

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 16, 2011

The House of Representatives convened at 4:30 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by Deacon Nathan E. Allen, Church of Saint Agnes, St. Paul, Minnesota.

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

The roll was called and the following members were present:

Abeler	Davnie	Hamilton	Koenen	Moran	Scalze
Anderson, B.	Dean	Hancock	Kriesel	Morrow	Schomacker
Anderson, D.	Dettmer	Hansen	Lanning	Mullery	Scott
Anderson, P.	Dill	Hausman	Leidiger	Murphy, E.	Shimanski
Anderson, S.	Dittrich	Hayden	LeMieur	Murphy, M.	Simon
Anzelc	Doepke	Hilstrom	Lenczewski	Murray	Slawik
Atkins	Downey	Hilty	Lesch	Myhra	Slocum
Banaian	Drazkowski	Holberg	Liebling	Nelson	Smith
Barrett	Eken	Hoppe	Lillie	Nornes	Stensrud
Beard	Erickson	Hornstein	Loeffler	Norton	Swedzinski
Benson, J.	Fabian	Hortman	Lohmer	O'Driscoll	Thissen
Benson, M.	Falk	Hosch	Loon	Paymar	Tillberry
Bills	Franson	Howes	Mack	Pelowski	Torkelson
Brynaert	Fritz	Huntley	Mahoney	Peppin	Urdahl
Buesgens	Garofalo	Johnson	Mariani	Persell	Vogel
Carlson	Gauthier	Kahn	Marquart	Petersen, B.	Wagenius
Champion	Gottwalt	Kath	Mazorol	Peterson, S.	Wardlow
Clark	Greene	Kelly	McDonald	Poppe	Westrom
Cornish	Greiling	Kieffer	McElfatrick	Quam	Winkler
Crawford	Gruenhagen	Kiel	McFarlane	Rukavina	Woodard
Daudt	Gunther	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Davids	Hackbarth	Knuth	Melin	Sanders	

A quorum was present.

Laine, Murdock and Ward were excused.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 6, A bill for an act relating to crime; increasing the penalty for criminal sexual conduct in the first degree; amending Minnesota Statutes 2010, section 609.342, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[609.3458] INDETERMINATE SENTENCE FOR PREDATORY SEX OFFENDERS.**

Subdivision 1. **Definitions.** As used in this section:

(1) "sex offense" means a violation of section 609.342, 609.343, 609.344, or 609.345;

(2) "predatory sex offender" means a person who:

(i) is unable to control the person's sexual impulses;

(ii) is dangerous to other persons; and

(iii) has a pattern of harmful sexual conduct; and

(3) "harmful sexual conduct" means sexual conduct that creates a substantial likelihood of serious physical or emotional harm to another.

Subd. 2. **Applicability.** A prosecuting attorney may charge a person under this section when probable cause exists that the person:

(1) committed a sex offense; and

(2) is a predatory sex offender.

Subd. 3. **Procedures.** A person subject to prosecution under this section shall have a bifurcated trial. The first phase of the trial shall determine the person's guilt on the sex offense charge. If the person is found guilty of the sex offense, the second phase of the trial shall determine whether the person is a predatory sex offender. In both phases of the trial, the burden of proof is on the state and the standard of proof is beyond a reasonable doubt. A person charged under this section has all of the rights of a criminal defendant in both phases of the trial.

Subd. 4. **Indeterminate sentence; minimum and maximum term specified.** (a) A person convicted of a sex offense who has been found by the fact finder to be a predatory sex offender shall be committed to the custody of the commissioner of corrections for the term required by paragraph (b).

(b) The minimum sentence of incarceration for offenders sentenced under paragraph (a) shall be twice the presumptive sentence under the sentencing guidelines for a person with the offender's criminal history. When the sentencing guidelines presume a stayed sentence for the sex offense, the court shall specify a minimum sentence. Notwithstanding any law to the contrary and the statutory maximum sentence for the offense, the maximum sentence is 60 years.

(c) A person sentenced under this section and subsequently released shall be placed on conditional release as provided for in subdivision 9.

(d) Notwithstanding section 609.135, the court may not stay the imposition or execution of the sentence required by this subdivision. An offender committed to the custody of the commissioner of corrections under this section may not be released from incarceration except as provided in this section and section 244.05, subdivision 8.

Subd. 5. **Sentence of persons not found to be predatory sex offenders.** If the person is convicted of the sex offense but is not determined to be a predatory sex offender, the court shall sentence the offender as otherwise provided by law.

Subd. 6. **Release authority.** The commissioner of corrections, under rules promulgated by the commissioner, may grant supervised release to offenders sentenced under this section.

Subd. 7. **Petition for release, hearing.** (a) A person who has served the minimum period of incarceration to which the person was sentenced may petition the commissioner of corrections for release. The commissioner shall hold a hearing on each petition for release prior to making any determination. Within 45 days of the hearing, the commissioner shall give written notice of the time and place of the hearing to all interested parties, including the petitioner, the sentencing court, the county attorney's office that prosecuted the case, and any victims of the crime who requested notification. The hearing must be held on the record. Upon the approval of the commissioner, the petitioner may subpoena witnesses to appear at the hearing.

(b) If the commissioner determines the person satisfies the criteria for conditional release, the commissioner shall release the person from incarceration no later than 14 days after making a determination.

(c) If the commissioner rejects the person's petition for release, the commissioner must specify in writing the reasons for the rejection. The person may not petition for release again until 24 months have elapsed since the rejection, unless the commissioner specifies a shorter time period.

Subd. 8. **Criteria for release.** (a) A person sentenced under this section shall not be released from incarceration unless it appears to the satisfaction of the commissioner that the person:

- (1) no longer poses a threat to the public;
- (2) is no longer in need of programming in a secure facility; and
- (3) is capable of reintegration with the general public.

(b) The person seeking release has the burden of showing, by clear and convincing evidence, that the criteria in paragraph (a) have been met.

Subd. 9. **Conditional release.** (a) A person sentenced under this section shall serve, upon release from incarceration, a conditional release term. The conditional release term shall be the 60-year maximum term under this section less the amount of time actually served, but the term cannot be less than ten years.

(b) The commissioner of corrections shall establish the conditions of release for a person granted conditional release.

(c) The county attorney in the county where the conviction occurred, the person's conditional release agent, or any other interested party may file a petition with the court alleging that the person failed to satisfy any condition of release. If the court determines that a person has violated a condition of release, the court may order an appropriate

sanction, including, but not limited to, incarcerating the person for a period specified by the court in a local or state correctional facility. The period may be of any duration up to the remainder of time left in the person's conditional release term.

EFFECTIVE DATE. This section is effective August 1, 2011, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; providing for indeterminate sentencing for certain convicted sex offenders; proposing coding for new law in Minnesota Statutes, chapter 609."

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

The report was adopted.

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

H. F. No. 32, A bill for an act relating to civil law; restoring state and local government tort liability limits to pre-2008 levels; prohibiting state and local government contracts that require contractors to provide liability insurance or other security in excess of those limits; amending Minnesota Statutes 2010, sections 3.736, subdivision 4; 466.04, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 3.736, subdivision 4, is amended to read:

Subd. 4. **Limits.** The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

(a) \$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case, for claims arising before August 1, 2007;

(b) \$400,000 when the claim is one for death by wrongful act or omission and \$400,000 to any claimant in any other case, for claims arising on or after August 1, 2007, and before July 1, 2009;

(c) \$500,000 when the claim is one for death by wrongful act or omission and \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;

(d) \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000;

(e) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000, and before January 1, 2008, and for claims involving nonprofit organizations engaged in or administering outdoor recreational activities funded in whole or in part by the state or operating under the authorization of a permit issued by an agency or department of the state;

(f) \$1,200,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2008, and before July 1, 2009; or

(g) \$1,500,000 for any number of claims arising out of a single occurrence, for claims arising on or after July 1, 2009.

If the amount awarded to or settled upon multiple claimants exceeds the applicable limit under clause (d), (e), (f), or (g), any party may apply to the district court to apportion to each claimant a proper share of the amount available under the applicable limit under clause (d), (e), (f), or (g). The share apportioned to each claimant shall be in the proportion that the ratio of the award or settlement bears to the aggregate awards and settlements for all claims arising out of the occurrence.

The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to claims arising from acts or omissions that occur on or after that date.

Sec. 2. Minnesota Statutes 2010, section 466.04, subdivision 1, is amended to read:

Subdivision 1. **Limits; punitive damages.** (a) Liability of any municipality on any claim within the scope of sections 466.01 to 466.15 shall not exceed:

(1) \$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case, for claims arising before January 1, 2008;

(2) \$400,000 when the claim is one for death by wrongful act or omission and \$400,000 to any claimant in any other case, for claims arising on or after January 1, 2008, and before July 1, 2009;

(3) \$500,000 when the claim is one for death by wrongful act or omission and \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;

(4) \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000;

(5) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000, and before January 1, 2008, and for claims involving nonprofit organizations engaged in or administering outdoor recreational activities funded in whole or in part by a municipality or operating under the authorization of a permit issued by a municipality;

(6) \$1,200,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2008, and before July 1, 2009;

(7) \$1,500,000 for any number of claims arising out of a single occurrence, for claims arising on or after July 1, 2009; or

(8) twice the limits provided in clauses (1) to (7) when the claim arises out of the release or threatened release of a hazardous substance, whether the claim is brought under sections 115B.01 to 115B.15 or under any other law.

(b) No award for damages on any such claim shall include punitive damages.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to claims arising from acts or omissions that occur on or after that date."

Delete the title and insert:

"A bill for an act relating to civil law; providing state and municipal liability for certain claims involving certain nonprofit organizations; amending Minnesota Statutes 2010, sections 3.736, subdivision 4; 466.04, subdivision 1."

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

The report was adopted.

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

H. F. No. 113, A bill for an act relating to taxation; gross revenues; exempting certain payments; amending Minnesota Statutes 2010, section 295.53, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 34, delete everything after the comma

Page 2, delete line 35 and insert "if 60 percent or more of the entity's"

Page 2, line 36, delete everything before "gross"

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

The report was adopted.

Davids from the Committee on Taxes to which was referred:

H. F. No. 174, A bill for an act relating to state government; requiring the Department of Revenue to issue a request for proposals for a tax analytics and business intelligence contract.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance without further recommendation.

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 201, A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

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

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 233, A bill for an act relating to state government; requiring the Department of Human Services to issue a request for proposals for a Medicaid fraud detection and business intelligence contract.

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

The report was adopted.

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

H. F. No. 342, A bill for an act relating to manufactured homes; providing for inspections; modifying alternative design plans and reinstallation requirements; amending Minnesota Statutes 2010, sections 327.32, subdivisions 1a, 1b, 1e; 327.33, subdivision 1, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 33, strike "feet"

Page 3, line 4, strike "feet"

Page 3, after line 32, insert:

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

Page 4, line 5, delete "....." and insert "the day following final enactment."

Page 4, line 16, reinstate the stricken "department" and delete "permitting"

Page 4, line 17, delete "authority"

Page 4, line 27, delete "....." and insert "the day following final enactment."

Page 4, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2010, section 327.33, subdivision 1, is amended to read:

Subdivision 1. **Inspections.** The commissioner shall, through the department's inspectors or through a designated recognized inspection service acting as authorized representative of the commissioner perform sufficient inspections of manufacturing premises and manufactured homes to ensure compliance with sections 327.31 to 327.35, except that municipalities which have adopted the State Building Code may provide inspection and plan review services in noncode areas of the state. ~~The commissioner shall have the exclusive right to conduct inspections, except for the inspections conducted or authorized by the secretary.~~

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

Sec. 5. Minnesota Statutes 2010, section 327.33, subdivision 2, is amended to read:

Subd. 2. **Fees.** The commissioner shall by rule establish reasonable fees for seals, installation seals and inspections which are sufficient to cover all costs incurred in the administration of sections 327.31 to 327.35. The commissioner shall also establish by rule a monitoring inspection fee in an amount that will comply with the secretary's fee distribution program. This monitoring inspection fee shall be an amount paid by the manufacturer for each manufactured home produced in Minnesota. The monitoring inspection fee shall be paid by the manufacturer to the secretary. The rules of the fee distribution program require the secretary to distribute the fees collected from all manufactured home manufacturers among states approved and conditionally approved based on the number of new manufactured homes whose first location after leaving the manufacturer is on the premises of a distributor, dealer or purchaser in that state. Fees for inspections in areas that have not adopted the State Building Code must be equal to the fees for inspections in code areas of the state. Third-party vendors may charge their usual and normal charge for inspections.

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

Page 5, delete sections 5 to 7

Correct the title numbers accordingly

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

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 364, A bill for an act relating to chemical health; providing interstate contracts for detoxification services; amending Minnesota Statutes 2010, section 245.50.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 418, A bill for an act relating to state government; proposing the Back Office Consolidation Act; centralizing accounting, financial reporting, procurement, fleet services, human resources, and payroll functions in the Department of Administration; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Page 1, line 16, delete "must" and insert "may"

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

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 447, A bill for an act relating to vulnerable adults; modifying provisions governing investigations, reviews, and hearings; making the crime of criminal abuse of a vulnerable adult a registrable offense under the predatory offender registration law; changing terminology; increasing the criminal penalty for assaulting a vulnerable adult; providing criminal penalties; amending Minnesota Statutes 2010, sections 144.7065, subdivision 10; 243.166, subdivision 1b; 256.021; 256.045, subdivision 4; 518.165, subdivision 5; 524.5-118, subdivision 2; 609.2231, by adding a subdivision; 609.224, subdivision 2; 626.557, subdivisions 9, 9a, 9c, 9d, 12b, by adding a subdivision; 626.5571, subdivision 1; 626.5572, subdivision 13.

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

The report was adopted.

Hamilton from the Committee on Agriculture and Rural Development Policy and Finance to which was referred:

H. F. No. 548, A bill for an act relating to property taxation; including the sale of game birds and waterfowl in the definition of agricultural products; amending Minnesota Statutes 2010, section 273.13, subdivision 23.

Reported the same back with the following amendments:

Page 4, line 6, reinstate the stricken language, and after "raised" insert "on a game farm licensed under section 97A.105 or"

Page 4, line 7, reinstate the stricken language

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

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 584, A bill for an act relating to human services; modifying license requirements for adult foster care and family adult day services; directing commissioner to apply for federal waiver for medical assistance reimbursement; amending Minnesota Statutes 2010, sections 245A.11, subdivision 2b; 245A.143, subdivision 1; 256B.49, subdivision 16a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 638, A bill for an act relating to education; creating a school grading system; creating a school recognition program; modifying school report cards; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2010, section 120B.36, subdivision 1, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [120B.361] SCHOOL AND DISTRICT GRADING SYSTEM AND SCHOOL RECOGNITION PROGRAM.

Subdivision 1. School and district grades. (a) Consistent with the state growth targets established under sections 120B.299 and 120B.35, subdivision 3, paragraphs (a) and (b), and the school performance report cards under section 120B.36, subdivision 1, an "A to F" school and district grading system is established to help identify those schools and districts where students are achieving low, medium, or high growth and achieving or not achieving proficiency on statewide assessments under section 120B.30. For purposes of this section, and using the state growth target, the commissioner annually must grade each public school and district "A" to "F" and then report that grade under section 120B.36, subdivision 1, based on the following calculations:

(1) 50 percent of a school's grade must be determined based on the numbers and percentages of students in each applicable student category for which assessment data is disaggregated under section 120B.35, subdivision 3, paragraph (b), clause (2), and paragraph (c), who achieved proficiency on the statewide reading and mathematics assessments under section 120B.30 in the previous school year;

(2) 25 percent of a school's grade must be determined based on the numbers and percentages of students in each applicable student category for which assessment data is disaggregated under section 120B.35, subdivision 3, paragraph (b), clause (2), and paragraph (c), who achieved low growth, medium growth, or high growth on the statewide reading and mathematics assessments under section 120B.30 in the previous school year;

(3) 15 percent of a school's grade must be determined based on the numbers and percentages of students in each applicable student category for which assessment data is disaggregated under section 120B.35, subdivision 3, paragraph (b), clause (2), and paragraph (c), who achieved low growth and did not achieve proficiency on the statewide reading assessments under section 120B.30 in the previous school year;

(4) ten percent of a school's grade must be determined based on the numbers and percentages of students in each applicable student category for which assessment data is disaggregated under section 120B.35, subdivision 3, paragraph (b), clause (2), and paragraph (c), who achieved low growth and did not achieve proficiency on the statewide mathematics assessments under section 120B.30 in the previous school year; and

(5) using the calculations in clauses (1) to (4), a school district's grade must be determined based on the combined average scores of all district schools.

(b) The grade a school or district receives under this subdivision must accurately reflect the differences in schools' performances based on students' proficiency and growth and the calculations required under this subdivision. A school or district may appeal its grade in writing to the commissioner within 30 days of receiving notice of its grade. The commissioner's decision regarding the grade is final. Grades given under this section are nonpublic data under section 13.02, subdivision 9, until not later than ten days after the appeal under this paragraph is complete.

Subd. 2. School recognition. (a) A school that received a letter grade of "A" in the previous school year, improved at least one letter grade in the previous school year, or improved two or more letter grades in the two previous school years is eligible to receive a school recognition award.

(b) A school recognition award under this subdivision equals \$100 per enrollee for each eligible school. The commissioner must distribute the award to each eligible school.

(c) An eligible school that receives a school recognition award may use the award to:

(1) pay onetime bonuses for licensed staff employed at the school;

(2) pay onetime expenditures for educational equipment or materials to help maintain or improve student academic achievement; or

(3) temporarily employ licensed or otherwise qualified staff to help maintain or improve student academic achievement.

Notwithstanding other law to the contrary, any award a school receives under this subdivision is not subject to a collective bargaining agreement.

(d) To distribute the award at the school, and consistent with paragraph (c), an eligible school may select a site team that includes at least the school principal or other person having administrative control of the school, teachers employed at the school, the parent of a student enrolled in the school, and a community representative to decide how best to use the award. Alternatively, if by November 1 in the year in which the award is made the site team cannot reach agreement or if no site team is selected, the school principal or other person having administrative control of the school must distribute the award.

EFFECTIVE DATE. This section is effective the day following final enactment and requires the education commissioner to use student performance data beginning in the 2011-2012 school year, determine and report a letter grade for each school and district, and distribute school recognition awards beginning in the 2012-2013 school year and later.

Sec. 2. Minnesota Statutes 2010, section 126C.10, subdivision 1, is amended to read:

Subdivision 1. **General education revenue.** ~~For fiscal year 2006 and later,~~ The general education revenue for each district equals the sum of the district's basic revenue, extended time revenue, gifted and talented revenue, basic skills revenue, training and experience revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, alternative teacher compensation revenue, school recognition award, and transition revenue.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2013 and later.

Sec. 3. **REPORT; PLAN FOR IMPLEMENTING SCHOOL AND DISTRICT GRADING SYSTEM.**

The commissioner of education must convene a stakeholder group that includes assessment and evaluation directors, educators, and researchers to advise the commissioner on developing a plan to implement the school and district grading system under Minnesota Statutes, section 120B.361. The commissioner must present the plan in writing to the education policy and finance committees of the legislature by February 15, 2012, and include any recommendations for further clarifying Minnesota Statutes, section 120B.361.

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

Sec. 4. **REPORT; RECOMMENDATIONS FOR INCREASING SCHOOLS' FINANCIAL FLEXIBILITY.**

The commissioner of education must submit to the education policy and finance committees of the legislature by February 1, 2013, written recommendations that identify fiscal mandates the legislature might waive to give greater financial flexibility to schools that received a letter grade of "A," improved at least one letter grade in the preceding school year, or improved two or more letter grades in the two preceding school years under Minnesota Statutes, section 120B.361, subdivision 1.

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

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 657, A bill for an act relating to commerce; regulating certain practices with respect to event tickets; establishing minimum standards for consumer protection; proposing coding for new law in Minnesota Statutes, chapter 325E; repealing Minnesota Statutes 2010, section 609.807.

Reported the same back with the following amendments:

Page 1, line 8, delete "sections 325E.68 to 325E.72" and insert "this section and section 325E.69"

Page 1, line 14, after "persons" insert ", including but not limited to those venues for which public funding has been provided for the construction, maintenance, or operation of the venue or any infrastructure related to it, or which is located on property owned by a municipality or other government entity"

Page 2, line 4, after the second comma, insert "for initial sale"

Page 2, line 7, after the period, insert "A ticket issuer does not include a person involved in or facilitating ticket resale."

Page 2, delete section 2

Page 3, line 11, delete "325E.70" and insert "325E.69"

Page 3, line 19, after "resold" insert "or transferred"

Pages 4 and 5, delete sections 4 to 6

Page 5, line 18, delete "to 6" and insert "and 2" and delete "January 1, 2012" and insert "August 1, 2011"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything before "proposing"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 746, A bill for an act relating to state government; requiring Department of Human Services to issue a request for proposals for an integrated online eligibility and application portal for food support, cash assistance, child care, and health care programs.

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 789, A bill for an act relating to public employment; modifying public employee insurance program eligible employers; amending Minnesota Statutes 2010, section 43A.316, subdivision 2.

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

The report was adopted.

Dauids from the Committee on Taxes to which was referred:

H. F. No. 873, A bill for an act relating to education finance; removing obsolete language; amending Minnesota Statutes 2010, section 126C.10, subdivision 13a.

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

The report was adopted.

Dauids from the Committee on Taxes to which was referred:

H. F. No. 874, A bill for an act relating to education finance; removing obsolete language; amending Minnesota Statutes 2010, section 126C.10, subdivision 2.

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

The report was adopted.

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

H. F. No. 939, A bill for an act relating to corrections; requiring the commissioner of corrections to issue a request for proposals for housing individuals committed to the custody of the commissioner in private prisons; amending Minnesota Statutes 2010, section 241.01, subdivision 3a.

Reported the same back with the following amendments:

Page 2, delete section 2 and insert:

"Sec. 2. **ISSUANCE OF REQUEST FOR PROPOSALS; PRISON PRIVATIZATION.**

Subdivision 1. Request for proposals. The commissioner of administration, in consultation with the commissioner of corrections, must issue a request for proposals within 30 days of the effective date of this act, and must authorize one or more vendors by November 1, 2011, to provide correctional facilities, services, and supervision for persons committed to the commissioner of corrections by the courts of this state. The commissioner may consider proposals from vendors with facilities in Minnesota and from vendors that propose building facilities in Minnesota. The commissioner may consider proposals that involve multiple sites. The Department of Corrections may submit a proposal. A proposal submitted by the department must be given the same consideration as proposals from private vendors.

Subd. 2. Minimum requirements. To qualify for consideration, a vendor must:

(1) agree to house prisoners at a cost to the state that is at least five percent below the Department of Correction's current per diem for the medium security facility that is most costly for the department to operate;

(2) agree, in the event that transferring prisoners to private prisons results in the displacement of state workers, to give priority in hiring to qualified employees of the Department of Corrections; and

(3) meet or exceed the prison standards promulgated by the American Correctional Association.

Subd. 3. Per diem calculation. In calculating the per diem for the most costly medium security facility operated by the department, the commissioner must use the per diem calculation required under Minnesota Statutes, section 241.018, subdivision 1, paragraph (b), and add the following expenses, if they are not already included:

(1) all labor expenses, including direct wage and salary costs, training costs, overtime, and supervisory overhead;

(2) total employee fringe and other personnel expenses;

(3) contract management costs;

(4) the imputed tax impact of the facility if the facility were privately operated and required to pay federal, state, and local taxes; and

(5) any other cost particular to incarcerating offenders at the facility.

Subd. 4. Selection criteria. In establishing criteria and preferences for vendors, the commissioner of administration must consult with the commissioner of corrections, the executive director of the Sentencing Guidelines Commission, and the commissioner of human services, as appropriate. The commissioner must consider the following factors in issuing the request for proposals:

(1) the level or levels of security for which custodial care and services will be needed;

(2) the type and length of treatment, educational, and other programs and services appropriate to offenders likely to be housed in a private correctional facility;

(3) the transport of offenders to and from any private facilities;

(4) the division between the state and private provider of all costs associated with providing care, custody, and rehabilitation for offenders committed to the commissioner of corrections;

(5) the recidivism rate of the vendor; and

(6) other factors deemed appropriate for consideration by the commissioner of administration, corrections, or human services, or by the executive director of the Sentencing Guidelines Commission.

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

Sec. 3. **DISPLACED CORRECTIONAL EMPLOYEES.**

Unless prohibited by applicable collective bargaining agreements, correctional employees who are displaced due to the transfer of state inmates to private facilities shall have priority in consideration for vacant positions within the Department of Corrections and at secure facilities operated by the Department of Human Services.

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

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

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 945, A bill for an act relating to education; modifying teacher licensure, evaluations, and tenure; authorizing rulemaking; requiring reports; amending Minnesota Statutes 2010, sections 120B.35, subdivision 1; 120B.36, subdivision 1; 122A.18, by adding a subdivision; 122A.40, subdivisions 2, 5, 6, 7, 8, 9, 10, 11, by adding a subdivision; 122A.41, subdivisions 1, 2, 3, 4, 5, 6, 14; 122A.60; 122A.61, subdivision 1; 123B.09, subdivision 8; 123B.143, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 122A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
TEACHER EVALUATION AND PROFESSIONAL DEVELOPMENT

Section 1. Minnesota Statutes 2010, section 120B.35, subdivision 1, is amended to read:

Subdivision 1. **School and student indicators of growth and achievement.** The commissioner must develop and implement a system for measuring and reporting academic achievement and individual student growth, consistent with the statewide educational accountability and reporting system. The system components must measure and separately report the adequate yearly progress of schools and the growth of individual students: students' current achievement in schools under subdivision 2; and individual students' educational growth over time under subdivision 3. The commissioner annually must report a student's growth and progress toward grade-level proficiency under section 120B.299 as it relates to applicable state academic standards and the statewide assessments aligned with those standards. The system also must include statewide measures of student academic growth that identify schools with high levels of growth, and also schools with low levels of growth that need

improvement. When determining a school's effect, the data must include both statewide measures of student achievement and, to the extent annual tests are administered, indicators of achievement growth that take into account a student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. Indicators that take into account a student's prior achievement must not be used to disregard a school's low achievement or to exclude a school from a program to improve low achievement levels.

EFFECTIVE DATE. This section is effective July 1, 2012, and applies to growth data beginning in the 2012-2013 school year.

Sec. 2. Minnesota Statutes 2010, section 122A.40, subdivision 6, is amended to read:

Subd. 6. **Professional development and mentoring for probationary teachers.** (a) A school board and the exclusive representative of the teachers in the district must collaborate in establishing a professional development model for probationary teachers, consistent with subdivision 8, that uses a district's professional development resources, including those under sections 122A.414, if applicable, 122A.60, and 122A.61, to improve teaching and learning.

(b) A school board and an exclusive representative of the teachers in the district must develop a probationary teacher peer review process through joint agreement. The process may include having trained observers serve as mentors or coaches or having teachers participate in professional learning communities.

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

Sec. 3. Minnesota Statutes 2010, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Professional development and peer coaching for continuing contract teachers.** (a) A school board and the exclusive representative of the teachers in the district must collaborate in establishing a professional development model for continuing contract teachers, consistent with subdivision 6, that uses a district's professional development resources, including those under sections 122A.414, if applicable, 122A.60, and 122A.61, to improve teaching and learning.

(b) A school board and an exclusive representative of the teachers in the district shall develop a peer review process for continuing contract teachers through joint agreement. The process may include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

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

Sec. 4. Minnesota Statutes 2010, section 122A.41, subdivision 3, is amended to read:

Subd. 3. **Professional development and mentoring for probationary teachers.** (a) A school board and the exclusive representative of the teachers in the district must collaborate in establishing a professional development model for probationary teachers, consistent with subdivision 5, that uses a district's professional development resources, including those under sections 122A.414, if applicable, 122A.60, and 122A.61, to improve teaching and learning.

(b) A board and an exclusive representative of the teachers in the district must develop a probationary teacher peer review process through joint agreement. The process may include having trained observers serve as mentors or coaches or having teachers participate in professional learning communities.

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

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

Subd. 5. **Professional development and peer coaching for continuing contract teachers.** (a) A school board and the exclusive representative of the teachers in the district must collaborate in establishing a professional development model for probationary teachers, consistent with subdivision 3, that uses a district's professional development resources, including those under sections 122A.414, if applicable, 122A.60, and 122A.61, to improve teaching and learning.

(b) A school board and an exclusive representative of the teachers in the district must develop a peer review process for nonprobationary teachers through joint agreement. The process may include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

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

Sec. 6. **[122A.411] TEACHER EVALUATIONS.**

Subdivision 1. **Evaluation structure.** A teacher evaluation structure is established to provide information about teacher effectiveness for teachers, districts, and charter schools to use in developing and improving teacher performance and student learning. The three-part structure contains:

(1) a teacher appraisal framework that identifies performance measures for determining teacher effectiveness;

(2) a mechanism for translating the performance data into a five-part teacher effectiveness rating scale; and

(3) a four-tier status designation that identifies teachers as standard, advanced, distinguished, or exemplary based on a teacher's effectiveness rating over time.

Subd. 2. **Teacher appraisal framework.** (a) Each school district and charter school must create and implement a teacher appraisal framework. The framework must translate performance measures and scores under this subdivision into five performance effectiveness rating scores where "5" is the highest rating and "1" is the lowest rating. The department, in collaboration with the Board of Teaching, must make available to districts and charter schools appraisal frameworks and other materials from evidence-based sources to assist districts and charter schools in implementing an appraisal framework, consistent with this section.

(b) If statewide assessment results are available under section 120B.35, these results are the basis for 50 percent of a teacher's total appraisal.

(c) If statewide assessment results are unavailable, 40 percent of a teacher's total appraisal must consist of results from districtwide assessments of state and local standards and another ten percent of the teacher's total appraisal must consist of results from teacher-developed assessments.

(d) If no districtwide assessment results are available, 50 percent of a teacher's total appraisal must consist of teacher-developed and administrator-approved assessments of state and local standards. A school administrator shall meet with teachers at least annually under this paragraph to review, modify if needed, and approve local course and grade-level expectations for student achievement and growth.

(e) A charter school or a school board, in consultation with its teachers, must identify the performance measures used as a basis for the other 50 percent of a teacher's total appraisal under this subdivision. The appraisal must include data from parent surveys and at least two annual evaluations performed by a trained school administrator. Other performance measures may include student surveys, peer observations and review, teacher performance portfolios, video classroom observations with teacher reflection after viewing videos, measures approved as part of an educational improvement plan under section 122A.413, and other highly reliable research-based measures.

Subd. 3. **Teacher performance effectiveness ratings.** (a) Beginning in the 2012-2013 school year and consistent with subdivision 2, a school district or charter school annually must use the following scale to determine a teacher performance effectiveness rating and corresponding status designation under subdivision 4 for each teacher who teaches a subject for which statewide assessment results are available under section 120B.35:

(1) a teacher is "highly effective" if the teacher's appraisal shows that the teacher's students, on average, achieved one and one-half or more years of growth on statewide assessments and the teacher received a "5" performance rating under the district or charter school appraisal framework;

(2) a teacher is "effective" if the teacher's appraisal shows that the teacher's students, on average, achieved at least one year of growth on statewide assessments and the teacher received a "4" performance rating under the district or charter school appraisal framework;

(3) a teacher is "average" if the teacher's appraisal shows that the teacher's students, on average, achieved at least 0.9 years of growth on statewide student assessments and the teacher received a "3" performance rating under the district or charter school appraisal framework;

(4) a teacher "needs improvement" if the teacher's appraisal shows that the teacher's students, on average, achieved between 0.5 and 0.9 years of growth on statewide assessments or the teacher received a "2" or lower performance rating under the district or charter school appraisal framework; and

(5) a teacher is "ineffective" if the teacher's appraisal shows that the teacher's students, on average, achieved less than one-half year of growth on statewide assessments and the teacher received a "1" performance rating under the district or charter school appraisal framework.

(b) Beginning in the 2012-2013 school year and consistent with subdivision 2, a school district or charter school annually must use the following teacher performance effectiveness rating scale and corresponding status designation under subdivision 4 for each teacher who teaches a subject for which no statewide assessment data exist:

(1) a teacher is "highly effective" if the teacher receives a "5" performance rating under the district or charter school appraisal framework;

(2) a teacher is "effective" if the teacher receives a "4" performance rating under the district or charter school appraisal framework;

(3) a teacher is "average" if the teacher receives a "3" performance rating under the district or charter school appraisal framework;

(4) a teacher "needs improvement" if the teacher receives a "2" performance rating under the district or charter school appraisal framework; and

(5) a teacher is "ineffective" if the teacher receives a "1" performance rating under the district or charter school appraisal framework.

Subd. 4. **Teacher status designations.** (a) Beginning no later than the 2012-2013 school year, a school district or charter school shall establish a four-tier status designation for identifying teachers' effectiveness, consistent with this section, using measures of teacher performance and student learning as they relate to meeting state and local education standards.

(b) To receive a "standard" designation, a probationary teacher during the three-year probationary period must receive at least one rating of "average," "effective," or "highly effective" under the district or charter school appraisal framework and meet applicable professional development requirements.

(c) A licensed teacher who has a "standard" designation must receive a rating of "average," "effective," or "highly effective" in four years out of each five-year employment period and meet applicable professional development requirements to receive an "advanced" status designation.

(d) A teacher who receives a "highly effective" rating in three years out of a five-year employment period and meets applicable professional development requirements receives a "distinguished" status designation.

(e) A teacher who receives a "highly effective" rating in seven years during two consecutive five-year employment periods and meets applicable professional development requirements receives an "exemplary" status designation.

(f) A teacher who receives a "distinguished" or "exemplary" status designation keeps that designation for the remainder of the five-year employment period in which the teacher received the designation.

Subd. 5. **Data gathering and analysis.** Beginning in the 2012-2013 school year, the department, in consultation with the Board of Teaching, shall assist a school district or charter school in collecting and aggregating student data needed to implement subdivisions 2, 3, and 4. If the school district or charter school and the department agree that an ongoing need exists for department assistance, the district or charter school and the department shall enter into a data-sharing agreement. Any data on individual students or teachers received, collected, or created that are used to generate summary data under this section are nonpublic data under chapter 13.

Subd. 6. **Reports.** (a) Beginning in the 2012-2013 school year, each school district and charter school annually shall report to the department by August 31 the following information about the school year just completed:

(1) each teacher's performance effectiveness rating determined under subdivision 2, paragraph (b), (c), or (d);

(2) each teacher's performance effectiveness rating determined under subdivision 2, paragraph (e);

(3) each teacher's status designation under subdivision 4;

(4) each teacher's professional preparation program;

(5) its appraisal framework; and

(6) its graduation rate.

(b) Beginning in 2014, the department annually by February 15 shall submit a report to the committees of the legislature with primary jurisdiction over kindergarten through grade 12 education policy and finance that analyzes and evaluates summary data generated under paragraph (a) to determine the effectiveness of teacher appraisal systems in improving teaching and learning.

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

Sec. 7. Minnesota Statutes 2010, section 122A.60, is amended to read:

122A.60 STAFF DEVELOPMENT PROGRAM.

Subdivision 1. **Staff development committee.** A school board must use the revenue authorized in section 122A.61 for ~~in-service~~ education ~~for~~ programs under section 120B.22, subdivision 2, or for staff development and teacher training plans under this section. The board must establish an advisory staff development committee to develop the plan, assist site professional development teams in developing a site plan consistent with the goals of the plan, and evaluate staff development efforts at the site level. A majority of the advisory committee and the site professional development team must be teachers representing various grade levels, subject areas, and special education. The advisory committee must also include nonteaching staff, parents, and administrators.

Subd. 1a. **Effective staff development activities.** (a) Staff development activities must be aligned with district and school site staff development plans, based on student achievement and growth data, and focused on student learning goals. Activities must:

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

(2) provide opportunities for teachers to practice and improve their instructional skills over time and receive instructional-based observations using objective standards-based assessments to assist in the professional growth process;

(3) provide regular opportunities for teachers to use student data as part of their daily work to increase student achievement;

(4) enhance teacher content knowledge and instructional skills;

(5) align with state and local academic standards;

(6) provide job-embedded or integrated professional development opportunities during the teacher contract day to build professional relationships, foster collaboration among principals and staff ~~who provide instruction to~~ identify instructional strategies to meet students' learning goals, plan instruction, practice new teaching strategies, and review the results of implementing those strategies, and provide opportunities for teacher-to-teacher coaching and mentoring; and

(7) align with the plan of the district or site for those participating in an alternative ~~teacher~~ professional pay system under section 122A.414.

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

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

Subd. 2. **Contents of plan.** The plan must be based on student achievement and growth and include student learning goals, the staff development outcomes under subdivision 3, the means to achieve the outcomes, and procedures for evaluating progress at each school site toward meeting education outcomes, consistent with relicensure requirements under section 122A.18, subdivision 4. The plan also must:

- (1) support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
- (2) emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
- (3) maintain a strong subject matter focus premised on students' learning goals;
- (4) ensure specialized preparation and learning about issues related to teaching students with special needs and limited English proficiency; and
- (5) reinforce national and state standards of effective teaching practice.

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

- (1) improve student achievement of state and local ~~education~~ academic standards in all areas of the curriculum by using best practices methods and benchmark assessments aligned with academic standards;
- (2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;
- (3) provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;
- (4) improve staff collaboration and develop mentoring and peer coaching programs for teachers ~~new to the school or district~~ in their first five years of teaching;
- (5) effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution; and
- (6) provide teachers and other members of site-based management teams with appropriate management and financial management skills.

Subd. 4. **Staff development report.** (a) By October ~~15~~ 1 of each year, the district and site staff development committees shall write and submit a report of staff development activities and expenditures for the previous year, in the form and manner determined by the commissioner. The report, signed by the district superintendent and staff development chair, must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities under subdivision 3.

(b) The report must break down expenditures for:

- (1) curriculum development and curriculum training programs; and
- (2) staff development training models, workshops, and conferences, and the cost of releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the district level or the school site level, and whether the school site expenditures were made possible by grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards.

(c) The commissioner shall report the staff development progress and expenditure data to the house of representatives and senate committees having jurisdiction over education by February 15 each year.

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

Sec. 8. Minnesota Statutes 2010, section 122A.61, subdivision 1, is amended to read:

Subdivision 1. **Staff development revenue.** A district is required to reserve an amount equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for ~~in-service education for~~ programs under section 120B.22, subdivision 2, ~~for~~ with the primary purpose of creating and implementing district and school site staff development plans, including. Funds also may be used to support plans for challenging instructional activities and experiences under section 122A.60, ~~and for curriculum development and programs, other in-service education, teachers' workshops, teacher conferences, the cost of substitute teachers staff development purposes,~~ preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts. A district may annually waive the requirement to reserve their basic revenue under this section if a majority vote of the licensed teachers in the district and a majority vote of the school board agree to a resolution to waive the requirement. A district in statutory operating debt is exempt from reserving basic revenue according to this section. Districts may expend an additional amount of unreserved revenue for staff development based on their needs. With the exception of amounts reserved for staff development from revenues allocated directly to school sites, the board must initially allocate 50 percent of the reserved revenue to each school site in the district on a per teacher basis, which must be retained by the school site until used. The board may retain 25 percent to be used for district wide staff development efforts. The remaining 25 percent of the revenue must be used to make grants to school sites for best practices methods. A grant may be used for any purpose authorized under section 120B.22, subdivision 2, ~~or 122A.60, or for the costs of curriculum development and programs, other in-service education, teachers' workshops, teacher conferences, substitute teachers for staff development purposes, and other staff development efforts, and determined by the site professional development team.~~ The site professional development team must demonstrate to the school board the extent to which staff at the site have met the outcomes of the program. The board may withhold a portion of initial allocation of revenue if the staff development outcomes are not being met.

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

Sec. 9. **[122A.73] SCHOOL ADMINISTRATOR DEVELOPMENT.**

A school board and the school administrators in a district must collaboratively establish a professional development model for school administrators that uses the district's professional development resources, including those resources under sections 122A.414, if applicable, 122A.60, and 122A.61. The professional development model must, at a minimum:

- (1) provide professional development to accurately and effectively evaluate teachers under section 122A.411;
- (2) provide professional development to better recommend appropriate professional development strategies for teachers;
- (3) make appropriate recommendations for principals to participate in development opportunities, including the Principals' Leadership Institute under section 122A.74 or other statewide development programs; and

(4) provide professional development opportunities targeted to identifying systemic strengths and weaknesses within a school.

EFFECTIVE DATE. This section is effective July 1, 2012.

Sec. 10. **APPRAISAL IMPLEMENTATION TIMELINE.**

Consistent with Minnesota Statutes, section 122A.411, districts and charter schools shall implement the teacher appraisal framework according to the following timeline:

(1) in the 2011-2012 school year, develop an appraisal framework and a system to collect data;

(2) in the 2012-2013 school year, implement the teacher appraisal framework and data collection system as a pilot program; and

(3) beginning in the 2013-2014 school year, fully implement the teacher appraisal framework and data collection system.

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

ARTICLE 2
TEACHER EMPLOYMENT

Section 1. Minnesota Statutes 2010, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance report cards.** (a) The commissioner shall report student academic performance under section 120B.35, subdivision 2; the percentages of students showing low, medium, and high growth under section 120B.35, subdivision 3, paragraph (b); school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35, subdivision 3, paragraph (c); two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding salaries; the number of teachers in each performance effectiveness rating category under section 122A.411, subdivision 3, by school site; student enrollment demographics; district mobility; and extracurricular activities. The report also must indicate a school's adequate yearly progress status, and must not set any designations applicable to high- and low-performing schools due solely to adequate yearly progress status.

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

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

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

(e) School performance report card data are nonpublic data under section 13.02, subdivision 9, until not later than ten days after the appeal procedure described in paragraph (d) concludes. The department shall annually post school performance report cards to its public Web site no later than September 1.

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

Sec. 2. Minnesota Statutes 2010, 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 after completion thereof, the probationary period in each district in which the teacher is thereafter employed shall be one year. The school board must issue an annual employment contract and adopt a plan for written evaluation of teachers during the probationary period that complies with section 122A.411. During the first 60 school days only of a probationary teacher's first year of employment, the board may terminate the teacher at will. Evaluation must occur at least three times each year for a teacher performing services on 120 or more school days, at least two times each year for a teacher performing services on 60 to 119 school days, and at least one time each year for a teacher performing services on fewer than 60 school days. 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 probationary 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 must complete at least 60 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.

(e) A district must decide whether to issue a contract to a probationary classroom teacher at the end of the teacher's probationary period based on:

(1) the teacher's professional growth plan based on standards of effective professional practice, student learning goals, and teacher evaluations under this subdivision that comply with section 122A.411;

(2) the teacher's appraisal results and performance effectiveness rating under section 122A.411; and

(3) other locally selected criteria aligned to instructional practices in teaching and learning.

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

Sec. 3. Minnesota Statutes 2010, section 122A.40, subdivision 7, is amended to read:

Subd. 7. **Termination of contract after probationary period.** (a) A teacher who has completed a probationary period in any district, and who has not been discharged or advised of a refusal to renew the teacher's contract under subdivision 5, shall elect to have a ~~continuing~~ renewable five-year contract with ~~such~~ the district where contract terms and conditions, including salary and salary increases, are established based either on the length

of the school calendar or an extended school calendar under section 120A.415. ~~Thereafter,~~ The teacher's contract must remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board prior to April 1 upon one of the grounds specified in subdivision 9 or July 1 upon one of the grounds specified in subdivision 10 or 11, or until the teacher is discharged pursuant to subdivision 13, or by the written resignation of the teacher submitted prior to April 1. If an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179A.01 to 179A.25 prior to March 1, the teacher's right of resignation is extended to the 30th calendar day following the adoption of ~~said the contract in compliance with~~ under section 179A.20, subdivision 5. ~~Such~~ Written resignation by the teacher is effective ~~as of on~~ June 30 if submitted ~~prior to before~~ that date and the ~~teachers'~~ teacher's right of resignation for the next school year ~~then beginning~~ shall cease on July 15.

(b) Before a teacher's contract is terminated by the board, the board must notify the teacher in writing and state its ground for the proposed termination in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 days after receipt of such notification. If the grounds are those specified in subdivision 9 or 13, the notice must also state a teacher may request arbitration under subdivision 15. Within 14 days after receipt of this notification the teacher may make a written request for a hearing before the board or an arbitrator and it shall be granted upon reasonable notice to the teacher of the date set for hearing, before final action is taken. If no hearing is requested within such period, it shall be deemed acquiescence by the teacher to the board's action. ~~Such The teacher's termination shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid~~ must comply with subdivision 9 or 13. ~~Such~~ A contract may be terminated at any time by mutual consent of the board and the teacher and this section does not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

~~(b)~~ (c) A teacher electing to have a continuing contract based on the extended school calendar under section 120A.415 must participate in staff development training under subdivision 7a and shall receive an increased base salary.

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

Sec. 4. Minnesota Statutes 2010, section 122A.40, is amended by adding a subdivision to read:

Subd. 7b. **Teacher employment.** (a) A school district must use a teacher appraisal framework to make informed decisions about teacher development and performance. Teachers must participate in ongoing professional development to improve teaching and learning throughout a term of employment.

(b) After completing the initial three-year probationary period without discharge, a teacher who is reemployed by a school board continues in service and holds that position during good behavior and efficient and competent service for a renewable five-year term. The terms and conditions of a teacher's employment contract, including salary and salary increases, must be based either on the length of the school year or an extended school calendar under section 120A.415.

(c) At the end of every five-year term, the school board either must continue or terminate a teacher's employment based on:

(1) a portfolio of the teacher's five-year professional growth plan based on standards of professional practice, student learning, and successful teacher evaluations, consistent with section 122A.411, that are conducted at least twice per year by a trained school administrator;

(2) the teacher's appraisal results and performance effectiveness rating under section 122A.411; and

(3) other locally selected criteria aligned to instructional practices in teaching and learning.

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

Sec. 5. Minnesota Statutes 2010, section 122A.40, subdivision 9, is amended to read:

Subd. 9. **Grounds for termination.** (a) A continuing contract may be terminated, effective at the close of the school year, upon any of the following grounds:

~~(a)~~ (1) inefficiency;

~~(b)~~ (2) neglect of duty, or persistent violation of school laws, rules, regulations, or directives;

~~(c)~~ (3) conduct unbecoming a teacher which materially impairs the teacher's educational effectiveness;

~~(d)~~ (4) other good and sufficient grounds rendering the teacher unfit to perform the teacher's duties—; or

(5) the teacher is ineffective under section 122A.411 and not recommended by the district for continued employment under this section.

(b) A contract must not be terminated ~~upon one of the grounds specified in clause under paragraph (a), (b), (c), or (d), clause (5),~~ unless the teacher fails to correct the deficiency after being given written notice of the specific items of complaint and ~~reasonable time within which~~ 180 days after receiving the notice to remedy them.

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

Sec. 6. Minnesota Statutes 2010, 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 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, clause (c), or the reinstatement of a teacher holding a provisional license, other than a vocational education license, contrary to the provisions of subdivision 11, clause (e).~~ The provisions of section 179A.16 do not apply for the purposes of this subdivision.

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

Sec. 7. Minnesota Statutes 2010, section 122A.40, subdivision 11, is amended to read:

Subd. 11. **Unrequested leave of absence.** (a) 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 of districts. The unrequested leave is effective at the close of the school year. In placing teachers on unrequested leave, the superintendent may exempt from the effects of paragraphs (b) to (f) those teachers who, in the superintendent's judgment, are able to provide instruction that similarly licensed teachers cannot provide or whose subject area license meets unmet district needs for student instruction. The board is governed by ~~the following provisions:~~ paragraphs (b) to (k).

~~(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 following order:

(1) teachers with a "needs improvement" or "ineffective" rating under section 122A.411 in the inverse order in which they were employed by the school district;

(2) teachers with an "average" rating under section 122A.411 with four or more years of teaching experience in the inverse order in which they were employed by the school district;

(3) teachers with an "effective" rating under section 122A.411 with fewer than four years of teaching experience in the inverse order in which they were employed by the school district;

(4) teachers with a "highly effective" rating under section 122A.411 in the inverse order in which they were employed by the school district;

(5) teachers with a "distinguished" rating under section 122A.411 in the inverse order in which they were employed by the school district; and

(6) teachers with an "exemplary" rating under section 122A.411 in the inverse order in which they were employed by the school district.

(c) In the case of equal seniority within a clause of paragraph (b), 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 (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 do not apply to vocational education licenses;~~

(d) Notwithstanding ~~clauses (a), paragraphs (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~~ restrictions imposed by the provisions of ~~clause paragraph (b) or (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;~~ with a lower designated status or less seniority.

(e) 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, 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;

(f) 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) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave.

(h) 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) The unrequested leave of absence of a teacher who is placed on unrequested leave of absence and who is not reinstated shall continue ~~for a period of five years~~ until that teacher's contract expires under subdivision 7b, after which the right to reinstatement shall terminate. The teacher's right to reinstatement shall also terminate if the teacher fails to file with the board by April 1 of any year a written statement requesting reinstatement.

(j) 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) 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.

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

Sec. 8. Minnesota Statutes 2010, 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 issue an annual employment contract and adopt a plan for a written evaluation of teachers during the probationary period ~~according to subdivision 3 that is consistent with section 122A.411.~~ During the first 60 days only of a probationary teacher's first year of employment, the board may terminate the teacher at will. Evaluation ~~by the peer review committee charged with evaluating of~~ probationary teachers ~~under subdivision 3~~ shall occur at least three times each year for a teacher performing services on 120 or more school days, at least two times each year for a teacher performing services on 60 to 119 school days, and at least one time each year for a teacher performing services on fewer than 60 school days. 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 must complete at least 60 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.

(d) A district must decide whether to issue a contract to a probationary classroom teacher at the end of the teacher's probationary period based on:

(1) a portfolio of the teacher's professional growth plan based on standards of effective professional practice, student learning goals, and successful teacher evaluations, consistent with section 122A.411, that are conducted at least twice per year by a trained school administrator;

(2) the teacher's appraisal results and performance effectiveness rating under section 122A.411; and

(3) other locally selected criteria aligned to instructional practices in teaching and learning.

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

Sec. 9. Minnesota Statutes 2010, section 122A.41, subdivision 4, is amended to read:

Subd. 4. ~~Period of service after probationary period; discharge or demotion~~ **Teacher employment.** (a) A school district must use a teacher appraisal framework to make informed decisions about teacher development and performance. Teachers must participate in ongoing professional development to improve teaching and learning throughout a term of employment.

~~(b) After the completion of such~~ completing the initial three-year probationary period; without discharge, ~~such teachers as are thereupon~~ a teacher who is reemployed shall continue in service and hold ~~their respective~~ that position during good behavior and efficient and competent service for a renewable five-year term and must not be discharged or demoted except for cause after a hearing. The terms and conditions of a teacher's employment contract, including salary and salary increases, must be based either on the length of the school year or an extended school calendar under section 120A.415.

~~(c)~~ (c) A probationary teacher is deemed to have been reemployed for the ensuing school year, unless the school board in charge of such school gave such teacher notice in writing before July 1 of the termination of such employment.

~~(d)~~ (d) A teacher electing to have an employment contract based on the extended school calendar under section 120A.415 must participate in staff development training under subdivision 4a and shall receive an increased base salary.

(e) At the end of every five-year term, the school board must either continue or terminate a teacher's employment based on:

(1) a portfolio of the teacher's five-year professional growth plan based on standards of professional practice, student learning, and successful teacher evaluations, consistent with section 122A.411, that are conducted at least twice per year by a trained school administrator;

(2) the teacher's appraisal results and performance effectiveness rating under section 122A.411; and

(3) other locally selected criteria aligned to instructional practices in teaching and learning.

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

Sec. 10. Minnesota Statutes 2010, 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;

(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; or

(6) the teacher is ineffective under section 122A.411 and not recommended by the district for employment under this section.

For purposes of this paragraph, conduct unbecoming a teacher includes an unfair discriminatory practice described in section 363A.13. A contract must not be discharged on the grounds specified in clause (6) unless the teacher fails to correct the deficiency after being given written notice of the specific items of complaint and 180 days within which to remedy them.

(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 for the 2014-2015 school year and later.

Sec. 11. 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)~~ 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 it becomes necessary to discontinue one or more positions, in making such discontinuance, teachers must be discontinued in any department in the following order:

(1) teachers with a "needs improvement" or "ineffective" rating under section 122A.411 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 (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.~~

(2) teachers with an "average" rating under section 122A.411 with four or more years of teaching experience in the inverse order in which they were employed by the school district;

(3) teachers with an "effective" rating under section 122A.411 with fewer than four years of teaching experience in the inverse order in which they were employed by the school district;

(4) teachers with a "highly effective" rating under section 122A.411 in the inverse order in which they were employed by the school district;

(5) teachers with a "distinguished" rating under section 122A.411 in the inverse order in which they were employed by the school district; and

(6) teachers with an "exemplary" rating under section 122A.411 in the inverse order in which they were employed by the school district.

The superintendent may exempt from the effects of this subdivision those teachers who, in the superintendent's judgment, are able to provide instruction that similarly licensed teachers cannot provide or whose subject area license meets unmet district needs for student instruction.

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

Sec. 12. **[122A.418] TEACHER EFFECTIVENESS-BASED BONUSES.**

(a) A teacher with a "distinguished" rating under section 122A.411 shall receive an annual bonus equal to ten percent of the teacher's base salary until the teacher no longer has a "distinguished" rating.

(b) A teacher with an "exemplary" rating under section 122A.411 shall receive an annual bonus equal to 20 percent of the teacher's base salary until the teacher no longer has an "exemplary" rating.

EFFECTIVE DATE. This section is effective July 1, 2019.

Sec. 13. Minnesota Statutes 2010, section 123B.09, subdivision 8, is amended to read:

Subd. 8. **Duties.** The board must superintend and manage the schools of the district; adopt rules for their organization, government, and instruction; keep registers; and prescribe textbooks and courses of study. The board may enter into an agreement with a postsecondary institution for secondary or postsecondary nonsectarian courses to be taught at a secondary school, nonsectarian postsecondary institution, or another location. Consistent with section 122A.40, subdivision 10, or 122A.41, subdivision 14, as applicable, the board must not enter into an agreement that limits a district superintendent's ability to assign and reassign teachers or administrators to the schools in which the teachers will teach or the administrators will administer to best meet student and school needs as determined by the superintendent.

Sec. 14. Minnesota Statutes 2010, section 123B.143, subdivision 1, is amended to read:

Subdivision 1. **Contract; duties.** All districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio nonvoting member of the school board. The authority for selection and employment of a superintendent must be vested in the board in all cases. An individual employed by a board as a

superintendent shall have an initial employment contract for a period of time no longer than three years from the date of employment. Any subsequent employment contract must not exceed a period of three years. A board, at its discretion, may or may not renew an employment contract. A board must not, by action or inaction, extend the duration of an existing employment contract. Beginning 365 days prior to the expiration date of an existing employment contract, a board may negotiate and enter into a subsequent employment contract to take effect upon the expiration of the existing contract. A subsequent contract must be contingent upon the employee completing the terms of an existing contract. If a contract between a board and a superintendent is terminated prior to the date specified in the contract, the board may not enter into another superintendent contract with that same individual that has a term that extends beyond the date specified in the terminated contract. A board may terminate a superintendent during the term of an employment contract for any of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent shall not rely upon an employment contract with a board to assert any other continuing contract rights in the position of superintendent under section 122A.40. Notwithstanding the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other law to the contrary, no individual shall have a right to employment as a superintendent based on order of employment in any district. If two or more districts enter into an agreement for the purchase or sharing of the services of a superintendent, the contracting districts have the absolute right to select one of the individuals employed to serve as superintendent in one of the contracting districts and no individual has a right to employment as the superintendent to provide all or part of the services based on order of employment in a contracting district. The superintendent of a district shall ~~perform the following:~~

(1) visit and supervise the schools in the district, report and make recommendations about their condition when advisable or on request by the board;

(2) recommend to the board employment and dismissal of teachers;

(3) before the start of the school year, and at other times as needed, assign highly effective, distinguished, and exemplary teachers, as defined in section 122A.411, to schools to best meet student and school needs as determined by the superintendent;

(4) superintend school grading practices and examinations for promotions;

(4) ~~(5)~~ make reports required by the commissioner; and

(5) ~~(6)~~ perform other duties prescribed by the board.

Sec. 15. **EFFECT OF TEACHER DIVERSITY ON STUDENT ACHIEVEMENT.**

(a) The commissioner of education shall develop a request for proposal to study and report on the impact that a culturally, racially, and ethnically diverse teaching faculty has on the educational outcomes of minority students, including academic performance, graduation rates, and participation in postsecondary programs. The study must control for the level of teacher effectiveness.

(b) The commissioner of education also shall develop a request for proposal to evaluate and report on school district practices for recruiting a culturally, racially, and ethnically diverse teaching faculty.

(c) The commissioner must submit the reports under paragraphs (a) and (b) to the education policy and finance committees of the legislature by February 1, 2015.

EFFECTIVE DATE. This section is effective July 1, 2013. The study in paragraph (a) may not begin until after the 2013-2014 school year.

Sec. 16. **ADVISORY TASK FORCE ON IMPLEMENTING TEACHER EVALUATION STRUCTURE.**

Consistent with Minnesota Statutes, section 122A.411, and related sections, the commissioner of education shall convene a nine-member advisory task force to make recommendations related to implementing the state's teacher evaluation structure. Task force members shall include: one representative each from the Minnesota Chamber of Commerce, the Minnesota Business Partnership, the Minnesota Assessment Group, the Minnesota Association of School Administrators, and the Minnesota Elementary and Secondary School Principals Association, appointed by the respective organizations; two representatives from Education Minnesota, one of whom must be a currently licensed classroom teacher teaching in a first class city school district, appointed by Education Minnesota; and two parents of students currently enrolled in Minnesota public schools, one of whom must be a parent of color, appointed by the Minnesota Parent Teacher Organization. The commissioner or the commissioner's designee shall serve as a nonvoting member of the task force and shall provide technical assistance to the task force upon request. The task force must review the statutory sections that compose this act and recommend to the commissioner any changes needed to fully implement the teacher evaluation structure, including statutory changes to accomplish the recommendations. The commissioner must report the task force recommendations to the education policy and finance committees of the legislature by February 15, 2012. The advisory task force expires June 1, 2012.

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

Delete the title and insert:

"A bill for an act relating to education; modifying teacher evaluations and tenure; requiring reports; amending Minnesota Statutes 2010, sections 120B.35, subdivision 1; 120B.36, subdivision 1; 122A.40, subdivisions 5, 6, 7, 8, 9, 10, 11, by adding a subdivision; 122A.41, subdivisions 2, 3, 4, 5, 6, 14; 122A.60; 122A.61, subdivision 1; 123B.09, subdivision 8; 123B.143, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 122A."

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

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 947, A bill for an act relating to education; modifying alternative teacher pay system; amending Minnesota Statutes 2010, section 122A.414, subdivisions 1a, 2, 2a, 2b.

Reported the same back with the following amendments:

Page 4, line 10, strike the comma and insert "or"

Page 4, line 11, strike "or school site,"

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 978, A bill for an act relating to elections; modifying certain election administration and districting procedures; amending Minnesota Statutes 2010, sections 203B.085; 204B.135, subdivision 1; 204B.14, subdivisions 2, 3; 204B.44; 204B.45, subdivision 2; 204C.06, subdivision 2; 375.025, subdivisions 2, 4.

Reported the same back with the following amendments:

Page 5, line 3, after "the" insert "mail and absentee ballot"

Page 5, delete line 22

Page 5, line 23, delete "a precinct."

Page 5, after line 27, insert:

"Sec. 7. Minnesota Statutes 2010, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No more than two questions may be submitted at a mail election and no offices may be voted on. Notice of the election must be given to the county auditor at least 53 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 30 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of staff trained as election judges. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the fourth day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day."

Page 6, after line 9, insert:

"Sec. 9. Minnesota Statutes 2010, section 206.57, subdivision 6, is amended to read:

Subd. 6. **Required certification.** In addition to the requirements in subdivision 1, a voting system must be certified by an independent testing authority accredited by the Election Assistance Commission or other designated agency at the time of submission of the application required by subdivision 1 to be in conformity with voluntary voting system guidelines issued by the Election Assistance Commission or other designated agency. The application must be accompanied by the certification report of the voting systems test laboratory. A certification under this section from an independent testing authority accredited by the Election Assistance Commission or other designated agency meets the requirement of Minnesota Rules, part 8220.0350, item L. A vendor must provide a copy of the source code for the voting system to the secretary of state. A chair of a major political party or the secretary of state may select, in consultation with the vendor, an independent third-party evaluator to examine the source code to ensure that it functions as represented by the vendor and that the code is free from defects. A major political party that elects to have the source code examined must pay for the examination. Except as provided by this subdivision, a source code that is trade secret information must be treated as nonpublic information, according to section 13.37. A third-party evaluator must not disclose the source code to anyone else."

Page 7, line 17, delete "9" and insert "11"

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 998, A bill for an act relating to health; establishing the Human Cloning Prohibition Act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 2, lines 9 and 11, delete "felony" and insert "misdemeanor"

Page 2, line 13, delete "\$....." and insert "\$500"

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 1017, A bill for an act relating to state lands; authorizing city of Red Wing to convey certain property; providing for conveyance of certain surplus state land; amending Laws 1976, chapter 50, section 1, subdivision 2.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 657, 789 and 1017 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rukavina and Melin introduced:

H. F. No. 1136, A bill for an act relating to local government; modifying the regional library system maintenance of effort formula; amending Minnesota Statutes 2010, section 134.34, subdivision 4.

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

Rukavina and Melin introduced:

H. F. No. 1137, A bill for an act relating to higher education; directing a portion of the permanent university fund for a mining engineering program and forestry research; amending Minnesota Statutes 2010, section 137.022, subdivision 4, by adding a subdivision.

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

Abeler introduced:

H. F. No. 1138, A bill for an act relating to human services; requiring a conference in case management and personal care assistance appeals; amending Minnesota Statutes 2010, section 256.045, subdivision 4a.

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

Hancock, Peppin, Beard, Sanders and Winkler introduced:

H. F. No. 1139, A bill for an act relating to local government; authorizing single source acquisition of public safety equipment; authorizing long-term leasing of public safety equipment; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Beard introduced:

H. F. No. 1140, A bill for an act relating to transportation; establishing requirements governing capital requests for projects to establish fixed guideway transit and rail lines; amending requirements on fixed guideway transit and rail line project and financial reporting; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 174.93.

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

Gunther, Kiffmeyer and Poppe introduced:

H. F. No. 1141, A bill for an act relating to taxation; creating a teleworking credit; providing a sales tax exemption for telework expenses; amending Minnesota Statutes 2010, section 297A.67, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Kiffmeyer introduced:

H. F. No. 1142, A bill for an act relating to health; eliminating health care provider reporting requirements that are not required for federal compliance; requiring a sunset for future reporting requirements; amending Minnesota Statutes 2010, sections 144.05, by adding a subdivision; 256.01, by adding a subdivision.

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

Kiffmeyer introduced:

H. F. No. 1143, A bill for an act relating to human services; requiring certain medical assistance enrollees and all MinnesotaCare enrollees to receive basic services through an enrolled provider network; providing major medical coverage to these enrollees; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Cornish introduced:

H. F. No. 1144, A bill for an act relating to state government; requiring specified type of notice for termination of the rights of former employees in the state employee group insurance program; amending Minnesota Statutes 2010, section 43A.27, by adding a subdivision.

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

Lenczewski introduced:

H. F. No. 1145, A bill for an act relating to capital investment; appropriating money for the I-35W/I-494 Interchange; authorizing the sale and issuance of state bonds.

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

Melin, Anzelc and Rukavina introduced:

H. F. No. 1146, A bill for an act relating to waters; appropriating money for the Central Iron Range Sanitary Sewer District.

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

Hausman introduced:

H. F. No. 1147, A bill for an act relating to history and cultural heritage; appropriating money to Como Park Zoo and Conservatory.

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

Murdock introduced:

H. F. No. 1148, A bill for an act relating to environment; modifying landfill cleanup program; amending Minnesota Statutes 2010, section 115B.412, subdivision 8, by adding subdivisions.

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

Beard introduced:

H. F. No. 1149, A bill for an act relating to transportation finance; appropriating money for aeronautics activities.

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

Loeffler, Cornish, Kahn and Nelson introduced:

H. F. No. 1150, A bill for an act relating to employment; specifying duties and rights of classified employees; amending Minnesota Statutes 2010, section 181.932, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Eken introduced:

H. F. No. 1151, A bill for an act relating to natural resources; exempting from registration with the state any snowmobile or all-terrain vehicle that is registered by an Indian tribal government to a tribal member; amending Minnesota Statutes 2010, sections 84.82, subdivision 6; 84.8205, subdivision 1; 84.922, subdivision 1a.

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

Sanders and Beard introduced:

H. F. No. 1152, A bill for an act relating to commerce; regulating return of pledged goods and location restrictions of pawnbrokers; amending Minnesota Statutes 2010, sections 325J.08; 325J.10; 325J.13.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Slawik, Greiling, Mariani, Moran, Brynaert and Davnie introduced:

H. F. No. 1153, A bill for an act relating to education finance; providing funding for full-day kindergarten for certain kindergarten programs; amending Minnesota Statutes 2010, section 126C.05, subdivision 1.

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

Eken introduced:

H. F. No. 1154, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, by adding a section; providing for certain officers to be elected by a majority of the votes cast at the general election for the office.

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

Eken introduced:

H. F. No. 1155, A bill for an act relating to human services; increasing the supplemental rate for a group residential provider; amending Minnesota Statutes 2010, section 256I.05, subdivision 1n.

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

Eken introduced:

H. F. No. 1156, A bill for an act relating to long-term care; imposing a long-term care tax to fund services; amending Minnesota Statutes 2010, section 290.06, by adding a subdivision.

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

Anderson, B.; Hosch; Hamilton; Murdock; Quam; Anderson, P., and Erickson introduced:

H. F. No. 1157, A bill for an act relating to agriculture; requiring Public Utilities Commission to submit to the legislature proposed legislation establishing protocol for investigating complaints of stray voltage on dairy and livestock operations; creating a task force.

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

Peterson, S., and Benson, J., introduced:

H. F. No. 1158, A bill for an act relating to economic development; creating a startup business loan guarantee program; establishing a loan guarantee trust fund; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Drazkowski introduced:

H. F. No. 1159, A bill for an act relating to state government; reducing salary of all state employees and elected officials by six percent.

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

Banaian, Howes, Clark, Mahoney, Gottwalt and Lillie introduced:

H. F. No. 1160, A bill for an act relating to economic development; appropriating money for a grant to the Boys and Girls Club.

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

Cornish introduced:

H. F. No. 1161, A bill for an act relating to human rights; amending education and program development requirements; amending certificates of compliance provisions; amending Minnesota Statutes 2010, sections 363A.06, subdivision 1; 363A.36, subdivision 1; repealing Minnesota Statutes 2010, section 363A.36, subdivision 5.

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

Ward, McNamara, Hansen and Persell introduced:

H. F. No. 1162, A bill for an act relating to natural resources; modifying nonnative species provisions; modifying requirements for permits to control or harvest aquatic plants; providing criminal penalties and civil penalties; amending Minnesota Statutes 2010, sections 84D.01, subdivisions 8a, 16, 21, by adding subdivisions; 84D.02, subdivision 6; 84D.03, subdivisions 3, 4; 84D.09; 84D.10, subdivisions 1, 3, 4; 84D.11, subdivision 2a;

84D.13, subdivisions 3, 4, 5, 6, 7; 84D.15, subdivision 2; 103G.615, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 84D; 86B; repealing Minnesota Statutes 2010, section 84D.02, subdivision 4.

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

Gunther introduced:

H. F. No. 1163, A bill for an act relating to accountants; modifying fees; amending Minnesota Statutes 2010, sections 326A.04, subdivision 5; 326A.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 326A; repealing Minnesota Rules, part 1105.0600.

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

Murdock and Gunther introduced:

H. F. No. 1164, A bill for an act relating to economic development; modifying JOBZ; amending Minnesota Statutes 2010, section 469.312, subdivision 5.

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

Abeler, Hornstein and Sanders introduced:

H. F. No. 1165, A bill for an act relating to capital investment; appropriating money for the Ramsey Northstar Commuter Rail Station; authorizing the sale and issuance of state bonds.

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

Gottwalt introduced:

H. F. No. 1166, A bill for an act relating to human services; permitting the state to contract with third-party administrators to provide medical assistance benefits; requiring use of a competitive request for proposal process; repealing mandatory participation by health maintenance organizations; amending Minnesota Statutes 2010, sections 256B.0644; 256B.69, subdivisions 2, 5; repealing Minnesota Statutes 2010, section 62D.04, subdivision 5.

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

Smith and Murphy, M., introduced:

H. F. No. 1167, A bill for an act relating to retirement; Public Employees Retirement Association privatizations; adding Cedarview Care Center and Traverse Care Center to covered privatization list; amending Minnesota Statutes 2010, section 353F.02, subdivision 4.

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

Smith; Murphy, M., and Dill introduced:

H. F. No. 1168, A bill for an act relating to retirement; voluntary statewide lump-sum volunteer firefighter retirement plan of the Public Employees Retirement Association; permitting municipal or independent nonprofit firefighting corporation contributions in excess of the applicable funding requirement; amending Minnesota Statutes 2010, section 353G.08, by adding a subdivision.

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

Downey introduced:

H. F. No. 1169, A bill for an act relating to taxation; sales and use; resale ticket purchases; amending Minnesota Statutes 2010, section 297A.67, by adding a subdivision.

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

Gunther introduced:

H. F. No. 1170, A bill for an act relating to employment; modifying worker classification regulation, penalties, and fees; authorizing rulemaking; amending Minnesota Statutes 2010, sections 181.723; 326B.081, subdivision 3; repealing Minnesota Statutes 2010, section 181.723, subdivision 17; Minnesota Rules, parts 5202.0100; 5202.0110; 5202.0120; 5202.0130; 5202.0140; 5202.0150; 5202.0160.

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

Westrom introduced:

H. F. No. 1171, A bill for an act relating to state government; imposing certain conditions on nonprofit organizations that receive a grant or a direct appropriation from the state; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Westrom introduced:

H. F. No. 1172, A bill for an act relating to state government; providing for revenue from legislative public information publications and from legislative media productions; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Brynaert, Slocum, Urdahl, Davnie, Mariani, Greiling and Dittrich introduced:

H. F. No. 1173, A bill for an act relating to education; further clarifying professional development and evaluation requirements for probationary and continuing contract teachers; amending Minnesota Statutes 2010, sections 122A.40, subdivisions 5, 6, 8; 122A.41, subdivisions 2, 3, 5.

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

Hoppe; Murphy, E., and Woodard introduced:

H. F. No. 1174, A bill for an act relating to liquor; authorizing on-sale liquor license for private, nonprofit college with certain conditions; amending Minnesota Statutes 2010, section 340A.404, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Buesgens introduced:

H. F. No. 1175, A bill for an act relating to motor vehicles; authorizing additional deputy registrar of motor vehicles for Scott County.

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

McFarlane, Dittrich and Petersen, B., introduced:

H. F. No. 1176, A bill for an act relating to education finance; modifying the uses of alternative facilities revenue; amending Minnesota Statutes 2010, section 123B.59, subdivisions 1, 2.

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

Falk introduced:

H. F. No. 1177, A bill for an act relating to energy; providing for grants to promote community energy outreach and assistance.

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

Loeffler introduced:

H. F. No. 1178, A bill for an act relating to state employment; creating an unpaid leave job retention program; requiring reports.

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

McFarlane introduced:

H. F. No. 1179, A bill for an act relating to pupil transportation; modifying pupil transportation provisions; clarifying Department of Education's role in maintaining training programs; including use of certain lift buses in the category of revenue authorized for reimbursement; including actual contracted transportation costs as a method for allocating pupil transportation costs; amending Minnesota Statutes 2010, sections 123B.88, subdivision 13; 123B.90, subdivision 3; 123B.92, subdivision 1.

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

CALENDAR FOR THE DAY

Dean moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Davids moved that the name of Dettmer be added as an author on H. F. No. 122. The motion prevailed.

Ward moved that the name of LeMieur be added as an author on H. F. No. 189. The motion prevailed.

Gottwalt moved that the name of Anderson, P., be added as an author on H. F. No. 200. The motion prevailed.

Garofalo moved that the name of Loeffler be added as an author on H. F. No. 495. The motion prevailed.

Smith moved that the name of Loeffler be added as an author on H. F. No. 556. The motion prevailed.

Peterson, S., moved that her name be stricken as an author on H. F. No. 628. The motion prevailed.

Loon moved that the name of Wardlow be added as an author on H. F. No. 703. The motion prevailed.

Champion moved that the name of Loeffler be added as an author on H. F. No. 718. The motion prevailed.

McFarlane moved that the names of Greene and Knuth be added as authors on H. F. No. 729. The motion prevailed.

Winkler moved that the name of Loeffler be added as an author on H. F. No. 732. The motion prevailed.

Loon moved that the name of Loeffler be added as an author on H. F. No. 743. The motion prevailed.

Mack moved that the name of Loeffler be added as an author on H. F. No. 745. The motion prevailed.

Mariani moved that the name of Greene be added as an author on H. F. No. 751. The motion prevailed.

Kahn moved that the name of Loeffler be added as an author on H. F. No. 760. The motion prevailed.

McFarlane moved that the name of Loeffler be added as an author on H. F. No. 844. The motion prevailed.

Franson moved that her name be stricken as an author on H. F. No. 884. The motion prevailed.

Davnie moved that the name of Loeffler be added as an author on H. F. No. 891. The motion prevailed.

Hamilton moved that the name of Loeffler be added as an author on H. F. No. 905. The motion prevailed.

Hilty moved that the name of Loeffler be added as an author on H. F. No. 914. The motion prevailed.

Kahn moved that the name of Loeffler be added as an author on H. F. No. 918. The motion prevailed.

Holberg moved that the name of Swedzinski be added as an author on H. F. No. 936. The motion prevailed.

Howes moved that the name of Lanning be added as an author on H. F. No. 960. The motion prevailed.

Holberg moved that the name of Davids be added as an author on H. F. No. 1042. The motion prevailed.

Abeler moved that the names of Holberg and Fritz be added as authors on H. F. No. 1054. The motion prevailed.

Urdahl moved that the name of Loeffler be added as an author on H. F. No. 1061. The motion prevailed.

Norton moved that the names of Morrow, Simon, Kath and Melin be added as authors on H. F. No. 1071. The motion prevailed.

Westrom moved that the name of McFarlane be added as an author on H. F. No. 1074. The motion prevailed.

Shimanski moved that the name of Morrow be added as an author on H. F. No. 1094. The motion prevailed.

Hosch moved that the name of Loeffler be added as an author on H. F. No. 1095. The motion prevailed.

Gunther moved that H. F. No. 611 be recalled from the Committee on Commerce and Regulatory Reform and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 17, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, March 17, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

