

## EIGHTY-EIGHTH DAY

St. Paul, Minnesota, Tuesday, April 22, 2014

The Senate met at 12:00 noon and was called to order by the President.

**CALL OF THE SENATE**

Senator Bakk 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. Dennis Morreim.

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:

Anderson	Eken	Johnson	Osmek	Sieben
Bakk	Fischbach	Kent	Pappas	Skoe
Benson	Franzen	Kiffmeyer	Petersen, B.	Stumpf
Bonoff	Gazelka	Koenen	Pratt	Thompson
Brown	Goodwin	Latz	Reinert	Tomassoni
Carlson	Hall	Lourey	Rest	Torres Ray
Chamberlain	Hann	Marty	Rosen	Weber
Clausen	Hawj	Metzen	Ruud	Westrom
Cohen	Hayden	Miller	Saxhaug	Wiger
Dahle	Hoffman	Nelson	Scalze	Wiklund
Dahms	Housley	Newman	Schmit	
Dziedzic	Ingebrigtsen	Nienow	Senjem	
Eaton	Jensen	Ortman	Sheran	

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.

April 11, 2014

The Honorable Sandra L. Pappas  
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 156, S.F. No. 2004; Chapter 158, S.F. No. 1737; Chapter 159, S.F. No.

1509; Chapter 161, S.F. No. 2569; Chapter 162, S.F. No. 1762; Chapter 163, S.F. No. 2060; Chapter 164, S.F. No. 2221 and Chapter 165, S.F. No. 2108.

Sincerely,  
Mark Dayton, Governor

April 11, 2014

The Honorable Paul Thissen  
Speaker of the House of Representatives

The Honorable Sandra L. Pappas  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2014 Session of the State Legislature have been received from the Office of the Governor and are 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 2014	Date Filed 2014
2004		156	4:38 p.m. April 11	April 11
	977	157	4:39 p.m. April 11	April 11
1737		158	4:40 p.m. April 11	April 11
1509		159	4:40 p.m. April 11	April 11
2569		161	4:41 p.m. April 11	April 11
1762		162	4:43 p.m. April 11	April 11
2060		163	4:44 p.m. April 11	April 11
2221		164	4:45 p.m. April 11	April 11
2108		165	4:46 p.m. April 11	April 11

Sincerely,  
Mark Ritchie  
Secretary of State

April 14, 2014

The Honorable Paul Thissen  
Speaker of the House of Representatives

The Honorable Sandra L. Pappas  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2014 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 2014	Date Filed 2014
	2091	166	2:31 p.m. April 14	April 14

Sincerely,  
Mark Ritchie  
Secretary of State

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1863, 2556 and 2812.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 10, 2014

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 1863:** A bill for an act relating to state government; modifying laws governing certain executive branch advisory groups; amending Minnesota Statutes 2012, sections 3.922, subdivision 8; 15B.11, subdivision 2; 16B.055, subdivision 1; 28A.21, subdivision 6; 43A.316, subdivisions 2, 3, 6; 62J.495, subdivision 2; 79A.02, subdivision 1; 85.0146, subdivision 1; 89A.03, subdivision 5; 89A.08, subdivision 1; 92.35; 93.0015, subdivision 3; 97A.055, subdivision 4b; 103F.518, subdivision 1; 115.55, subdivision 12; 115.741, by adding a subdivision; 116U.25; 120B.365, subdivision 2; 134.31, subdivision 6; 144.1255, subdivision 1; 144.1481, subdivision 1; 144.608, subdivision 2; 144G.06; 145A.10, subdivision 10; 148.7805, subdivision 2; 153A.20, subdivision 2; 162.07, subdivision 5; 162.13, subdivision 3; 174.52, subdivision 3; 175.007, subdivision 1; 182.656, subdivision 3; 206.805; 214.13, subdivision 4; 216B.813, subdivision 2; 216B.815; 216C.02, subdivision 1; 240.18, subdivision 4; 241.021, subdivision 4c; 243.1606, subdivision 4; 252.30; 256B.0625, subdivisions 13c, 13i; 256B.27, subdivision 3; 256C.28, subdivision 1; 270C.12, subdivision 5; 298.2213, subdivision 5; 298.2214, subdivision 1; 298.297; 299A.62, subdivision 2; 299A.63, subdivision 2; 299E.04, subdivision 5; 326B.07, subdivision 1; 611A.32, subdivision 2; 611A.33; 611A.345; 611A.35; 629.342, subdivision 2; Minnesota Statutes 2013 Supplement, sections 103I.105; 125A.28; 136A.031, subdivision 3; 144.98, subdivision 10; 254A.035, subdivision 2; 254A.04; 256B.064, subdivision 1a; 256B.093, subdivision 1; 260.835, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 162; repealing Minnesota Statutes 2012, sections 6.81; 15.059, subdivision 5; 15B.32, subdivision 7; 16E.0475; 43A.316, subdivision 4; 43A.317, subdivision 4; 62U.09; 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6, 7; 82B.06; 84.964; 103F.518, subdivision 11; 116L.361, subdivision 2; 116L.363; 127A.70, subdivision 3; 136A.031, subdivision 5; 144.011, subdivision 2; 145.98, subdivisions 1, 3; 147E.35, subdivision 4; 162.02, subdivisions 2, 3; 162.09, subdivisions 2, 3; 196.30; 197.585, subdivision 4; 243.93; 245.97, subdivision 7; 252.31; 270C.991, subdivision

4; 298.2213, subdivision 5; 299C.156; 299M.02; 402A.15; 611A.34; Minnesota Statutes 2013 Supplement, sections 15.059, subdivision 5b; 197.585, subdivision 2.

Referred to the Committee on Finance.

**H.F. No. 2556:** A bill for an act relating to veterans; veterans housing and long-term care; providing exemptions for certain moratoriums on new residential facilities; providing grants for housing needs assessments for veterans; appropriating money; amending Minnesota Statutes 2012, section 256I.04, subdivision 3; Minnesota Statutes 2013 Supplement, section 245A.03, subdivision 7.

Referred to the Committee on Finance.

**H.F. No. 2812:** A bill for an act relating to state observances; creating Veterans' Voices Month; proposing coding for new law in Minnesota Statutes, chapter 10.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2071, now on General Orders.

### REPORTS OF COMMITTEES

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

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

**H.F. No. 2227** 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.
2227	2262				

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

**H.F. No. 2313** 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.
2313	2319				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2313 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2313, the first engrossment; and insert the language after the enacting clause of S.F. No. 2319, the first engrossment; further, delete the title of H.F. No. 2313, the first engrossment; and insert the title of S.F. No. 2319, the first engrossment.

And when so amended H.F. No. 2313 will be identical to S.F. No. 2319, and further recommends that H.F. No. 2313 be given its second reading and substituted for S.F. No. 2319, 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.

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

**H.F. No. 859** 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.
859	771				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 859 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 859, the third engrossment; and insert the language after the enacting clause of S.F. No. 771, the first engrossment; further, delete the title of H.F. No. 859, the third engrossment; and insert the title of S.F. No. 771, the first engrossment.

And when so amended H.F. No. 859 will be identical to S.F. No. 771, and further recommends that H.F. No. 859 be given its second reading and substituted for S.F. No. 771, 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.

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

**H.F. No. 2141** 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.
2141	2042				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2141 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2141, the second engrossment; and insert the language after the enacting clause of S.F. No. 2042, the first engrossment; further, delete the title of H.F. No. 2141, the second engrossment; and insert the title of S.F. No. 2042, the first engrossment.

And when so amended H.F. No. 2141 will be identical to S.F. No. 2042, and further recommends that H.F. No. 2141 be given its second reading and substituted for S.F. No. 2042, 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.

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

**H.F. No. 2656** 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.
2656	2106				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2656 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2656, the first engrossment; and insert the language after the enacting clause of S.F. No. 2106, the first engrossment; further, delete the title of H.F. No. 2656, the first engrossment; and insert the title of S.F. No. 2106, the first engrossment.

And when so amended H.F. No. 2656 will be identical to S.F. No. 2106, and further recommends that H.F. No. 2656 be given its second reading and substituted for S.F. No. 2106, 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.

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

**H.F. No. 2874** 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.
2874	2367				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2874 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2874, the first engrossment; and insert the language after the enacting clause of S.F. No. 2367; further, delete the title of H.F. No. 2874, the first engrossment; and insert the title of S.F. No. 2367.

And when so amended H.F. No. 2874 will be identical to S.F. No. 2367, and further recommends that H.F. No. 2874 be given its second reading and substituted for S.F. No. 2367, 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.

**Senator Bakk, 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 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.
1926	2098				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1926 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1926, the third engrossment; and insert the language after the enacting clause of S.F. No. 2098, the first engrossment; further, delete the title of H.F. No. 1926, the third engrossment; and insert the title of S.F. No. 2098, the first engrossment.

And when so amended H.F. No. 1926 will be identical to S.F. No. 2098, and further recommends that H.F. No. 1926 be given its second reading and substituted for S.F. No. 2098, 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.

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

**H.F. No. 2096** 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.
2096	2288				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2096 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2096, the first engrossment; and insert the language after the enacting clause of S.F. No. 2288, the second engrossment; further, delete the title of H.F. No. 2096, the first engrossment; and insert the title of S.F. No. 2288, the second engrossment.

And when so amended H.F. No. 2096 will be identical to S.F. No. 2288, and further recommends that H.F. No. 2096 be given its second reading and substituted for S.F. No. 2288, 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.

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

**H.F. No. 2092** 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.
2092	2071				

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

**H.F. No. 2217** 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.
2217	2500				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2217 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2217, the first engrossment; and insert the language after the enacting clause of S.F. No. 2500; further, delete the title of H.F. No. 2217, the first engrossment; and insert the title of S.F. No. 2500.

And when so amended H.F. No. 2217 will be identical to S.F. No. 2500, and further recommends that H.F. No. 2217 be given its second reading and substituted for S.F. No. 2500, 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.

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

**H.F. No. 2582** 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.
2582	2053				

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

**H.F. No. 2536** 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.
2536	2050				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2536 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2536, the third engrossment; and insert the language after the enacting clause of S.F. No. 2050, the first engrossment; further, delete the title of H.F. No. 2536, the third engrossment; and insert the title of S.F. No. 2050, the first engrossment.

And when so amended H.F. No. 2536 will be identical to S.F. No. 2050, and further recommends that H.F. No. 2536 be given its second reading and substituted for S.F. No. 2050, 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 HOUSE BILLS**

H.F. Nos. 2227, 2313, 859, 2141, 2656, 2874, 1926, 2096, 2092, 2217, 2582 and 2536 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Skoe introduced—**

**S.F. No. 2968:** A bill for an act relating to human services; appropriating money for the basic sliding fee child care program.

Referred to the Committee on Finance.

**Senators Marty, Carlson, Scalze, Hoffman and Torres Ray introduced—**

**S.F. No. 2969:** A bill for an act relating to stadium financing; imposing a tax on seat licenses at the NFL football stadium; amending Minnesota Statutes 2013 Supplement, section 473J.14.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senators Marty, Dziezic, Franzen, Sieben and Eaton introduced –

Senate Resolution No. 218: A Senate resolution honoring Will Steger.

Referred to the Committee on Rules and Administration.

Senator Benson introduced –

Senate Resolution No. 219: A Senate resolution congratulating Clarence A. Anderson of East Bethel, Minnesota, on his 90th birthday.

Referred to the Committee on Rules and Administration.

Senators Johnson, Hoffman and Petersen, B. introduced –

Senate Resolution No. 220: A Senate resolution honoring the Coon Rapids Lions Club on their 60th anniversary.

Referred to the Committee on Rules and Administration.

Senator Hoffman introduced –

Senate Resolution No. 221: A Senate resolution congratulating Sydney Kent of Coon Rapids, Minnesota for receiving the Girl Scouts of the U.S.A. Silver Award.

Referred to the Committee on Rules and Administration.

Senators Bakk and Hann introduced –

Senate Resolution No. 222: A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

BE IT RESOLVED, by the Senate of the State of Minnesota:

That Senate Resolution No. 22 relating to mileage, Senate Permanent Journal pages 53 to 55 and 84, be amended as follows:

Page 1, delete line 8 and insert:

"ANDERSON, Bruce D. ....104"

Senator Bakk moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bonoff	Chamberlain	Dahle	Eaton
Bakk	Brown	Clausen	Dahms	Eken
Benson	Carlson	Cohen	Dziezic	Fischbach

Franzen	Ingebrigtsen	Metzen	Rest	Thompson
Gazelka	Jensen	Nelson	Rosen	Tomassoni
Goodwin	Johnson	Newman	Ruud	Torres Ray
Hall	Kent	Nienow	Saxhaug	Weber
Hann	Kiffmeyer	Osmek	Schmit	Wiklund
Hawj	Koenen	Pappas	Senjem	
Hayden	Latz	Petersen, B.	Sheran	
Hoffman	Lourey	Pratt	Sieben	
Housley	Marty	Reinert	Stumpf	

The motion prevailed. So the resolution was adopted.

### RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### CALL OF THE SENATE

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2180:

**H.F. No. 2180:** A bill for an act relating to insurance; amending provisions relating to health coverage for school district employees; amending Minnesota Statutes 2012, sections 43A.316, subdivision 10, by adding a subdivision; 123B.09, subdivision 12; 123B.75, by adding a subdivision; 471.6161, subdivisions 1, 3, by adding a subdivision; 471.895, subdivision 1; Minnesota Statutes 2013 Supplement, section 124D.10, subdivisions 4a, 11, 21.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Murphy, E.; Ward, J. E., and Davids have been appointed as such committee on the part of the House.

House File No. 2180 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 22, 2014

Senator Cohen, for Senator Sieben, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2180, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

### RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### APPOINTMENTS

Senator Bakk from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2180: Senators Sieben, Jensen and Miller.

Senator Bakk moved that the foregoing appointments be approved. The motion prevailed.

### SPECIAL ORDERS

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. No. 2397, S.F. No. 1246, H.F. No. 2858 and S.F. No. 2466.

### SPECIAL ORDER

**H.F. No. 2397:** A bill for an act relating to education; providing for policy and technical modifications in early childhood and family, kindergarten through grade 12, and adult education including general education, education excellence, English learners and language proficiency, special programs, nutrition, libraries, unsession and conforming changes, and an interstate compact; amending Minnesota Statutes 2012, sections 13.32, subdivision 6; 119A.535; 120A.22, subdivision 2; 120A.32; 120B.022; 120B.12; 120B.31, by adding a subdivision; 120B.35, subdivision 4; 121A.36; 121A.582, subdivision 1; 122A.06, subdivision 4; 122A.09, subdivision 7; 122A.14, subdivisions 2, 3; 122A.18, subdivisions 2a, 4; 122A.19; 122A.40, subdivision 5; 122A.41, subdivision 2; 122A.413, subdivision 2; 122A.414, subdivision 2; 122A.48, subdivision 3; 122A.60, subdivisions 1a, 2, 3; 122A.68, subdivision 3; 122A.74; 123A.06, subdivision 2; 123B.04, subdivision 4; 123B.147, subdivision 3; 124D.03, subdivisions 3, 4, 5, 6, by adding a subdivision; 124D.08, by adding a subdivision; 124D.09, subdivision 9; 124D.111, subdivision 3; 124D.13, subdivision 2; 124D.141, subdivision 3; 124D.15, subdivision 3; 124D.49, subdivision 3; 124D.52, as amended; 124D.522; 124D.59, subdivision 2, by adding a subdivision; 124D.895; 124D.8955; 124D.896; 125A.023, subdivisions 3, 4; 125A.027, subdivisions 1, 4; 125A.03; 125A.08; 125A.22; 127A.065; 127A.41, subdivision 7; 127A.70, subdivision 1, by adding a subdivision; 128C.02, subdivision 5; 134.355, subdivision 8; 260D.06, subdivision 2; Minnesota Statutes 2013 Supplement, sections 120A.22, subdivision 5; 120B.021, subdivision 4; 120B.11; 120B.115; 120B.125; 120B.30, subdivision 1; 120B.35, subdivision 3; 120B.36, subdivision 1; 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.23, subdivision 2; 122A.40, subdivision 8;

122A.41, subdivision 5; 124D.10, subdivisions 1, 3, 4, 6, 6a, 8, 9, 17a, 17b; 124D.11, subdivision 4; 124D.165, subdivisions 2, 4; 124D.4531, subdivisions 1, 3, 3a; 124D.52, subdivision 8; 124D.861, subdivision 3; 125A.30; 127A.70, subdivision 2; 626.556, subdivision 2; Laws 2011, First Special Session chapter 11, article 2, section 12; Laws 2012, chapter 263, section 1; proposing coding for new law in Minnesota Statutes, chapters 123A; 124D; 127A; repealing Minnesota Statutes 2012, sections 119A.04, subdivision 3; 119A.08; 120A.30; 120B.19; 120B.24; 121A.17, subdivision 9; 122A.19, subdivision 3; 122A.52; 122A.53; 122A.61, subdivision 2; 123B.15; 123B.16; 123B.17; 123B.18; 123B.26; 123B.27; 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.31; 125A.027, subdivision 3.

Senator Torres Ray moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 10, after line 27, insert:

"Sec. 12. Minnesota Statutes 2012, section 124D.09, subdivision 6, is amended to read:

Subd. 6. **Counseling.** ~~To the extent possible;~~ The school or school district must provide counseling services to pupils and their parents or guardian before the pupils enroll in courses under this section to ensure that the pupils and their parents or guardian are fully aware of the risks and possible consequences of enrolling in postsecondary courses. The school or school district must provide information on the program including who may enroll, what institutions and courses are eligible for participation, the decision-making process for granting academic credits, financial arrangements for tuition, books and materials, eligibility criteria for transportation aid, available support services, the need to arrange an appropriate schedule, consequences of failing or not completing a course in which the pupil enrolls, the effect of enrolling in this program on the pupil's ability to complete the required high school graduation requirements, and the academic and social responsibilities that must be assumed by the pupils and their parents or guardian. The person providing counseling shall encourage pupils and their parents or guardian to also use available counseling services at the postsecondary institutions before the quarter or semester of enrollment to ensure that anticipated plans are appropriate.

Prior to enrolling in a course, the pupil and the pupil's parents or guardian must sign a form that must be provided by the school or school district and may be obtained from a postsecondary institution stating that they have received the information specified in this subdivision and that they understand the responsibilities that must be assumed in enrolling in this program. The department must, upon request, provide technical assistance to a school or school district in developing appropriate forms and counseling guidelines.

Sec. 13. Minnesota Statutes 2012, section 124D.09, subdivision 7, is amended to read:

Subd. 7. **Dissemination of information; notification of intent to enroll.** By March 1 of each year, a district must provide ~~general~~ up-to-date information on the district's Web site about the program, including information about enrollment requirements and the ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the district in planning, a pupil shall inform the district by May 30 of each year of the pupil's intent to enroll in postsecondary courses during the following school year. A pupil is bound by notifying or not notifying the district by May 30."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Bonoff moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2013 Supplement, section 122A.23, subdivision 2, is amended to read:

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a teaching license or a temporary teaching license under paragraphs (b) to (e) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held a similar out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes field-specific teaching methods and student teaching or essentially equivalent experience.

(b) The Board of Teaching must issue a teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels if the scope of the out-of-state license is no more than ~~one~~ two grade ~~level~~ levels less than a similar Minnesota license.

(c) The Board of Teaching, consistent with board rules and paragraph (h), must issue up to three one-year temporary teaching licenses to an applicant who holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than ~~one~~ two grade ~~level~~ levels less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching.

(d) The Board of Teaching, consistent with board rules, must issue up to three one-year temporary teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than ~~one~~ two grade ~~level~~ levels less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods and student teaching or equivalent experience by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements.

(e) The Board of Teaching must issue a temporary teaching license for a term of up to three years only in the content field or grade levels specified in the out-of-state license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license where the out-of-state license is more limited in the content field or grade levels than a similar Minnesota license.

(f) The Board of Teaching must not issue to an applicant more than three one-year temporary teaching licenses under this subdivision.

(g) The Board of Teaching must not issue a license under this subdivision if the applicant has not attained the additional degrees, credentials, or licenses required in a particular licensure field.

(h) The Board of Teaching must require an applicant for a teaching license or a temporary teaching license under this subdivision to pass a skills examination in reading, writing, and mathematics before the board issues the license. Consistent with section 122A.18, subdivision 2, paragraph (b), and notwithstanding other provisions of this subdivision, the board may issue up to two additional temporary, one-year teaching licenses to an otherwise qualified applicant who has not yet passed the skills exam."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dahle moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 101, line 29, delete "binding" and insert "nonbinding"

Page 102, line 2, delete everything after the period

Page 102, delete line 3

Page 104, line 25, after the second "data" insert "on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12"

The motion prevailed. So the amendment was adopted.

Senator Johnson moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2012, section 122A.40, subdivision 5, is amended to read:

Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and, the probationary period in each district in which the teacher is thereafter employed shall be one

year. The school board must adopt a plan for written evaluation of teachers during the probationary period that is consistent with subdivision 8. Evaluation must occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school must not be included in determining the number of school days on which a teacher performs services. Except as otherwise provided in paragraph (b), during the probationary period any annual contract with any teacher may or may not be renewed as the school board shall see fit. However, the board must give any such teacher whose contract it declines to renew for the following school year written notice to that effect before July 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must give the teacher its reason in writing, including a statement that appropriate supervision was furnished describing the nature and the extent of such supervision furnished the teacher during the employment by the board, within ten days after receiving such request. The school board may, after a hearing held upon due notice, discharge a teacher during the probationary period for cause, effective immediately, under section 122A.44.

(b) A board must discharge a probationary teacher, effective 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.

(c) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(d) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(e) A probationary teacher must complete at least 120 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

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

Sec. 7. Minnesota Statutes 2012, section 122A.41, subdivision 2, is amended to read:

Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in the public schools in cities of the first class during the first three years of consecutive employment shall be deemed to be in a probationary period of employment during which period any annual contract with any teacher may, or may not, be renewed as the school board, after consulting with the peer review committee charged with evaluating the probationary teachers under subdivision 3, shall see fit. The school site management team or the school board if there is no school site management team, shall adopt a plan for a written evaluation of teachers during the probationary period according to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating probationary teachers under subdivision 3 shall occur at least three times periodically throughout each school year for a



teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school shall not be included in determining the number of school days on which a teacher performs services. The school board may, during such probationary period, discharge or demote a teacher for any of the causes as specified in this code. A written statement of the cause of such discharge or demotion shall be given to the teacher by the school board at least 30 days before such removal or demotion shall become effective, and the teacher so notified shall have no right of appeal therefrom.

(b) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(c) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(d) A probationary teacher must complete at least 120 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Nelson moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2013 Supplement, section 122A.09, subdivision 4, is amended to read:

Subd. 4. **License and rules.** (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

(b) The board must adopt rules requiring a person to pass a skills examination in reading, writing, and mathematics as a requirement for initial teacher licensure, except that the board may issue up to two additional temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed the skills exam. The requirement to pass a reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct

instruction in their native language in a language immersion program. Such rules must require college and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the skills examination, including those for whom English is a second language.

(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning.

(e) The board must adopt rules requiring candidates for initial licenses to pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century and formalizes mentoring and induction for newly licensed teachers that is provided through a teacher support framework.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(n) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

Sec. 7. Minnesota Statutes 2013 Supplement, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions.

(b) The board must require a person to pass an examination of skills in reading, writing, and mathematics before being granted an initial teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs, except that the board may issue up to two additional temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed the skills exam. The requirement to pass a reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language in a language immersion program. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic

component to persons enrolled in their institution who did not achieve a qualifying score on the skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of deficiency in which the person did not achieve a qualifying score. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on the skills examination, including those persons for whom English is a second language and persons under section 122A.23, subdivision 2, paragraph (h), who completed their teacher's education program outside the state of Minnesota, and who received a temporary license to teach in Minnesota. The Board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking the skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, the distribution of all candidates' scores, the number of candidates who have taken the examination at least once before, and the number of candidates who have taken the examination at least once before and achieve a qualifying score.

(c) The Board of Teaching must grant continuing licenses only to those persons who have met board criteria for granting a continuing license, which includes passing the skills examination in reading, writing, and mathematics consistent with paragraph (b) and section 122A.09, subdivision 4, paragraph (b).

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Nelson moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 10, after line 27, insert:

"Sec. 12. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 3, is amended to read:

Subd. 3. **Authorizer.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

"Application" to receive approval as an authorizer means the proposal an eligible authorizer submits to the commissioner under paragraph (c) before that authorizer is able to submit any affidavit to charter to a school.

"Application" under subdivision 4 means the charter school business plan a school developer submits to an authorizer for approval to establish a charter school that documents the school developer's mission statement, school purposes, program design, financial plan, governance and management structure, and background and experience, plus any other information the authorizer requests. The application also shall include a "statement of assurances" of legal compliance prescribed by the commissioner.

"Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under subdivision 4 attesting to its review and approval process before chartering a school.

(b) The following organizations may authorize one or more charter schools:

(1) a school board, intermediate school district school board, or education district organized under sections 123A.15 to 123A.19;

(2) a charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986, excluding a nonpublic sectarian or religious institution; any person other than a natural person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the nonpublic sectarian or religious institution; and any other charitable organization under this clause that in the federal IRS Form 1023, Part IV, describes activities indicating a religious purpose, that:

(i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on Foundations;

(ii) is registered with the attorney general's office; and

(iii) is incorporated in the state of Minnesota and has been operating continuously for at least five years but does not operate a charter school;

(3) a Minnesota private college, notwithstanding clause (2), that grants two- or four-year degrees and is registered with the Minnesota Office of Higher Education under chapter 136A; community college, state university, or technical college governed by the Board of Trustees of the Minnesota State Colleges and Universities; or the University of Minnesota;

(4) a nonprofit corporation subject to chapter 317A, described in section 317A.905, and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code of 1986, may authorize one or more charter schools if the charter school has operated for at least three years under a different authorizer and if the nonprofit corporation has existed for at least 25 years; or

(5) single-purpose authorizers that are formed as charitable, nonsectarian organizations formed under section 501(c)(3) of the Internal Revenue Code of 1986 and incorporated in the state of Minnesota under chapter 317A as a corporation with no members whose or under section 322B.975 as a nonprofit limited liability company for the sole purpose is to charter of chartering schools. Eligible organizations interested in being approved as an authorizer under this paragraph must submit a proposal to the commissioner that includes the provisions of paragraph (c) and a five-year financial plan. Such authorizers shall consider and approve charter school applications using the

criteria provided in subdivision 4 and shall not limit the applications it solicits, considers, or approves to any single curriculum, learning program, or method.

(c) An eligible authorizer under this subdivision must apply to the commissioner for approval as an authorizer before submitting any affidavit to the commissioner to charter a school. The application for approval as a charter school authorizer must demonstrate the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this section. The commissioner must approve or disapprove an application within 45 business days of the application deadline. If the commissioner disapproves the application, the commissioner must notify the applicant of the specific deficiencies in writing and the applicant then has 20 business days to address the deficiencies to the commissioner's satisfaction. After the 20 business days expire, the commissioner has 15 business days to make a final decision to approve or disapprove the application. Failing to address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in establishing criteria for approval, must consider the applicant's:

- (1) capacity and infrastructure;
- (2) application criteria and process;
- (3) contracting process;
- (4) ongoing oversight and evaluation processes; and
- (5) renewal criteria and processes.

(d) An applicant must include in its application to the commissioner to be an approved authorizer at least the following:

- (1) how chartering schools is a way for the organization to carry out its mission;
- (2) a description of the capacity of the organization to serve as an authorizer, including the personnel who will perform the authorizing duties, their qualifications, the amount of time they will be assigned to this responsibility, and the financial resources allocated by the organization to this responsibility;
- (3) a description of the application and review process the authorizer will use to make decisions regarding the granting of charters;
- (4) a description of the type of contract it will arrange with the schools it charters that meets the provisions of subdivision 6;
- (5) the process to be used for providing ongoing oversight of the school consistent with the contract expectations specified in clause (4) that assures that the schools chartered are complying with both the provisions of applicable law and rules, and with the contract;
- (6) a description of the criteria and process the authorizer will use to grant expanded applications under subdivision 4, paragraph (j);
- (7) the process for making decisions regarding the renewal or termination of the school's charter based on evidence that demonstrates the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement; and

(8) an assurance specifying that the organization is committed to serving as an authorizer for the full five-year term.

(e) A disapproved applicant under this section may resubmit an application during a future application period.

(f) If the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under subdivision 23, the authorizer must notify all its chartered schools and the commissioner in writing by July 15 of its intent to withdraw as an authorizer on June 30 in the next calendar year. The commissioner may approve the transfer of a charter school to a new authorizer under this paragraph after the new authorizer submits an affidavit to the commissioner.

(g) The authorizer must participate in department-approved training.

(h) The commissioner shall review an authorizer's performance every five years in a manner and form determined by the commissioner and may review an authorizer's performance more frequently at the commissioner's own initiative or at the request of a charter school operator, charter school board member, or other interested party. The commissioner, after completing the review, shall transmit a report with findings to the authorizer. If, consistent with this section, the commissioner finds that an authorizer has not fulfilled the requirements of this section, the commissioner may subject the authorizer to corrective action, which may include terminating the contract with the charter school board of directors of a school it chartered. The commissioner must notify the authorizer in writing of any findings that may subject the authorizer to corrective action and the authorizer then has 15 business days to request an informal hearing before the commissioner takes corrective action. If the commissioner terminates a contract between an authorizer and a charter school under this paragraph, the commissioner may assist the charter school in acquiring a new authorizer.

(i) The commissioner may at any time take corrective action against an authorizer, including terminating an authorizer's ability to charter a school for:

(1) failing to demonstrate the criteria under paragraph (c) under which the commissioner approved the authorizer;

(2) violating a term of the chartering contract between the authorizer and the charter school board of directors;

(3) unsatisfactory performance as an approved authorizer; or

(4) any good cause shown that provides the commissioner a legally sufficient reason to take corrective action against an authorizer.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Chamberlain moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2012, section 120B.31, is amended by adding a subdivision to read:

Subd. 5. **Parent information.** To ensure the effective involvement of parents and to support a partnership between the school and parents, each district shall annually provide parents a timely written summary, in an electronic or other format, of their student's current and longitudinal performance and progress on the state's academic content standards as measured by state assessments. Providing parents with a summary prepared by the Department of Education fulfills the requirements of this subdivision."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pratt moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2012, section 122A.40, subdivision 10, is amended to read:

Subd. 10. **Negotiated unrequested leave of absence.** The school board and the exclusive bargaining representative of the teachers ~~may~~ must 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, contrary to the provisions of subdivision 11, paragraph (c), or the reinstatement of a teacher holding a provisional license, other than a vocational education license, contrary to the provisions of subdivision 11, paragraph (e).~~ The negotiated plan may be based on teacher evaluation ratings. The provisions of section 179A.16 do not apply for the purposes of this subdivision. Nothing in this subdivision allows a school board to use a teacher's remuneration as a basis for making unrequested leave of absence decisions.

**EFFECTIVE DATE.** This section is effective July 1, 2014, and applies to negotiated plans for unrequested leave of absence agreed to for teacher contracts with a term beginning on July 1, 2015.

Sec. 7. Minnesota Statutes 2012, section 122A.41, subdivision 14, is amended to read:

Subd. 14. **Services terminated by discontinuance or lack of pupils; preference given.** ~~(a) 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 for a board to discontinue one or more positions a teacher on account of discontinuance of position or lack of pupils, 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 must negotiate a plan providing otherwise for discharging, demoting, or recalling a teacher. The negotiated plan may be based on teacher



evaluation ratings. Nothing in this subdivision allows a school board to use a teacher's remuneration as a basis for terminating a teacher's service.

(b) ~~Notwithstanding the provisions of clause (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) ~~Notwithstanding the provisions of clause (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, while another teacher who holds a nonprovisional license in the same field is available for reinstatement.~~

**EFFECTIVE DATE.** This section is effective July 1, 2014, and applies to negotiated plans for discontinuing or terminating teachers agreed to for teacher contracts with a term beginning on July 1, 2015."

Page 8, after line 26, insert:

"Sec. 9. Minnesota Statutes 2012, 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 must negotiate a plan for assigning teachers to each newly created or enlarged district. The negotiated plan may be based on teacher evaluation ratings.~~

**EFFECTIVE DATE.** This section is effective July 1, 2014."

Page 14, line 29, before "Minnesota" insert "(a)"

Page 14, after line 30, insert:

"(b) Minnesota Statutes 2012, section 122A.40, subdivision 11, is repealed effective July 1, 2015."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Senator Torres Ray imposed a call of the Senate for the balance of the proceedings on H.F. No. 2397. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Pratt amendment.

The roll was called, and there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Ingebrigtsen	Nienow	Ruud
Benson	Franzen	Kent	Ortman	Senjem
Bonoff	Gazelka	Kiffmeyer	Osmek	Thompson
Brown	Hall	Latz	Petersen, B.	Weber
Chamberlain	Hann	Nelson	Pratt	Westrom
Dahms	Housley	Newman	Rosen	

Those who voted in the negative were:

Bakk	Eaton	Johnson	Reinert	Skoe
Carlson	Eken	Koenen	Saxhaug	Stumpf
Clausen	Goodwin	Lourey	Scalze	Tomassoni
Cohen	Hawj	Marty	Schmit	Torres Ray
Dahle	Hayden	Metzen	Sheran	Wiger
Dziedzic	Hoffman	Pappas	Sieben	Wiklund

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

Senator Nelson moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2012, section 122A.40, subdivision 13, is amended to read:

Subd. 13. **Immediate discharge.** (a) Except as otherwise provided in paragraph (b), a board may discharge a continuing-contract teacher, effective immediately, upon any of the following grounds:

- (1) immoral conduct, insubordination, or conviction of a felony;
- (2) conduct unbecoming a teacher which requires the immediate removal of the teacher from classroom or other duties;
- (3) failure without justifiable cause to teach without first securing the written release of the school board;
- (4) gross inefficiency which the teacher has failed to correct after reasonable written notice;
- (5) willful neglect of duty; or
- (6) continuing physical or mental disability subsequent to a 12 months leave of absence and inability to qualify for reinstatement in accordance with subdivision 12.

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

Prior to discharging a teacher under this paragraph, the board must notify the teacher in writing and state its ground for the proposed discharge in reasonable detail. Within ten days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. The board may suspend a teacher with pay pending the conclusion of the hearing and determination of the issues raised in the hearing after charges have been filed which constitute ground for discharge. If a teacher has been charged with a felony and the underlying conduct that is the subject of the felony charge is a ground for a proposed immediate discharge, the suspension pending the conclusion of the hearing and determination of the issues may be without pay. If a hearing under this paragraph is held, the board must reimburse the teacher for any salary or compensation withheld if the final decision of the board or the arbitrator does not result in a penalty to or suspension, termination, or discharge of the teacher.

(b) A board must discharge a continuing-contract teacher, effective 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.

(c) When a teacher is discharged under paragraph (b) or when the commissioner makes a final determination of child maltreatment involving a teacher under section 626.556, subdivision 11, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under section 13.41, subdivision 5, and must provide the Board of Teaching and the licensing division at the department with the necessary and relevant information to enable the Board of Teaching and the department's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. Information received by the Board of Teaching or the licensing division at the department under this paragraph is governed by section 13.41 or other applicable law governing data of the receiving entity. In addition to the background check required under section 123B.03, a school board or other school hiring authority must contact the Board of Teaching and the department to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations identified in this paragraph.

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

Sec. 7. Minnesota Statutes 2012, 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.

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.

(c) When a teacher is discharged under paragraph (b) or when the commissioner makes a final determination of child maltreatment involving a teacher under section 626.556, subdivision 11, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under section 13.41, subdivision 5, and must provide the Board of Teaching and the licensing division at the department with the necessary and relevant information to enable the Board of Teaching and the department's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. Information received by the Board of Teaching or the licensing division at the department under this paragraph is governed by section 13.41 or other applicable law governing data of the receiving entity. In addition to the background check required under section 123B.03, a school board or other school hiring authority must contact the Board of Teaching and the department to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations identified in this paragraph.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Hall moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 14, after line 17, insert:

"Sec. 17. Minnesota Statutes 2012, section 617.295, is amended to read:

**617.295 EXEMPTIONS.**

The following are exempt from criminal or other action hereunder:

(1) recognized and established ~~schools~~; churches, museums, medical clinics and physicians, hospitals, public libraries, governmental agencies or quasi governmental sponsored organizations other than schools, and persons acting in their capacity as employees or agents of such organization. For the purpose of this section "recognized and established" shall mean ~~an organization or agency having a full time faculty and diversified curriculum in the case of a school~~; a church affiliated with a national or regional denomination; a licensed physician or psychiatrist or clinic of licensed physicians or psychiatrists; and in all other exempt organizations shall refer only to income tax

exempted organizations which are supported in whole or in part by tax funds or which receive at least one-third of their support from publicly donated funds;

(2) individuals in a parental relationship with the minor; and

(3) motion picture machine operators, stagehands, or other theatre employees such as cashiers, doorkeepers, ushers, and concession employees, if such person or persons have no financial interest in the entertainment presented other than the salary or wage, or in any theatre or place where such employee has no financial interest when the employee's services are obtained solely for salary or wage; provided, that such employee is under the direct supervision of a theatre manager who is a resident of this state and who is not exempt from action under sections 617.291 to 617.297."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Kiffmeyer	Osmek	Weber
Benson	Hall	Miller	Pratt	Westrom
Brown	Hann	Nelson	Rosen	
Chamberlain	Hoffman	Newman	Ruud	
Dahms	Housley	Nienow	Senjem	
Fischbach	Ingebrigtsen	Ortman	Thompson	

Those who voted in the negative were:

Bakk	Eaton	Kent	Reinert	Skoe
Bonoff	Eken	Koenen	Rest	Stumpf
Carlson	Franzen	Latz	Saxhaug	Tomassoni
Clausen	Goodwin	Lourey	Scalze	Torres Ray
Cohen	Hawj	Marty	Schmit	Wiger
Dahle	Hayden	Metzen	Sheran	Wiklund
Dziedzic	Johnson	Pappas	Sieben	

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

Senator Petersen, B. moved to amend H.F. No. 2397, as amended pursuant to Rule 45, adopted by the Senate April 8, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1889.)

Page 8, after line 20, insert:

"Sec. 6. Minnesota Statutes 2012, section 122A.69, is amended to read:

**122A.69 PRACTICE OR STUDENT TEACHERS.**

The board of teaching may, by agreements with teacher ~~preparing~~ preparation institutions, arrange for classroom experience in the district for practice or student teachers who have completed ~~not less than~~ at least two years of an approved teacher education preparation program. Such practice and student teachers must be ~~provided with appropriate supervision~~ appropriately supervised by a fully qualified teacher under rules promulgated by the board. A practice or student teacher must be placed with a cooperating licensed teacher who has at least three years of teaching experience and does not fall into the lowest evaluation category under the most recent summative evaluation

conducted under section 122A.40, subdivision 8, paragraph (b), clause (2), or section 122A.41, subdivision 5, paragraph (b), clause (2). Practice and student teachers are ~~deemed~~ employees of the school district in which they are rendering services for purposes of workers' compensation; liability insurance, if provided for other district employees ~~in accordance with~~ under section 123B.23; and legal counsel ~~in accordance with~~ under the provisions of section 123B.25.

**EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and later."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Miller	Petersen, B.	Thompson
Benson	Hall	Nelson	Pratt	Weber
Bonoff	Hann	Newman	Rest	Westrom
Chamberlain	Housley	Nienow	Rosen	
Dahms	Ingebrigtsen	Ortman	Ruud	
Fischbach	Latz	Osmek	Senjem	

Those who voted in the negative were:

Bakk	Eken	Kent	Saxhaug	Tomassoni
Carlson	Franzen	Koenen	Scalze	Torres Ray
Clausen	Goodwin	Lourey	Schmit	Wiger
Cohen	Hawj	Marty	Sheran	Wiklund
Dahle	Hayden	Metzen	Sieben	
Dziedzic	Hoffman	Pappas	Skoe	
Eaton	Johnson	Reinert	Stumpf	

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

H.F. No. 2397 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 39 and nays 21, as follows:

Those who voted in the affirmative were:

Bakk	Eken	Kent	Pappas	Sieben
Bonoff	Franzen	Koenen	Reinert	Skoe
Carlson	Goodwin	Latz	Rest	Stumpf
Clausen	Hawj	Lourey	Rosen	Tomassoni
Cohen	Hayden	Marty	Saxhaug	Torres Ray
Dahle	Hoffman	Metzen	Scalze	Wiger
Dziedzic	Housley	Miller	Schmit	Wiklund
Eaton	Johnson	Nelson	Sheran	

Those who voted in the negative were:

Anderson	Fischbach	Kiffmeyer	Petersen, B.	Weber
Benson	Gazelka	Newman	Pratt	
Brown	Hall	Nienow	Ruud	
Chamberlain	Hann	Ortman	Senjem	
Dahms	Ingebrigtsen	Osmek	Thompson	

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

**SPECIAL ORDER**

**S.F. No. 1246:** A bill for an act relating to public safety; traffic regulations; clarifying requirements pertaining to collisions; making a terminology change; amending Minnesota Statutes 2012, sections 169.09; 609.21, subdivision 1.

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 45 and nays 16, as follows:

Those who voted in the affirmative were:

Bakk	Eken	Kent	Pappas	Senjem
Bonoff	Fischbach	Kiffmeyer	Pratt	Sheran
Carlson	Franzen	Koenen	Reinert	Sieben
Clausen	Goodwin	Latz	Rest	Skoe
Cohen	Hawj	Lourey	Rosen	Stumpf
Dahle	Hayden	Marty	Ruud	Torres Ray
Dahms	Hoffman	Miller	Saxhaug	Weber
Dziedzic	Housley	Nelson	Scalze	Wiger
Eaton	Johnson	Nienow	Schmit	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Metzen	Petersen, B.
Benson	Hall	Newman	Thompson
Brown	Hann	Ortman	Tomassoni
Chamberlain	Ingebrigtsen	Osmek	Westrom

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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

Senator Franzen moved to amend H.F. No. 2858, as amended pursuant to Rule 45, adopted by the Senate April 2, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 2462.)

Page 1, line 10, after the period, insert "The insurance coverage may be provided by combining an underlying liability policy with an excess or umbrella policy as long as the minimum aggregate amount is met."

Page 2, line 3, after "policy" insert "or policies"

Page 2, line 18, after "policy" insert "or policies"

Page 2, line 19, before "must" insert "or policies" and after "provide" insert "in the aggregate"

The motion prevailed. So the amendment was adopted.

H.F. No. 2858 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Osmek	Sieben
Bakk	Franzen	Kiffmeyer	Petersen, B.	Skoe
Benson	Gazelka	Koenen	Pratt	Stumpf
Bonoff	Goodwin	Latz	Reinert	Tomassoni
Brown	Hall	Lourey	Rest	Torres Ray
Carlson	Hann	Marty	Rosen	Weber
Chamberlain	Hawj	Metzen	Ruud	Westrom
Clausen	Hayden	Miller	Saxhaug	Wiger
Dahle	Hoffman	Nelson	Scalze	Wiklund
Dahms	Housley	Newman	Schmit	
Eaton	Ingebrigtsen	Nienow	Senjem	
Eken	Johnson	Ortman	Sheran	

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

### SPECIAL ORDER

**S.F. No. 2466:** A bill for an act relating to public safety; requiring law enforcement to secure a search warrant in order to receive cell phone tracking data; amending Minnesota Statutes 2012, section 626A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 626A.

Senator Dziejcz moved to amend S.F. No. 2466 as follows:

Page 2, lines 7 and 34, delete "search" and insert "tracking"

Page 2, after line 27, insert:

"(i) "Tracking warrant" means an order in writing, in the name of the state, signed by a court other than a court exercising probate jurisdiction, directed to a peace officer, granting the officer access to location information of an electronic device."

Page 2, line 28, delete "Search" and insert "Tracking"

Page 2, line 30, delete "search" and insert "tracking" and after "A" insert "tracking"

Page 3, lines 18 and 25, delete "search" and insert "tracking"

Page 3, line 21, before "warrant" insert "tracking"

Page 4, lines 9, 16, and 24, before "warrant" insert "tracking"

Page 5, line 3, before "warrants" insert "tracking"

Page 5, line 18, before "warrant" insert "tracking"

Amend the title as follows:

Page 1, line 2, delete "search" and insert "tracking"

The motion prevailed. So the amendment was adopted.

S.F. No. 2466 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 56 and nays 1, as follows:



Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Petersen, B.	Skoe
Bakk	Franzen	Koenen	Pratt	Stumpf
Benson	Gazelka	Latz	Reinert	Thompson
Bonoff	Goodwin	Lourey	Rest	Tomassoni
Brown	Hall	Metzen	Rosen	Weber
Carlson	Hann	Miller	Ruud	Westrom
Chamberlain	Hawj	Nelson	Saxhaug	Wiger
Dahle	Hayden	Newman	Scalze	Wiklund
Dahms	Hoffman	Nienow	Schmit	
Dziedzic	Housley	Ortman	Senjem	
Eaton	Johnson	Osmeck	Sheran	
Eken	Kent	Pappas	Sieben	

Those who voted in the negative were:

Ingebrigtsen

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

#### **MEMBERS EXCUSED**

Senators Champion; Dibble; Limmer; Pederson, J. and Sparks were excused from the Session of today. Senators Ortman, Scalze and Skoe were excused from the Session of today from 12:00 noon to 12:25 p.m. Senator Westrom was excused from the Session of today from 12:00 noon to 12:25 p.m. and from 3:30 to 3:45 p.m. Senator Miller was excused from the Session of today from 12:00 noon to 3:15 p.m. Senator Wiger was excused from the Session of today from 12:15 to 12:25 p.m. Senator Jensen was excused from the Session of today at 1:50 p.m. Senator Rest was excused from the Session of today from 1:50 to 3:15 p.m. Senator Thompson was excused from the Session of today from 3:45 to 3:55 p.m. Senator Clausen was excused from the Session of today at 4:15 p.m.

#### **ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 9:00 a.m., Wednesday, April 23, 2014. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

