.833, subdivision 1; 322B.843, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 322B.

Referred to the Committee on Judiciary and Public Safety.

**Senator Miller introduced—**

**S.F. No. 2064:** A bill for an act relating to capital improvements; appropriating money for Spring Grove alley renovation; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Daley, Michel, Tomassoni and Metzen introduced—**

**S.F. No. 2065:** A bill for an act relating to building codes; making changes to contractor recovery fund; amending Minnesota Statutes 2010, sections 326B.092, subdivision 7; 326B.89, subdivisions 3, 4, 7, 10; repealing Minnesota Statutes 2010, section 326B.89, subdivision 16.

Referred to the Committee on Jobs and Economic Growth.

**Senators Sieben and Marty introduced—**

**S.F. No. 2066:** A bill for an act relating to health; appropriating money for demonstration grants to prevent sexual violence.

Referred to the Committee on Health and Human Services.

**Senators Daley, Kelash and Metzen introduced—**

**S.F. No. 2067:** A bill for an act relating to consumer protection; clarifying the definition of home solicitation sale; amending Minnesota Statutes 2010, section 325G.06, subdivision 2.

Referred to the Committee on Jobs and Economic Growth.

**Senators Senjem, Hall, Kelash, Bakk and Rosen introduced—**

**S.F. No. 2068:** A bill for an act relating to the city of Bloomington; allowing extension of a tax increment financing district.

Referred to the Committee on Taxes.

**Senators Brown, Sparks and Gerlach introduced—**

**S.F. No. 2069:** A bill for an act relating to insurance; regulating the offer and dissemination of travel insurance; amending Minnesota Statutes 2010, sections 60K.36, subdivision 2; 60K.38, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60K.

Referred to the Committee on Commerce and Consumer Protection.

**Senator Skoe introduced—**

**S.F. No. 2070:** A bill for an act relating to retirement; public employees defined contribution plan; authorizing in-service distributions at age 66; amending Minnesota Statutes 2010, section 353D.07, subdivisions 1, 2, 3, by adding a subdivision.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Howe, Sieben and Miller introduced—**

**S.F. No. 2071:** A bill for an act relating to transportation; amending Minnesota Statutes 2010, sections 174.632; 174.636.

Referred to the Committee on Transportation.

**Senators Dahms, Ingebrigtsen, Stumpf, Skoe and Magnus introduced—**

**S.F. No. 2072:** A bill for an act relating to natural resources; modifying the exemption from the Wetland Conservation Act for agricultural land subject to certain federal requirements; amending Minnesota Statutes 2010, section 103G.2241, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senators Pederson, Hayden, Tomassoni, Brown and Miller introduced—**

**S.F. No. 2073:** A bill for an act relating to capital investment; appropriating money for housing; authorizing the Minnesota Housing Finance Agency to issue housing infrastructure bonds; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2010, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

Referred to the Committee on Capital Investment.

**Senator Pederson introduced—**

**S.F. No. 2074:** A bill for an act relating to labor and industry; making changes to construction loans; commercial general liability loans; amending Minnesota Statutes 2010, sections 47.20, by adding a subdivision; 326B.86, subdivision 2.

Referred to the Committee on Jobs and Economic Growth.

**Senator Kruse introduced—**

**S.F. No. 2075:** A bill for an act relating to insurance; permitting a small employer to retain small employer health coverage when its workforce is reduced to one covered employee; amending Minnesota Statutes 2010, section 62L.03, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Saxhaug, Tomassoni and Bakk introduced—**

**S.F. No. 2076:** A bill for an act relating to agriculture; making permanent certain exceptions to the minimum content requirements for biodiesel; amending Minnesota Statutes 2010, section 239.77, subdivision 3.

Referred to the Committee on Agriculture and Rural Economies.



**Senator Saxhaug introduced—**

**S.F. No. 2077:** A bill for an act relating to local government aid; modifying the payment to certain cities; amending Minnesota Statutes 2010, section 477A.011, subdivision 36.

Referred to the Committee on Local Government and Elections.

**Senator Parry introduced—**

**S.F. No. 2078:** A bill for an act relating to public employment; providing that certain contract terms do not continue in effect after expiration of a collective bargaining agreement; forbidding certain retroactive provisions; amending Minnesota Statutes 2010, section 179A.20, subdivision 6, by adding a subdivision.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Metzen and Sieben introduced—**

**S.F. No. 2079:** A bill for an act relating to capital investment; appropriating money for predesign and design of the floodwall extension in the city of South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Rosen, Sparks, Howe, Senjem and Metzen introduced—**

**S.F. No. 2080:** A bill for an act relating to telecommunications; streamlining telecommunications regulations; modifying and updating civil penalties, rate regulations, regulatory requirements; and technical provisions; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 237A; repealing Minnesota Statutes 2010, sections 237.01, subdivisions 1, 3, 4, 6, 7, 8; 237.011; 237.012; 237.02; 237.03; 237.035; 237.036; 237.04; 237.05; 237.06; 237.065; 237.066; 237.067; 237.068; 237.069; 237.07; 237.071; 237.072; 237.075, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11; 237.076; 237.081, subdivisions 1, 1a, 2, 4, 5; 237.082; 237.09; 237.10; 237.101; 237.11; 237.115; 237.12; 237.121; 237.14; 237.15; 237.155; 237.16, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 237.162; 237.163; 237.164; 237.17; 237.18; 237.19; 237.20; 237.21; 237.22; 237.23; 237.231; 237.24; 237.25; 237.26; 237.27; 237.28; 237.295; 237.30; 237.33; 237.34; 237.35; 237.36; 237.37; 237.38; 237.39; 237.40; 237.411; 237.414; 237.435; 237.44; 237.45; 237.46; 237.461, subdivisions 1, 2, 4; 237.47; 237.49; 237.491; 237.50, subdivisions 1, 3, 4, 4a, 5, 6, 6a, 7, 8, 9, 10, 11; 237.51, subdivisions 1, 5, 5a; 237.52; 237.53, subdivisions 1, 2, 3, 4, 5, 6, 7; 237.54, subdivision 2; 237.55; 237.56; 237.57; 237.59, subdivisions 1, 1a, 2, 3, 4, 5, 6, 8, 9, 10; 237.60, subdivisions 3, 4; 237.61; 237.626; 237.64; 237.66, subdivisions 1, 1a, 1c, 1d, 2, 2a, 3; 237.661; 237.662; 237.663; 237.665; 237.67; 237.681; 237.69, subdivisions 1, 5, 11, 12, 13, 14, 15, 16, 17; 237.70, subdivisions 1, 2, 3, 4a, 5, 6, 7; 237.701; 237.71; 237.711; 237.73; 237.74; 237.75; 237.76; 237.761; 237.762; 237.763; 237.764; 237.765; 237.766; 237.767; 237.768; 237.769; 237.770; 237.771; 237.772; 237.773, subdivisions 1, 2, 3, 4; 237.774; 237.775; 237.79; 237.80; 237.81; 237.82; 237.83; Minnesota Rules, parts 7810.3200; 7810.3300; 7810.4100; 7810.4300; 7810.4900; 7810.5000; 7810.5100; 7810.5200; 7810.5300; 7810.5400; 7810.5500; 7810.5800; 7810.5900; 7810.6000; 7810.6100; 7810.6400; 7810.6600; 7810.6700; 7810.6800; 7810.8600; 7810.8605; 7810.8610; 7810.8615; 7810.8620; 7810.8625, subparts 1, 2, 3, 4, 6; 7810.8630, subparts 1, 2, 3, 4,

5, 7, 8, 9, 10; 7810.8635; 7810.8640; 7810.8645; 7810.8650; 7810.8655; 7810.8660; 7810.8665; 7810.8670; 7810.8675; 7810.8680; 7810.8685; 7810.8690; 7810.8700; 7810.8705; 7810.8710; 7810.8715; 7810.8720; 7810.8725; 7810.8730; 7810.8735; 7810.8805; 7810.8810; 7810.8815.

Referred to the Committee on Energy, Utilities and Telecommunications.

### MOTIONS AND RESOLUTIONS

Senator Bakk moved that the names of Senators Scheid and Pogemiller be stricken as co-authors to S.F. No. 462. The motion prevailed.

Senator Goodwin moved that the names of Senators Bonoff and Marty be added as co-authors to S.F. No. 462. The motion prevailed.

Senator Hayden moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 472. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 687. The motion prevailed.

Senator Olson moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Chamberlain be added as chief author to S.F. No. 1094. The motion prevailed.

Senator Chamberlain moved that the name of Senator Bonoff be added as a co-author to S.F. No. 1094. The motion prevailed.

Senator Hoffman moved that the name of Senator Hann be added as a co-author to S.F. No. 1402. The motion prevailed.

Senator Bakk moved that the name of Senator Sheran be added as a co-author to S.F. No. 1477. The motion prevailed.

Senator Olson moved that the name of Senator Torres Ray be added as a co-author to S.F. No. 1531. The motion prevailed.

Senator DeKruif moved that the name of Senator Nelson be added as a co-author to S.F. No. 1544. The motion prevailed.

Senator Metzen moved that his name be stricken as a co-author to S.F. No. 1629. The motion prevailed.

Senator McGuire moved that the name of Senator Hayden be added as a co-author to S.F. No. 1757. The motion prevailed.

Senator Carlson moved that the name of Senator Lourey be added as a co-author to S.F. No. 1775. The motion prevailed.

Senator Sheran moved that her name be stricken as a co-author to S.F. No. 1780. The motion prevailed.

Senator Hoffman moved that the name of Senator Sieben be added as a co-author to S.F. No. 1792. The motion prevailed.

Senator Pederson moved that the name of Senator Gazelka be added as a co-author to S.F. No. 1860. The motion prevailed.

Senator Rest moved that her name be stricken as a co-author to S.F. No. 1922. The motion prevailed.

Senator Skoe moved that the name of Senator Sheran be added as a co-author to S.F. No. 1939. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Pederson be added as a co-author to S.F. No. 1943. The motion prevailed.

Senator Ortman moved that S.F. No. 841 be withdrawn from the Committee on Jobs and Economic Growth and re-referred to the Committee on Taxes. The motion prevailed.

Senator Pederson moved that S.F. No. 1291 be withdrawn from the Committee on Education and returned to its author. The motion prevailed.

Senator Wiger moved that S.F. No. 1619 be withdrawn from the Committee on Local Government and Elections and re-referred to the Committee on Taxes. The motion prevailed.

Senator Ortman moved that S.F. No. 1646 be withdrawn from the Committee on Local Government and Elections and re-referred to the Committee on Taxes. The motion prevailed.

Senator Gimse moved that S.F. No. 1913 be withdrawn from the Committee on Taxes and re-referred to the Committee on Transportation. The motion prevailed.

Senator Eaton moved that S.F. No. 1961 be withdrawn from the Committee on Local Government and Elections and re-referred to the Committee on Taxes. The motion prevailed.

Senator Gimse moved that S.F. No. 1530 on General Orders be stricken and re-referred to the Committee on Finance. The motion prevailed.

**Senator Parry introduced –**

**Senate Resolution No. 129:** A Senate resolution honoring the Khmer Freedom Fighters.

Referred to the Committee on Rules and Administration.

**Senator Wiger introduced –**

**Senate Resolution No. 130:** A Senate resolution congratulating Antonio Vandal for receiving the National Certificate of Merit.

Referred to the Committee on Rules and Administration.

Senator Limmer moved that his name be stricken as chief author and the name of Senator Ortman be added as a chief author to S.F. No. 1994. The motion prevailed.

Senator Senjem moved that H.F. No. 2394 be taken from the table. The motion prevailed.

**H.F. No. 2394:** A bill for an act relating to public safety; requiring community notification when a person is released from the Minnesota sex offender program; amending Minnesota Statutes 2011

Supplement, section 253B.185, subdivision 10a.

### SUSPENSION OF RULES

Senator Senjem moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2394 and that the rules of the Senate be so far suspended as to give H.F. No. 2394 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2394 was read the second time.

H.F. No. 2394 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gerlach	Kruse	Nienow	Sieben
Benson	Gimse	Kubly	Olson	Skoe
Bonoff	Goodwin	Langseth	Ortman	Sparks
Brown	Hall	Latz	Pappas	Stumpf
Carlson	Hann	Lillie	Parry	Thompson
Chamberlain	Harrington	Lourey	Pederson	Tomassoni
Dahms	Hayden	Magnus	Reinert	Vandever
Daley	Higgins	McGuire	Rest	Wiger
DeKruif	Hoffman	Metzen	Robling	Wolf
Dziedzic	Howe	Michel	Rosen	
Eaton	Ingebrigtsen	Miller	Saxhaug	
Fischbach	Jungbauer	Nelson	Senjem	
Gazelka	Koch	Newman	Sheran	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Ortman moved that S.F. No. 1994, on General Orders, be stricken and laid on the table. The motion prevailed.

Pursuant to Rule 26, Senator Senjem, Chair of the Committee on Rules and Administration, designated H.F. No. 1467 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 1467:** A bill for an act relating to firearms; clarifying and delimiting the authority of public officials to disarm individuals at any time; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self-defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person unlawfully entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against unlawful entry of that

person's occupied vehicle; providing for the recognition by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota; amending Minnesota Statutes 2010, sections 609.065; 624.7131, subdivisions 7, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

Senator Hoffman moved to amend H.F. No. 1467, the unofficial engrossment, as follows:

Page 6, after line 4, insert:

"(d) An individual is not entitled to the benefit of the presumption in paragraph (a) if the individual knows or has reason to know that the person against whom the defensive action is being taken is a licensed peace officer from this state, another state, the United States, or any subordinate jurisdiction of the United States, who is acting lawfully."

The motion prevailed. So the amendment was adopted.

Senator Hoffman moved that H.F. No. 1467 be laid on the table. The motion prevailed.

#### RECESS

Senator Senjem moved that the Senate do now recess until 4:30 p.m. The motion prevailed.

The hour of 4:30 p.m. having arrived, the President called the Senate to order.

#### CALL OF THE SENATE

Senator Senjem imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

#### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Senjem moved that H.F. No. 1467 be taken from the table. The motion prevailed.

**H.F. No. 1467:** A bill for an act relating to firearms; clarifying and delimiting the authority of public officials to disarm individuals at any time; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self-defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person unlawfully entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against unlawful entry of that person's occupied vehicle; providing for the recognition by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota; amending Minnesota Statutes 2010, sections 609.065; 624.7131, subdivisions 7, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Benson	Gazelka	Jungbauer	Newman	Saxhaug
Brown	Gerlach	Koch	Nienow	Senjem
Carlson	Gimse	Kruse	Olson	Skoe
Chamberlain	Hall	Lillie	Ortman	Sparks
Dahms	Hann	Limmer	Parry	Thompson
Daley	Hoffman	Magnus	Pederson	Tomassoni
DeKruif	Howe	Miller	Robling	Vandever
Fischbach	Ingebrigtsen	Nelson	Rosen	Wolf

Those who voted in the negative were:

Bakk	Eaton	Langseth	Metzen	Sheran
Bonoff	Goodwin	Latz	Michel	Sieben
Cohen	Harrington	Lourey	Pappas	Wiger
Dibble	Hayden	Marty	Reinert	
Dziedzic	Higgins	McGuire	Rest	

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

#### **MEMBERS EXCUSED**

Senators Kelash and Torres Ray were excused from the Session of today. Senator Harrington was excused from the Session of today from 11:00 to 11:30 a.m. Senator Limmer was excused from the Session of today from 11:00 a.m. to 12:00 noon. Senator Dibble was excused from the Session of today from 11:00 a.m. to 12:10 p.m. Senator Cohen was excused from the Session of today from 11:00 a.m. to 12:25 p.m. Senator Sheran was excused from the Session of today from 12:00 noon to 12:30 p.m. Senator Higgins was excused from the Session of today from 12:40 to 1:20 p.m. Senators Kuby and Stumpf were excused from the Session of today at 4:30 p.m.

#### **ADJOURNMENT**

Senator Senjem moved that the Senate do now adjourn until 11:00 a.m., Monday, February 27, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate