

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2012

 NINETIETH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 21, 2012

The House of Representatives convened at 5:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

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

A quorum was present.

Lohmer was excused until 6:00 p.m. Brynaert was excused until 6:10 p.m. Hamilton was excused until 6:25 p.m.

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

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 20, 2012

The Honorable Kurt Zellers
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Zellers:

I have vetoed and am returning H. F. No. 1560, Chapter No. 133, a bill to transfer final decision-making authority in contested cases from Executive Branch Agency Heads to Administrative Law Judges (ALJs) at the Office of Administrative Hearings (OAH).

If enacted into law, H. F. No. 1560 would confuse decision-making, lessen accountability, and needlessly increase the cost of government. It would do so without evidence of abuse in the present system.

Under current law, decision-making in contested cases is clear. If an agency is unable to settle a dispute with a party, agency staff brings a contested case before an ALJ. After a hearing, the ALJ makes findings of facts and a recommendation to an Agency Head or Board, such as the Public Utilities Commission. Before receiving cases, decision-makers are "walled off" from discussions or considerations involving the case. After due consideration, the decision-maker agrees or disagrees with the ALJ's recommendation, or makes changes to it.

The current system provides for accountability. Agency Heads are appointed by the Governor and are approved by the Senate. Consequently, if an Agency Head overreaches or otherwise acts inappropriately in deciding contested cases, the Governor can address the situation and, if necessary, remove the person. Alternatively, a Legislative Committee can review the matter.

If the decision-making authority were transferred to the OAH, that accountability would be eliminated. ALJs are appointed by the Chief ALJ without any further approval process and then given the protections of civil service. Thus, if decision-making were transferred to the OAH, decision-makers would no longer be accountable to the elected official responsible for the actions and decisions of executive agencies -- the Governor. Nor would they be accountable to the makers of agency policy -- the members of the Legislature.

A recurring problem with ALJs is their lack of familiarity with subject matter, since it is impossible for anyone to be knowledgeable across the vast array of state laws. By contrast, agencies and their decision-makers have deep subject matter expertise. Because of agencies' expertise in areas within their jurisdictions, appellate courts today give deference to their decisions. H. F. No. 1560 would eliminate this precedent and upend decades of judicial decision-making.

Our state's major energy companies and cooperatives: Center Point Energy, Great River Energy, Interstate Power & Light, Minnesota Energy Resources, Minnesota Power, Ottertail Power, and Xcel Energy have written me in opposition to this legislation. I am excerpting a couple paragraphs from their letter, which I believe are instructive.

"As you know, many of the complex matters that utilities take before the Public Utilities Commission (PUC) - rate cases, certificates of need, riders and resource planning, etc. - are referred to an ALJ. In those matters the ALJ develops a factual record which is the basis for the ultimate decisions. This method of creating the factual record has been successfully and efficiently used in Minnesota for many years and the utilities are accustomed to that process. At the end of that process, under current law, the ALJ makes a recommendation on the outcome of the case, but the ultimate decision rests with the PUC."

"While the ALJs do an exemplary job in preparing the factual record and their recommendations in these cases, giving them the final decision as proposed in H. F. No. 1560 would be a sea change in how PUC cases are handled. This change would remove the PUC Commissioners and staff from the final decision process. Expertise and experience on the PUC, and a long history of precedent, could be lost with the loss of PUC involvement in the final decision."

"The current system has served Minnesota well and should not be changed."

I agree with that assessment. The Administrative Procedures Act, which governs contested case proceedings in Minnesota, has been in existence for over 65 years. During that entire period, agencies have had the authority to make final decisions in contested case proceedings. Why does that widely accepted past practice now need such radical revision?

I cannot support this legislation.

Sincerely,

MARK DAYTON
Governor

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 682, A bill for an act relating to education; modifying the career and technical levy; providing for career and technical education credits; amending Minnesota Statutes 2010, sections 120B.023, subdivision 2; 124D.4531, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2011 Supplement, section 120B.023, subdivision 2, is amended to read:

Subd. 2. **Revisions and reviews required.** (a) The commissioner of education must revise and appropriately embed technology and information literacy standards consistent with recommendations from school media specialists into the state's academic standards and graduation requirements and implement a review cycle for state academic standards and related benchmarks, consistent with this subdivision. During each review cycle, the commissioner also must examine the alignment of each required academic standard and related benchmark with the knowledge and skills students need for college readiness and advanced work in the particular subject area.

(b) The commissioner in the 2006-2007 school year must revise and align the state's academic standards and high school graduation requirements in mathematics to require that students satisfactorily complete the revised mathematics standards, beginning in the 2010-2011 school year. Under the revised standards:

(1) students must satisfactorily complete an algebra I credit by the end of eighth grade; and

(2) students scheduled to graduate in the 2014-2015 school year or later must satisfactorily complete an algebra II credit or its equivalent.

The commissioner also must ensure that the statewide mathematics assessments administered to students in grades 3 through 8 and 11 are aligned with the state academic standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b). The commissioner must implement a review of the academic standards and related benchmarks in mathematics beginning in the 2015-2016 school year.

(c) The commissioner in the 2007-2008 school year must revise and align the state's academic standards and high school graduation requirements in the arts to require that students satisfactorily complete the revised arts standards beginning in the 2010-2011 school year. The commissioner must implement a review of the academic standards and related benchmarks in arts beginning in the 2016-2017 school year.

(d) The commissioner in the 2008-2009 school year must revise and align the state's academic standards and high school graduation requirements in science to require that students satisfactorily complete the revised science standards, beginning in the 2011-2012 school year. Under the revised standards, students scheduled to graduate in the 2014-2015 school year or later must satisfactorily complete a chemistry, or physics, credit or a career and technical education credit that meets ~~the~~ standards underlying ~~either~~ the chemistry ~~or~~, physics, or biology credit or a combination of those standards approved by the district. The commissioner must implement a review of the academic standards and related benchmarks in science beginning in the 2017-2018 school year.

(e) The commissioner in the 2009-2010 school year must revise and align the state's academic standards and high school graduation requirements in language arts to require that students satisfactorily complete the revised language arts standards beginning in the 2012-2013 school year. The commissioner must implement a review of the academic standards and related benchmarks in language arts beginning in the 2018-2019 school year.

(f) The commissioner in the 2010-2011 school year must revise and align the state's academic standards and high school graduation requirements in social studies to require that students satisfactorily complete the revised social studies standards beginning in the 2013-2014 school year. The commissioner must implement a review of the academic standards and related benchmarks in social studies beginning in the 2019-2020 school year.

(g) School districts and charter schools must revise and align local academic standards and high school graduation requirements in health, world languages, and career and technical education to require students to complete the revised standards beginning in a school year determined by the school district or charter school. School districts and charter schools must formally establish a periodic review cycle for the academic standards and related benchmarks in health, world languages, and career and technical education.

Sec. 2. Minnesota Statutes 2010, section 120B.024, is amended to read:

120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS.

(a) Students beginning 9th grade in the ~~2004-2005~~ 2011-2012 school year and later must successfully complete the following high school level course credits for graduation:

(1) four credits of language arts;

(2) three credits of mathematics, encompassing at least algebra, geometry, statistics, and probability sufficient to satisfy the academic standard;

(3) three credits of science, including at least: (i) one credit in biology; and (ii) one chemistry or physics credit or a career and technical education credit that meets standards underlying the chemistry, physics, or biology credit or a combination of those standards approved by the district, but meeting biology standards under this item does not meet the biology requirement under item (i);

(4) three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics or three credits of social studies encompassing at least United States history, geography, government and citizenship, and world history, and one-half credit of economics taught in a school's social studies, agriculture education, or business department;

(5) one credit in the arts; and

(6) a minimum of seven elective course credits.

A course credit is equivalent to a student successfully completing an academic year of study or a student mastering the applicable subject matter, as determined by the local school district.

(b) An agriculture science course may fulfill a science credit requirement ~~in addition to~~ other than the specified science ~~credits~~ credit in biology ~~and chemistry or physics~~ under paragraph (a), clause (3).

(c) A career and technical education course may fulfill a science, mathematics, or arts credit requirement ~~in addition to the specified science, mathematics, or arts credits~~ under paragraph (a), clause (2), (3), or (5)."

Delete the title and insert:

"A bill for an act relating to education; adjusting graduation standards; amending Minnesota Statutes 2010, section 120B.024; Minnesota Statutes 2011 Supplement, section 120B.023, subdivision 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 749, A bill for an act relating to children; creating the Family Reunification Act of 2011; amending Minnesota Statutes 2010, section 260C.101, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 260C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 260C.101, subdivision 2, is amended to read:

Subd. 2. **Other matters relating to children.** Except as provided in clause (4), the juvenile court has original and exclusive jurisdiction in proceedings concerning:

(1) the termination of parental rights to a child in accordance with the provisions of sections 260C.301 to 260C.328;

(2) the appointment and removal of a juvenile court guardian for a child, where parental rights have been terminated under the provisions of sections 260C.301 to 260C.328;

(3) judicial consent to the marriage of a child when required by law;

(4) the juvenile court in those counties in which the judge of the probate-juvenile court has been admitted to the practice of law in this state shall proceed under the laws relating to adoptions in all adoption matters. In those counties in which the judge of the probate-juvenile court has not been admitted to the practice of law in this state the district court shall proceed under the laws relating to adoptions in all adoption matters;

(5) the review of the placement of a child who is in foster care pursuant to a voluntary placement agreement between the child's parent or parents and the responsible social services agency under section 260C.212, subdivision 8;

(6) the review of voluntary foster care placement of a child for treatment under chapter 260D according to the review requirements of that chapter; and

(7) the reestablishment of a legal parent and child relationship under section 260C.329.

Sec. 2. **[260C.329] REESTABLISHMENT OF THE LEGAL PARENT AND CHILD RELATIONSHIP.**

Subdivision 1. **Citation.** This section may be cited as the "Family Reunification Act of 2012."

Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings given.

(b) "Eligible child" means a minor who is:

(1) at least ten years of age;

(2) younger than ten years of age, provided that a sibling who is at least ten years of age is a party to the proceeding involving the reestablishment of the legal parent and child relationship;

(3) younger than ten years of age only if the county attorney and the responsible social services agency agree; or

(4) an Indian child, as that term is defined in section 260C.007, subdivision 21.

(c) "Reestablishment of the legal parent and child relationship" means the physical reunification of a child and a previously terminated birth parent and restoration of all rights, powers, privileges, immunities, duties, and obligations that were severed and terminated by the court under section 260C.317.

Subd. 3. **Process for minors; who may motion.** (a) Any of the following parties may bring a motion for reestablishment of the legal parent and child relationship:

(1) an eligible child who is the subject of a guardianship and transfer of legal custody order under section 260C.325;

(2) a parent of an eligible child whose parental rights have been terminated under section 260C.317, other than a parent:

(i) whose parental rights were terminated based on a finding in a legal proceeding of sexual abuse or conduct that resulted in the death of a minor; or

(ii) who has been convicted of any crime enumerated under section 260C.007, subdivision 14;

(3) the eligible child's guardian ad litem;

(4) the tribe of an eligible Indian child; or

(5) the responsible social services agency for an eligible child.

(b) A motion for reestablishment of the legal parent and child relationship may not be brought:

(1) if a prior motion for reestablishment of the legal parent and child relationship has been brought within the previous two years;

(2) if fewer than 36 months have elapsed since a final order terminating parental rights and freeing the eligible child for adoption and the child remains in foster care;

(3) if the eligible child has been adopted, at least one adoptive parent is living, and that adoptive parent's parental rights have not been voluntarily or involuntarily terminated;

(4) if the eligible child is the subject of a written adoption placement agreement between the responsible social services agency and the prospective adoptive parent, as required under Minnesota Rules, part 9560.0060, subpart 2; or

(5) by any party other than the eligible child, if a motion for reestablishment of the legal parent and child relationship has been brought at any previous time and the child did not agree to the reestablishment.

Subd. 4. Process for minors; timing, jurisdiction, and content of motion. The motion for reestablishment of the legal parent and child relationship must:

(1) be brought before the eligible child's 18th birthday;

(2) be brought before the court that issued the order for guardianship and legal custody and conducts the reviews required under section 260C.317, subdivision 3, paragraph (b) or (c);

(3) state the factual basis for the request for reestablishment of the legal parent and child relationship;

(4) contain the names, addresses, telephone numbers, and other contact information for any person or agency entitled under this section to notice of the motion; and

(5) contain or attach documentary evidence showing the basis for reestablishment of the legal parent and child relationship.

Subd. 5. Process for minors; service on parties of motion. The motion for reestablishment of the legal parent and child relationship and notice of hearing on the motion must be served on:

(1) the eligible child's foster parent; and

(2) all persons or entities having standing to bring a motion under this section, provided that a parent whose rights have been terminated and who is not the subject of the motion is not entitled to notice of the hearing.

Subd. 6. Process for minors; preliminary hearing on motion. (a) A preliminary hearing on the motion must be conducted during a regularly scheduled review hearing.

(b) The court must determine whether the motion states a prima facie case that:

(1) the parent is fit to safely provide the day-to-day care of the eligible child, which includes meeting the child's developmental and emotional needs, and can plan and provide for the child's long-term needs; and

(2) the conditions that led to either an adjudication that the eligible child was in need of protection or services or to an order terminating parental rights have been corrected or ameliorated.

(c) The person filing the motion has the burden of proof. The court may not shift the burden to any other party.

(d) The court must deny the motion and the matter may not proceed with the evidentiary hearing if the court finds that the motion does not state the prima facie case required under paragraph (b).

Subd. 7. Process for minors; guardian ad litem report; opportunity for minor testimony. (a) The responsible social services agency and the child's guardian ad litem, unless a moving party, must file with the court the report required under the Minnesota Rules of Juvenile Protection for hearings conducted under section 260C.317, subdivision 3, paragraphs (b) and (c), at least five days prior to the hearing. The report must support or oppose the motion for reestablishment of the legal parent and child relationship, and must include the facts and evidence upon which support or opposition is based. The responsible social services agency's report must include an assessment of whether the parent's home constitutes a safe environment for the eligible child.

(b) Prior to the evidentiary hearing as provided in subdivision 8, the court may accept testimony voluntarily offered by an eligible child who is the petitioner or subject of the petition. The testimony may be provided informally under section 260C.163, subdivision 6.

Subd. 8. Process for minors; evidentiary hearing. The court may grant the motion ordering reestablishment of the legal parent and child relationship between the child and a parent who had a previous legal relationship if:

(1) the eligible child is not currently the legal child of an adoptive parent who is living;

(2) the eligible child is not the subject of a written adoption placement agreement between the responsible social services agency and the prospective adoptive parent, as required under Minnesota Rules, part 9560.0060, subpart 2;

(3) at least 36 months have elapsed following a final order terminating parental rights and freeing the child for adoption and the child remains in foster care; and

(4) the court makes detailed and individualized findings that there is clear and convincing evidence that reestablishment of the legal parent and child relationship is in the child's best interests including:

(i) that the conditions that led to either an adjudication that the eligible child was in need of protection or services or an order terminating parental rights have been corrected or ameliorated;

(ii) that there is agreement by the eligible child to reestablishment of the legal parent and child relationship;

(iii) that reestablishment of the legal parent and child relationship achieves the physical reunification of the parent and eligible child as a family unit;

(iv) that the parent is presently fit to safely maintain the day-to-day care of the eligible child; and

(v) any other factor the court considers relevant to the best interests of the eligible child, including the legal and actual effect reestablishment of the legal parent and child relationship will have on the child's relationship with the child's siblings, especially siblings in the same foster home as the child.

In making the determination of whether to grant the motion ordering reestablishment of the legal parent and child relationship, the court must consider as the paramount determinant whether the order is in the eligible child's best interests.

Subd. 9. Process for minors; service of order. The court administrator must serve:

(1) a copy of the final court order granting or denying the motion for reestablishment of the legal parent and child relationship on all persons or entities entitled under subdivision 5 to bring a motion for reestablishment; and

(2) a certified copy of any order for reestablishment of the legal parent and child relationship on the commissioner of human services.

Subd. 10. Process for persons over 18 years of age. (a) Notwithstanding subdivision 4, the following parties may bring a motion for reestablishment of the legal parent and child relationship:

(1) a person at least 18 years of age who was the subject of a guardianship and transfer of legal custody order under section 260C.325 and who is not currently the legal child of an adoptive parent who is living; or

(2) a parent whose rights have been terminated under section 260C.317 regarding the person described in clause (1).

(b) The motion must be filed in the county and before the court that issued the order terminating parental rights, and must contain:

(1) a statement that the person and the parent whose rights have been terminated both agree to reestablishment of the legal parent and child relationship;

(2) a statement that both the person and the parent whose rights have been terminated are competent to agree to reestablishment of the legal parent and child relationship;

(3) the facts showing that it is in the person's interest to reestablish the legal parent and child relationship; and

(4) the names and addresses of any natural person or agency entitled to notice of the motion under paragraph (c).

(c) The court must set a time for hearing the motion, and serve notice of the time of the hearing together with a copy of the motion upon:

(1) the person whose legal relationship with the parent would be reestablished;

(2) the previously terminated birth parent who is the movant or the subject of the person's motion;

(3) any guardian, as that term is defined under section 524.1-201;

(4) the responsible social services agency if the person had been under guardianship of the commissioner and remains in foster care under the legal responsibility of the agency;

(5) the person's foster parent if the person had been under the guardianship of the commissioner and remains in foster care under the legal responsibility of the agency; and

(6) if the person is an Indian, the person's tribe.

(d) Upon motion and hearing, the court must grant the motion ordering the reestablishment of the legal parent and child relationship if:

(1) the person understands and agrees to the order, provided that the agreement of the person is invalid if the person is either considered to be a vulnerable adult under section 626.5572, subdivision 21, or determined not to be competent to give consent;

(2) the person, if under age 21, has been informed by the court and understands that reestablishment of the parent and child relationship terminates any entitlement to benefits otherwise available to a child in foster care;

(3) the person's previously terminated birth parent agrees to the order;

(4) the person has not been adopted; and

(5) if the person has been or currently is under guardianship, the court finds that order to be in the best interests of the person.

(e) The order granting or denying the motion for reestablishment of the legal parent and child relationship must be served on:

(1) the person;

(2) the previously terminated birth parent;

(3) any guardian, as that term is defined under section 524.1-201;

(4) the responsible social services agency if the former ward continues in foster care; and

(5) if applicable, the person's tribe.

Subd. 11. No right to appointed counsel. A motion for reestablishment of the legal parent and child relationship made under this chapter does not provide a right to the appointment of counsel to the parent under section 260C.163, subdivision 3, or the Rules of Juvenile Protection Procedure, rule 25.02, subdivision 2. Nothing in this subdivision affects the representation of a child with appointed counsel under subdivision 2 or 3.

Subd. 12. Effect of order. (a) As of the effective date of a court order providing reestablishment of the legal parent and child relationship:

(1) the child or person is the legal child of the parent;

(2) the parent whose rights were terminated under a previous order of the court as the legal parent of the child or person is the legal parent of the child or person and all rights, powers, privileges, immunities, duties, and obligations that were severed and terminated by the court under section 260C.317 are restored;

(3) if applicable, guardianship and legal custody of the commissioner of human services is dismissed; and

(4) with respect to a minor child, permanent legal and physical custody of the child is awarded to the parent.

(b) An order providing reestablishment of the legal parent and child relationship as to one parent of the child has no effect on:

(1) the legal rights of any other parent whose rights to the child have been terminated by the court; or

(2) the legal sibling relationship between the child or person and any other children of the parent.

(c) Where a child is a minor, the reestablishment of the legal parent and child relationship:

(1) removes the presumption of palpable unfitness under section 260C.301, subdivision 1, paragraph (b), clause (4), that otherwise would have arisen due to any involuntary termination of parental rights order and the subsequent birth of another child of the parent; and

(2) eliminates the requirement that the county attorney file a termination of parental rights or child in need of protection or services petition due to an involuntary termination of parental rights order and subsequent birth of a child to the parent that would have otherwise arisen under section 260C.301, subdivision 3, paragraph (a), and 260C.007, subdivision 6, paragraph (16), and rebuts the presumption under section 260C.301, subdivision 1, paragraph (b), clause (4), in the event such a petition is filed."

Amend the title as follows:

Page 1, line 2, delete "2011" and insert "2012"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 876, A bill for an act relating to judiciary; modifying when the court opens hearings in delinquency or extended jurisdiction juvenile proceedings; amending Minnesota Statutes 2010, section 260B.163, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 260B.163, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) Except for hearings arising under section 260B.425, hearings on any matter shall be without a jury and may be conducted in an informal manner, except that a child who is prosecuted as an extended jurisdiction juvenile has the right to a jury trial on the issue of guilt. The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent, an extended jurisdiction juvenile, or a juvenile petty offender, and hearings conducted pursuant to section 260B.125 except to the extent that the rules themselves provide that they do not apply.

(b) When a continuance or adjournment is ordered in any proceeding, the court may make any interim orders as it deems in the best interests of the minor in accordance with the provisions of sections 260B.001 to 260B.421.

(c) Except as otherwise provided in this paragraph, the court shall exclude the general public from hearings under this chapter and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court. The court shall permit the victim of a child's delinquent act to attend any related delinquency proceeding, except that the court may exclude the victim:

(1) as a witness under the Rules of Criminal Procedure; and

(2) from portions of a certification hearing to discuss psychological material or other evidence that would not be accessible to the public.

The court shall open the hearings to the public in ~~delinquency certification~~ or extended jurisdiction juvenile proceedings where the child is alleged to have committed an offense or has been proven to have committed an offense that would be a felony if committed by an adult and the child was at least 16 years of age at the time of the offense, except that the court may exclude the public from portions of a certification hearing to discuss psychological material or other evidence that would not be accessible to the public in an adult proceeding. The court shall open the hearings to the public in delinquency proceedings where the child is alleged to have committed an offense or has been proven to have committed an offense that would be a felony if committed by an adult and the child was at least 16 years of age at the time of the offense, if the court determines that, due to the violent or serious nature of the alleged offense, the benefit to public safety of holding an open hearing outweighs the potential consequences for the child due to the resulting public record.

(d) In all delinquency cases a person named in the charging clause of the petition as a person directly damaged in person or property shall be entitled, upon request, to be notified by the court administrator in writing, at the named person's last known address, of (1) the date of the certification or adjudicatory hearings, and (2) the disposition of the case."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1787, A bill for an act relating to occupations and professions; modifying licensing provisions and fees for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2010, sections 326.02, subdivision 3; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.105; 326.107, subdivisions 1, 2, 7; 326.12, subdivision 2.

Reported the same back with the following amendments:

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

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.

Lanning from the Committee on State Government Finance to which was referred:

H. F. No. 1821, A bill for an act relating to veterans; changing the small business set-aside program for veteran-owned small businesses; authorizing county set-aside programs for veteran-owned small businesses; changing reporting requirements; amending Minnesota Statutes 2010, section 161.321, subdivisions 2, 5, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 375.

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.

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

H. F. No. 1972, A bill for an act relating to health; modifying guest license provisions for dentists, dental hygienists, and dental assistants; amending Minnesota Statutes 2010, section 150A.06, subdivision 2c.

Reported the same back with the following amendments:

Page 2, after line 33, insert:

"Sec. 2. Laws 2011, First Special Session chapter 9, article 10, section 8, subdivision 8, is amended to read:

Subd. 8. Board of Nursing Home Administrators	2,153,000	2,145,000
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Rulemaking. Of this appropriation, \$44,000 in fiscal year 2012 is for rulemaking. This is a onetime appropriation.

Electronic Licensing System Adaptors. Of this appropriation, \$761,000 in fiscal year 2013 from the state government special revenue fund is to the administrative services unit to cover the costs to connect to the e-licensing system. Minnesota Statutes, section 16E.22. Base level funding for this activity in fiscal year 2014 shall be \$100,000. Base level funding for this activity in fiscal year 2015 shall be \$50,000.

Development and Implementation of a Disciplinary, Regulatory, Licensing and Information Management System. Of this appropriation, \$800,000 in fiscal year 2012 and \$300,000 in fiscal year 2013 are for the development of a shared system. Base level funding for this activity in fiscal year 2014 shall be \$50,000.

Administrative Services Unit - Operating Costs. Of this appropriation, \$526,000 in fiscal year 2012 and \$526,000 in fiscal year 2013 are for operating costs of the administrative services unit. The administrative services unit may receive and expend reimbursements for services performed by other agencies.

Administrative Services Unit - Retirement Costs. Of this appropriation in fiscal year 2012, \$225,000 is for onetime retirement costs in the health-related boards. This funding may be transferred to the health boards incurring those costs for their payment. These funds are available either year of the biennium.

Administrative Services Unit - Volunteer Health Care Provider Program. Of this appropriation, \$150,000 in fiscal year 2012 and \$150,000 in fiscal year 2013 are to pay for medical professional liability coverage required under Minnesota Statutes, section 214.40.

Administrative Services Unit - Contested Cases and Other Legal Proceedings. Of this appropriation, \$200,000 in fiscal year 2012 and \$200,000 in fiscal year 2013 are for costs of contested case hearings and other unanticipated costs of legal proceedings involving health-related boards funded under this section. Upon certification of a health-related board to the administrative services unit that the costs will be incurred and that there is insufficient money available to pay for the costs out of money currently available to that board, the administrative services unit is authorized to transfer money from this appropriation to the board for payment of those costs with the approval of the commissioner of management and budget. This appropriation does not cancel. Any unencumbered and unspent balances remain available for these expenditures in subsequent fiscal years.

Base Adjustment. The State Government Special Revenue Fund base is decreased by \$911,000 in fiscal year 2014 and ~~\$1,011,000~~ \$961,000 in fiscal year 2015."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying the Board of Nursing Home Administrators' State Government Special Revenue Fund base;"

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. 2060, A bill for an act relating to human services; providing medical assistance coverage for community paramedic services; amending Minnesota Statutes 2010, section 256B.0625, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 256B.0625, is amended by adding a subdivision to read:

Subd. 60. **Community paramedic services.** (a) Medical assistance covers services provided by community paramedics who are certified under section 144E.28, subdivision 9, when the services are provided in accordance with this subdivision to an eligible recipient as defined in paragraph (b).

(b) For purposes of this subdivision, an "eligible recipient" is defined as an individual who has received hospital emergency department services three or more times in a period of four consecutive months in the past 12 months or an individual who has been identified by the individual's primary health care provider for whom community paramedic services identified in paragraph (c) would likely prevent admission to or would allow discharge from a nursing facility, or would likely prevent readmission to a hospital or nursing facility.

(c) Payment for services provided by a community paramedic under this subdivision must be a part of a care plan ordered by a primary health care provider in consultation with the medical director of an ambulance service and must be billed by an eligible provider enrolled in medical assistance that employs or contracts with the community paramedic. The care plan must ensure that the services provided by a community paramedic are coordinated with other community health providers and local public health agencies and that community paramedic services do not duplicate services already provided to the patient, including home health and waiver services. Community paramedic services shall include health assessment, chronic disease monitoring and education, medication compliance, immunizations and vaccinations, laboratory specimen collection, hospital discharge follow-up care, and minor medical procedures approved by the ambulance medical director.

(d) Services provided by a community paramedic to an eligible recipient who is also receiving care coordination services must be in consultation with the providers of the recipient's care coordination services.

(e) The commissioner shall seek the necessary federal approval to implement this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2012, or upon federal approval, whichever is later."

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.

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

H. F. No. 2128, A bill for an act relating to health; licensing emergency medical personnel; amending Minnesota Statutes 2010, sections 144E.001, subdivisions 1b, 3a, 4a, 4b, 5c, 5d, 5e, 6, 11, 14, by adding subdivisions; 144E.01, subdivision 1; 144E.101, subdivisions 2, 6, 7, 9, 10, 12; 144E.103; 144E.127, subdivision 2; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2, 3, 5, by adding a subdivision; 144E.275, subdivision 3; 144E.28, subdivisions 1, 5, 7; 144E.283; 144E.285; 144E.286, subdivision 3; 144E.29; 144E.30, subdivision 3; 144E.305, subdivision 2; 144E.31; 144E.32, subdivision 2; 144E.35, subdivision 1; 144E.52; Minnesota Statutes 2011 Supplement, sections 144E.001, subdivision 5f; 144E.28, subdivision 9; repealing Minnesota Rules, parts 4690.0100, subparts 16, 17; 4690.1400.

Reported the same back with the following amendments:

Page 4, after line 17, insert:

"Sec. 14. Minnesota Statutes 2010, section 144E.001, is amended by adding a subdivision to read:

Subd. 6d. **Level I trauma hospital.** "Level I trauma hospital" means an adult or pediatric hospital located in the state of Minnesota that has been designated by the commissioner of health as meeting the criteria for level I designation according to section 144.605, subdivision 3."

Page 25, after line 30, insert:

"Sec. 46. Minnesota Statutes 2010, section 144E.41, is amended to read:

144E.41 PROGRAM ELIGIBILITY; QUALIFIED AMBULANCE SERVICE PERSONNEL.

(a) Persons eligible to participate in the Cooper/Sams volunteer ambulance program are qualified ambulance service personnel.

(b) Qualified ambulance service personnel are ambulance attendants, ambulance drivers, and ambulance service medical directors or medical advisors who meet the following requirements:

(1) employment of the person by or provision by the person of service to an ambulance service that is licensed as such by the state of Minnesota and that provides ambulance services that are generally available to the public and are free of unfair discriminatory practices under chapter 363A;

(2) performance by the person during the 12 months ending as of the immediately previous June 30 of all or a predominant portion of the person's services in the state of Minnesota or on behalf of Minnesota residents, ~~as verified by August 1 annually in an affidavit from the chief administrative officer of the ambulance service;~~

(3) current certification of the person during the 12 months ending as of the immediately previous June 30 by the board as an ambulance attendant, ambulance driver, or ambulance service medical director or medical advisor under section 144E.265 or 144E.28, and supporting rules, and current active ambulance service employment or service provision status of the person, ~~as verified by August 1 annually in an affidavit from the chief administrative officer of the ambulance service;~~ and

(4) conformance by the person with the definition of the phrase "volunteer ambulance attendant" under section 144E.001, subdivision 15, except that for the salary limit specified in that provision there must be substituted, for purposes of this section only, a limit of \$6,000 for calendar year 2004, and \$6,000 multiplied by the cumulative percentage increase in the national Consumer Price Index, all items, for urban wage earners and clerical workers, as published by the federal Department of Labor, Bureau of Labor Statistics, since December 31, 2004, and for an ambulance service medical director, conformance based solely on the person's hourly stipends or salary for service as a medical director.

(c) The term "active ambulance service employment or service provision status" means being in good standing with and on the active roster of the ambulance service making the certification.

(d) For a person who is employed by or provides service to more than one ambulance service concurrently during any period during the 12-month period, credit towards an award under this chapter is limited to one ambulance service during any period. The creditable period is with the ambulance service for which the person undertakes the greatest portion of employment or service hours.

(e) Verification of the person's performance and certification for the 12 months immediately preceding June 30 as required in paragraph (b), clauses (2) and (3), must be reported annually to the board by August 1 in a notarized affidavit from the chief administrative officer of the ambulance service. Affidavits verifying service submitted to the board after August 1 shall not be considered as credited ambulance service for purposes of section 144E.46, unless specifically authorized by law.

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

Page 26, after line 8, insert:

"Sec. 48. **COOPER/SAMS VOLUNTEER AMBULANCE PROGRAM SERVICE CREDIT REPORTING.**

(a) The Emergency Medical Services Regulatory Board shall accept verification of service that was performed by qualified ambulance service personnel as described in Minnesota Statutes, section 144E.41, during the 12 months immediately preceding June 30, 2010, in the form of a notarized affidavit from the chief administrative officer of the ambulance service. If a notarized affidavit is submitted to the board by August 1, 2012, verifying service performed during this time period, the board shall add the applicable service credits to the record of potential award accumulations for each qualified ambulance service person according to Minnesota Statutes, section 144E.45.

(b) Notwithstanding Minnesota Statutes, section 144E.46, if a qualified ambulance service person affected by paragraph (a) applied for and received a Cooper/Sams volunteer ambulance award in fiscal year 2011, the board shall pay the person for the added service credits verified according to paragraph (a) as part of the awards paid out in fiscal year 2012. This payment shall be made before any other award amount.

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

Sec. 49. **REVISOR INSTRUCTION.**

The revisor of statutes shall substitute the words "physician assistant" for the words "physician's assistant" wherever found in Minnesota Statutes, chapter 144E."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "making changes to the Cooper/Sams volunteer ambulance program;"

Correct the title numbers accordingly

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.

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

H. F. No. 2341, A bill for an act relating to health; requiring a prescribing physician be physically present when certain abortion-inducing drugs are administered; providing for criminal penalty; proposing coding for new law in Minnesota Statutes, chapter 145.

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

The report was adopted.

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

H. F. No. 2450, A bill for an act relating to assumed names; providing for an exception from filing requirements; amending Minnesota Statutes 2010, section 333.01, by adding a subdivision.

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

The report was adopted.

Lanning from the Committee on State Government Finance to which was referred:

H. F. No. 2458, A bill for an act relating to state government; creating an advisory inspections process; proposing coding for new law in Minnesota Statutes, chapter 15.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[15.985] ADVISORY INSPECTIONS.**

(a) Upon the voluntary request of a person to a state agency for an advisory inspection for the purpose of complying with state law, the agency must conduct an advisory inspection. If an advisory inspection results in findings that potentially could make a person subject to a fine or other penalty imposed by the agency, the agency must notify the person in writing of those findings within ten days of the inspection.

(1) Except as provided in clause (2), if within 60 days of receiving notice the person notifies that agency it has corrected the situation that made the person potentially subject to the fine or penalty, and the agency later determines that the situation is corrected, the agency may not impose a fine or penalty as a result of the findings in the advisory inspection.

(2) For violations of chapter 177, if the person notifies the agency within the time period for remedying violations required under the applicable section of chapter 177, that it has corrected the situation that made the person potentially subject to the fine or penalty, and the agency later determines that the situation is corrected, the agency may not impose a fine or penalty as a result of the finding in the advisory inspection.

(3) A person may not request more than one advisory inspection from the same agency in a calendar year.

(b) For purposes of this section:

(1) "inspection" includes an examination of real or personal property, or an audit or other examination of financial or other documents;

(2) "penalty" includes a civil or administrative fine or other financial sanction;

(3) "person" includes a real person and businesses, including corporations, partnerships, limited liability companies, and unincorporated associations; and

(4) "state agency" means a department, agency, board, commission, constitutional office, or other group in the executive branch of state government.

(c) If an agency revises, amends, extends, or adds additional violations to a notice, the person has 60 days from the date of those changes to correct the situation without fine or penalty. For violations of chapter 177, the person has the time period for remedying violations under the applicable section of chapter 177, to correct the situation without fine or penalty.

(d) An agency conducting an inspection under this section may impose and collect from the person requesting the inspection, a fee equal to the costs incurred by the agency related to the inspection. Fees under this section shall be considered as charges for goods and services provided for the direct and primary use of a private individual, business, or other entity under section 16A.1283, paragraph (b), clause (3). Fee revenue collected under this section must be deposited in an appropriate fund other than the general fund and is appropriated from that fund to the agency collecting the fee for the purpose of conducting inspections under this section.

(e) Nothing in this section shall prohibit or interfere with an agency offering similar programs that allow independent audits or inspections, including the environmental improvement program under chapter 114C.

(f) This section does not apply to:

(1) criminal penalties;

(2) situations in which implementation of this section is prohibited by federal law or would result in loss of federal funding or other federal sanctions;

(3) conduct constituting fraud;

(4) violations in a manner that endangers a human life;

(5) violations that are part of a pattern that has occurred repeatedly and shows willful intent;

(6) violations for which it may be demonstrated that the alternative inspections process is being used to avoid enforcement;

(7) violations that occur within three years of violating an applicable law;

(8) the Department of Revenue;

(9) the Workers' Compensation Division at the Department of Labor and Industry;

(10) violations of vehicle size and weight limits under sections 169.80 to 169.88; and

(11) commercial motor vehicle inspections under section 169.781 and motor carrier regulations under chapter 221.

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

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.

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

H. F. No. 2623, A bill for an act relating to public safety; extending the time period for a continuance without adjudication in a juvenile delinquency case; amending Minnesota Statutes 2010, section 260B.198, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 17, strike "clause (1) or (2)" and insert "except clauses (3) and (4)"

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. 2626, A bill for an act relating to health; authorizing automated drug distribution systems; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[151.58] AUTOMATED DRUG DISTRIBUTION SYSTEMS.**

Subdivision 1. **Scope.** This section applies only to the use of automated drug distribution systems located within the facilities specified in subdivision 2. Except as provided in this section, all applicable provisions of this chapter, chapter 152, and Minnesota Rules, chapter 6800, must be followed.

Subd. 2. **Definitions.** For purposes of this section only, the terms defined in this subdivision have the meanings given.

(a) "Automated drug distribution system" or "system" means a mechanical system approved by the board that performs operations or activities, other than compounding or administration, related to the storage, packaging, or dispensing of drugs, and collects, controls, and maintains all required transaction information and records.

(b) "Health care facility" means a nursing home licensed under section 144A.02; a housing with services establishment registered under section 144D.01, subdivision 4, in which a home provider licensed under chapter 144A is providing centralized storage of medications; a community behavioral health hospital or Minnesota sex offender program facility operated by the Department of Human Services; or a correctional facility licensed under section 241.021.

(c) "Managing pharmacy" means a pharmacy licensed by the board that controls and is responsible for the operation of an automated drug distribution system.

Subd. 3. **Authorization.** A pharmacy may use an automated drug distribution system to fill prescription drug orders for patients of a health care facility. The automated drug distribution system may be located in a health care facility that is not at the same location as the managing pharmacy. When located within a health care facility, the system is considered to be an extension of the managing pharmacy.

Subd. 4. **Notification.** (a) At least 60 days prior to the initial use of an automated drug distribution system, the managing pharmacy must provide the board with written notification of the address at which the automated drug distribution system will be located, the manufacturer and model of the automated drug distribution system, and written policies and procedures that govern the operation of the system. The policies and procedures must address the requirements of subdivision 5 and the rules of the board. If the managing pharmacy will be using a system identical to the one for which it has previously provided notification to the board, and will be using identical policies and procedures, it must notify the board of the address at which the automated drug distribution system will be located and the manufacturer and model of the automated drug distribution system at least seven days in advance of using the system.

(b) The managing pharmacy must notify the board whenever an automated drug distribution system is taken permanently out of service.

(c) The managing pharmacy must notify the board whenever an automated drug distribution system is replaced. It must also provide the board with new written policies and procedures, unless an identical system is used as the replacement, 60 days prior to the replacement of the system.

Subd. 5. **Operation of automated drug distribution systems.** (a) The managing pharmacy and the pharmacist in charge are responsible for the operation of an automated drug distribution system.

(b) Access to an automated drug distribution system must be limited to pharmacy and nonpharmacy personnel authorized to procure drugs from the system, except that field service technicians may access a system located in a health care facility for the purposes of servicing and maintaining it while being monitored either by the managing pharmacy, or a licensed nurse within the health care facility. In the case of an automated drug distribution system that is not physically located within a licensed pharmacy, access for the purpose of procuring drugs shall be limited to licensed nurses. Each person authorized to access the system must be assigned an individual specific access code. Alternatively, access to the system may be controlled through the use of biometric identification procedures. A policy specifying time access parameters, including timeouts, logoffs, and lockouts, must be in place.

(c) For the purposes of this section only, the requirements of section 151.215 are met if the following clauses are met:

(1) a pharmacist employed by and working at the managing pharmacy must review, interpret, and approve all prescription drug orders before any drug is distributed from the system to be administered to a patient. A pharmacy technician may perform data entry of prescription drug orders provided that a pharmacist certifies the accuracy of the data entry before the drug can be released from the automated drug distribution system. A pharmacist must certify the accuracy of the filling of any cassettes, canisters, or other containers that contain drugs that will be loaded into the automated drug distribution system; and

(2) when the automated drug dispensing system is located and used within the managing pharmacy, a pharmacist must personally supervise and take responsibility for all packaging and labeling associated with the use of an automated drug distribution system.

(d) Access to drugs when a pharmacist has not reviewed and approved the prescription drug order is permitted only when a formal and written decision to allow such access is issued by the pharmacy and the therapeutics committee or its equivalent. The committee must specify the patient care circumstances in which such access is allowed, the drugs that can be accessed, and the staff that are allowed to access the drugs.

(e) In the case of an automated drug distribution system that does not utilize bar coding in the loading process, the loading of a system located in a health care facility may be performed by a pharmacy technician, so long as the activity is continuously supervised, through a two-way audiovisual system by a pharmacist on duty within the managing pharmacy. In the case of an automated drug distribution system that utilizes bar coding in the loading process, the loading of a system located in a health care facility may be performed by a pharmacy technician or a licensed nurse, provided that the managing pharmacy retains an electronic record of loading activities.

(f) The automated drug distribution system must be under the supervision of a pharmacist. The pharmacist is not required to be physically present at the site of the automated drug distribution system if the system is continuously monitored electronically by the managing pharmacy. A pharmacist on duty within a pharmacy licensed by the board must be continuously available to address any problems detected by the monitoring or to answer questions from the staff of the health care facility. The licensed pharmacy may be the managing pharmacy or a pharmacy which is acting as a central services pharmacy, pursuant to Minnesota Rules, part 6800.4075, for the managing pharmacy."

With the recommendation that when so amended the bill pass.

The report was adopted.

Garofalo from the Committee on Education Finance to which was referred:

H. F. No. 2640, A bill for an act relating to the military; amending the pay differential law as it applies to school district employees who are members of the National Guard or any other reserve unit; amending Minnesota Statutes 2010, section 471.975.

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

The report was adopted.

McNamara from the Committee on Environment, Energy and Natural Resources Policy and Finance to which was referred:

H. F. No. 2650, A bill for an act relating to energy; regulating the renewable development account; amending Minnesota Statutes 2010, section 116C.779, subdivision 2; Minnesota Statutes 2011 Supplement, section 116C.779, subdivision 1; repealing Laws 2003, First Special Session chapter 11, article 2, section 17.

Reported the same back with the following amendments:

Page 2, line 24, before "electric" insert "near-commercial and demonstration scale"

Page 2, line 32, after the period, insert "The commission may approve reasonable and necessary expenditures for administering the account in an amount not to exceed five percent of expenditures."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2658, A bill for an act relating to education; providing for the creation of individualized learning schools; modifying certain site-governed school, postsecondary enrollment options, and charter school provisions; amending Minnesota Statutes 2010, sections 120B.024; 123B.045, subdivision 3; 124D.09, subdivisions 9, 12, 13, 24, 25; 135A.101, subdivision 1; Minnesota Statutes 2011 Supplement, sections 124D.09, subdivision 5; 124D.10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2010, section 124D.09, subdivision 23.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 123B.04, is amended to read:

123B.04 SITE DECISION-MAKING AGREEMENT.

Subdivision 1. **Definition.** "Education site" means a separate facility. A program within a facility or within a district is an education site if the school board recognizes it as a site.

Subd. 2. **Agreement.** (a) Upon the request of 60 percent of the licensed employees of a site or a school site decision-making team, the school board shall enter into discussions to reach an agreement concerning the governance, management, or control of the school. A school site decision-making team may include the school principal, teachers in the school or their designee, other employees in the school, representatives of pupils in the school, or other members in the community. A school site decision-making team must include at least one parent of a pupil in the school. For purposes of formation of a new site, a school site decision-making team may be a team of teachers that is recognized by the board as a site. The school site decision-making team shall include the school principal or other person having general control and supervision of the school. The site decision-making team must reflect the diversity of the education site. At least one-half of the members shall be employees of the district, unless an employee is the parent of a student enrolled in the school site, in which case the employee may elect to serve as a parent member of the site team.

(b) School site decision-making agreements must delegate powers, duties, and broad management responsibilities to site teams and involve staff members, students as appropriate, and parents in decision making.

(c) An agreement shall include a statement of powers, duties, responsibilities, and authority to be delegated to and within the site.

(d) An agreement may include:

(1) an achievement contract according to subdivision 4;

(2) a mechanism to allow principals, a site leadership team, or other persons having general control and supervision of the school, to make decisions regarding how financial and personnel resources are best allocated at the site and from whom goods or services are purchased;

(3) a mechanism to implement parental involvement programs under section 124D.895 and to provide for effective parental communication and feedback on this involvement at the site level;

(4) a provision that would allow the team to determine who is hired into licensed and nonlicensed positions;

- (5) a provision that would allow teachers to choose the principal or other person having general control;
- (6) an amount of revenue allocated to the site under subdivision 3; and
- (7) any other powers and duties determined appropriate by the board.

The school board of the district remains the legal employer under clauses (4) and (5).

(e) Any powers or duties not delegated to the school site management team in the school site management agreement shall remain with the school board.

(f) Approved agreements shall be filed with the commissioner. If a school board denies a request or the school site and school board fail to reach an agreement to enter into a school site management agreement, the school board shall provide a copy of the request and the reasons for its denial to the commissioner.

(g) A site decision-making grant program is established, consistent with this subdivision, to allow sites to implement an agreement that at least:

- (1) notwithstanding subdivision 3, allocates to the site all revenue that is attributable to the students at that site;
- (2) includes a provision, consistent with current law and the collective bargaining agreement in effect, that allows the site team to decide who is selected from within the district for licensed and nonlicensed positions at the site and to make staff assignments in the site; and
- (3) includes a completed performance agreement under subdivision 4.

The commissioner shall establish the form and manner of the application for a grant and annually, at the end of each fiscal year, report to the house of representatives and senate committees having jurisdiction over education on the progress of the program.

Subd. 3. **Revenue and cost allocation.** Revenue for a fiscal year received or receivable by the district shall be allocated to education sites based on the agreement between the school board and the site decision-making team. Revenue shall remain allocated to each site until used by the site. The site teams and the board may enter an agreement that permits the district to provide services and retain the revenue required to pay for the services provided. The district remains responsible for legally entering into contracts and expending funds. For the purposes of this subdivision, "allocation" means that the determination of the use of the revenue shall be under the control of the site. The district may charge the accounts of each site the actual costs of goods and services from the general or capital funds attributable to the site.

Subd. 4. **Achievement contract.** A school board may enter a written education site achievement contract with each site decision-making team for the purpose of: (1) setting individualized learning performance expectations and achievement measures and short- and long-term educational goals for each student at that site, including the goals for improvement in each area of; (2) recognizing each student's educational needs and aptitudes and levels of academic attainment, whether on grade level or above or below grade level, so as to improve student performance through such means as fully-adaptive or partially-adaptive assessments; (3) using student performance data to diagnose a student's academic strengths and weaknesses and indicate to the student's teachers the specific skills and concepts that need to be introduced to the student and developed through academic instruction or applied learning, organized by strands within subject areas and linked to state and local academic standards during the next year, a plan to assist consistent with the student's short- and long-term educational goals; and (4) assisting the education site if their progress in achieving student or contract goals are not achieved, and or other performance expectations and or measures determined agreed to by the board and the site decision-making team are not realized or implemented.

Subd. 4a. **Additional site agreements premised on successful achievement contracts.** A school board that enters into a written education achievement contract with a school site under subdivision 4 where the student performance data at the site demonstrate at least three consecutive school years of improved student achievement consistent with the terms of the achievement contract must seek to establish a similar achievement contract with other school sites in the district.

Subd. 5. **Commissioner's role.** The commissioner of education, in consultation with appropriate educational organizations, shall:

- (1) upon request, provide technical support for districts and sites with agreements under this section;
- (2) conduct and compile research on the effectiveness of site decision making; and
- (3) periodically report on and evaluate the effectiveness of site management agreements on a statewide basis.

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

Delete the title and insert:

"A bill for an act relating to education; clarifying terms for an education site achievement contract focused on individualized learning goals for each student; directing districts with successful contracts to enter into similar achievement contracts with other school sites; amending Minnesota Statutes 2010, section 123B.04."

With the recommendation that when so amended the bill pass.

The report was adopted.

McNamara from the Committee on Environment, Energy and Natural Resources Policy and Finance to which was referred:

H. F. No. 2731, A bill for an act relating to energy; requiring an assessment and grant for the purpose of community energy technical assistance and outreach.

Reported the same back with the following amendments:

Page 1, line 6, before the first "The" insert "(a)"

Page 1, line 7, delete "2012" and insert "2013"

Page 1, after line 9, insert:

"(b) By October 1, 2013, a person or organization receiving a grant under paragraph (a) must submit a report containing a detailed account of the expenditures made for each activity financed by the grant to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over energy policy and finance."

Page 1, line 10, delete "2013" and insert "2012"

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.

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

H. F. No. 2749, A bill for an act relating to commerce; regulating auto insurance claims practices; amending Minnesota Statutes 2010, sections 65B.54, subdivision 6; 609.612, subdivision 1.

Reported the same back with the following amendments:

Page 3, after line 14, insert:

"Sec. 3. **WORK GROUP; EVALUATION OF HEALTH CARE PROVIDED UNDER THE STATE'S NO-FAULT AUTOMOBILE INSURANCE SYSTEM.**

The chairs of the house Commerce and Regulatory Reform Committee and the senate Commerce and Consumer Protection Committee shall convene a work group to study and compare the delivery of health care services under the no-fault automobile systems established in other no-fault states to evaluate whether Minnesota law satisfies the objectives of Minnesota Statutes, section 65B.42, including examining medical treatment parameters or standards, dispute resolution mechanisms, medical fee schedules, and independent medical examinations. The work group shall report back to the committee chairs by October 15, 2012.

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

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "providing for the evaluation of health care provided under the no-fault automobile insurance system;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2795, A bill for an act relating to horse racing; medication; providing for certain regulatory threshold concentrations to be set by the commission; amending Minnesota Statutes 2010, section 240.24, subdivision 2.

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

The report was adopted.

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

H. F. No. 2836, A bill for an act relating to emergency medical services; establishing an interstate highway emergency response account; creating an interstate emergency response reimbursement program; requiring a report from the Department of Revenue; appropriating money; amending Minnesota Statutes 2010, section 168A.40, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144E.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[144E.51] INTERSTATE HIGHWAY EMERGENCY RESPONSE REIMBURSEMENT PILOT PROGRAM.**

Subdivision 1. **Established.** The board shall establish and administer a pilot program to reimburse an eligible ambulance service for unrecovered costs resulting from providing emergency services to persons on interstate highways in the state.

Subd. 2. **Eligibility.** In order to be eligible for reimbursement under this program, the ambulance service must meet the following criteria:

(1) be a licensed ambulance service with the majority of its personnel being volunteer ambulance attendants, as defined in section 144E.001, subdivision 15;

(2) be located in Washington County;

(3) have an interstate highway that runs through its primary service area;

(4) serve a primary service area immediately adjacent to Wisconsin; and

(5) submit evidence to the board on a quarterly basis demonstrating that it (i) provided emergency services to an out-of-state resident on an interstate highway, issued the patient a claim for such service, and was unable to collect on the debt, or (ii) provided emergency services on an interstate highway to an unidentified patient and was unable to collect on the debt.

Subd. 3. **Reimbursement.** Upon receipt of a request for reimbursement from an eligible ambulance service pursuant to subdivision 2, the board may determine the percentage of eligible claims to be reimbursed based on available funding.

Sec. 2. **INTERSTATE HIGHWAY EMERGENCY RESPONSE REIMBURSEMENT PILOT PROGRAM REPORT.**

By January 15, 2013, the emergency medical services regulatory board and the Minnesota Ambulance Association must report to the governor and to the legislature the impediments to collection of uncompensated emergency care provided by Minnesota ambulance services provided to nonresidents. The report must be based on information gathered by an ambulance service participating in the pilot program, established under Minnesota Statutes, section 144E.51, and must consider data submitted by other ambulance services in the state that have an interstate highway within their primary service area and experience significant uncompensated care originating from nonresidents. The report must include options for addressing future collection of unpaid charges generated by nonresidents.

Sec. 3. **APPROPRIATION.**

\$...... is appropriated from the general fund in fiscal year 2013 to the Emergency Medical Services Regulatory Board for the interstate highway emergency response reimbursement pilot program, established under Minnesota Statutes, section 144E.51. Of this appropriation, \$......is for the board to administer the pilot program. Funds are available until expended.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective July 1, 2012."

Delete the title and insert:

"A bill for an act relating to emergency medical services; establishing an interstate highway emergency response reimbursement pilot program; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144E."

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. 2863, A bill for an act relating to metropolitan government; adding duties to the Legislative Commission on Metropolitan Government; providing for fiscal year starting July 1 for the Metropolitan Council; requiring legislative approval of the council's budgets; amending Minnesota Statutes 2010, sections 3.8841, subdivisions 7, 8; 473.13, subdivision 1; 473.535.

Reported the same back with the following amendments:

Page 1, line 13, delete "(a)"

Page 2, delete lines 1 to 20

Page 3, delete lines 9 to 12

Page 3, line 13, delete "(d)" and insert "(c)"

Page 3, line 19, delete "(e)" and insert "(d)"

Page 4, delete lines 8 to 11

Page 4, after line 18, insert:

"Sec. 6. **APPLICATION.**

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

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.

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

S. F. No. 1135, A bill for an act relating to health; extending the Maternal and Child Health Advisory Task Force; amending Minnesota Statutes 2010, section 145.881, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[145.881] MATERNAL AND CHILD HEALTH ADVISORY TASK FORCE.**

Subdivision 1. Composition of task force. The commissioner shall establish and appoint a Maternal and Child Health Advisory Task Force consisting of 15 members who will provide equal representation from:

- (1) professionals with expertise in maternal and child health services;
- (2) representatives of community health boards as defined in section 145A.02, subdivision 5; and
- (3) consumer representatives interested in the health of mothers and children.

No members shall be employees of the Minnesota Department of Health. Section 15.059 governs the Maternal and Child Health Advisory Task Force. Notwithstanding section 15.059, the Maternal and Child Health Advisory Task Force expires June 30, 2015.

Subd. 2. Duties. The advisory task force shall meet on a regular basis to perform the following duties:

- (1) review and report on the health care needs of mothers and children throughout the state of Minnesota;
- (2) review and report on the type, frequency, and impact of maternal and child health care services provided to mothers and children under existing maternal and child health care programs, including programs administered by the commissioner of health;
- (3) establish, review, and report to the commissioner a list of program guidelines and criteria which the advisory task force considers essential to providing an effective maternal and child health care program to low-income populations and high-risk persons and fulfilling the purposes defined in section 145.88;
- (4) make recommendations to the commissioner for the use of other federal and state funds available to meet maternal and child health needs;
- (5) make recommendations to the commissioner of health on priorities for funding the following maternal and child health services:
 - (i) prenatal, delivery, and postpartum care;
 - (ii) comprehensive health care for children, especially from birth through five years of age;
 - (iii) adolescent health services;
 - (iv) family planning services;
 - (v) preventive dental care;

(vi) special services for chronically ill and disabled children; and

(vii) any other services that promote the health of mothers and children; and

(6) establish, in consultation with the commissioner and the state Community Health Advisory Committee established under section 145A.10, subdivision 10, paragraph (a), statewide outcomes that will improve the health status of mothers and children as required in section 145A.12, subdivision 7."

Delete the title and insert:

"A bill for an act relating to health; establishing the Maternal and Child Health Advisory Task Force; proposing coding for new law in Minnesota Statutes, chapter 145."

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:

S. F. No. 1212, A bill for an act relating to health records; adding adult children of a deceased patient to the definition of patient; amending Minnesota Statutes 2010, section 144.291, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 6, before "adult" insert "surviving"

Amend the title as follows:

Page 1, line 2, after "adding" insert "surviving"

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

The report was adopted.

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

S. F. No. 1492, A bill for an act relating to state government; changing the date designated for Fallen Firefighters Memorial Day; amending Minnesota Statutes 2010, section 10.585.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 682, 749, 876, 2450, 2623, 2626, 2640, 2650, 2658, 2749 and 2795 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1135 and 1492 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dettmer introduced:

H. F. No. 2946, A bill for an act relating to capital investment; appropriating money for the Peace Officer's Memorial; authorizing the sale and issuance of state bonds.

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

Davnie and Norton introduced:

H. F. No. 2947, A bill for an act relating to education; requiring the Department of Education to also report PSEO data to the legislature; amending Minnesota Statutes 2010, section 120B.13, subdivision 4.

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

Moran introduced:

H. F. No. 2948, A bill for an act relating to occupations and professions; requiring rulemaking to allow mobile barber shops.

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

Garofalo introduced:

H. F. No. 2949, A bill for an act relating to education finance; modifying certain education finance provisions; amending Minnesota Statutes 2011 Supplement, sections 120B.07; 120B.08; 120B.09; 120B.12, subdivision 2; 124D.98, subdivisions 2, 3; 126C.126.

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

Woodard introduced:

H. F. No. 2950, A bill for an act relating to transportation; providing contingent appropriation for highway safety rest areas; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Hackbarth introduced:

H. F. No. 2951, A bill for an act relating to game and fish; modifying license requirements and fees to take wild animals; providing for disposition of certain receipts; appropriating money; amending Minnesota Statutes 2010, sections 97A.065, by adding a subdivision; 97A.411, subdivision 1, by adding a subdivision; 97A.431, subdivision

3; 97A.433, subdivision 3; 97A.435, subdivisions 2, 3; 97A.451, subdivisions 3, 4, 5, by adding a subdivision; 97A.473, subdivisions 2, 3, 4, 5; 97A.474, subdivision 2; 97A.475, subdivisions 2, 3, 4, 6, 8, 11, 12, 20, 43, 44, 45, by adding a subdivision; 97A.485, subdivision 7; 97B.020; 97B.401; 97B.715, subdivision 1; 97B.801; 97C.305; Minnesota Statutes 2011 Supplement, sections 97A.075, subdivision 1; 97A.475, subdivision 7; repealing Minnesota Statutes 2010, sections 97A.451, subdivision 3a; 97A.473, subdivisions 2a, 2b, 5a.

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

Petersen, B., introduced:

H. F. No. 2952, A bill for an act relating to government reform; requiring a system of zero-based budgeting; amending Minnesota Statutes 2010, sections 16A.103; 16A.11, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 2010, section 16A.103, subdivisions 1b, 4.

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

Persell introduced:

H. F. No. 2953, A bill for an act relating to capital investment; appropriating money for acquisition of school trust land by the Department of Natural Resources; authorizing the sale and issuance of state bonds.

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

Hosch; Murphy, E.; Huntley and Fritz introduced:

H. F. No. 2954, A bill for an act relating to human services; creating the Minnesota Children and Family Investment Program Act; modifying the MFIP and child care assistance programs; providing appointments; appropriating money; amending Minnesota Statutes 2010, sections 119B.025, subdivision 1; 119B.05, subdivision 1; 256J.08, by adding a subdivision; 256J.45, subdivision 2; 256J.50, by adding a subdivision; 256J.521, subdivision 2; Minnesota Statutes 2011 Supplement, section 256J.49, subdivision 13; repealing Minnesota Statutes 2010, section 256J.24, subdivision 6.

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

FISCAL CALENDAR

Pursuant to rule 1.22, Holberg requested immediate consideration of H. F. No. 2337.

H. F. No. 2337 was reported to the House.

Kath and Murdock moved to amend H. F. No. 2337, the second engrossment, as follows:

Page 93, after line 8, insert:

"Sec. 14. **STEELE COUNTY; CIP BONDING AUTHORITY.**

(a) The governing body of Steele county may, by resolution, include in its capital improvement plan under Minnesota Statutes, section 373.40, buildings to be acquired, constructed, and improved at its fairgrounds for use by its agricultural society and buildings for use as a highway operations and maintenance complex.

(b) The buildings authorized by paragraph (a) constitute "capital improvements" for all purposes of Minnesota Statutes, section 373.40, if the principal amount of bonds issued to finance the buildings do not exceed \$650,000.

EFFECTIVE DATE. This section is effective the day after the governing body of Steele county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 15. **WADENA COUNTY; CIP BONDING AUTHORITY.**

(a) The governing body of Wadena county may, by resolution, include in its capital improvement plan under Minnesota Statutes, section 373.40, buildings to be acquired, constructed, and improved at its fairgrounds for use by its agricultural society.

(b) The buildings authorized by paragraph (a) constitute "capital improvements" for all purposes of Minnesota Statutes, section 373.40, if the principal amount of bonds issued to finance the buildings do not exceed \$1,000,000.

EFFECTIVE DATE. This section is effective the day after the governing body of Wadena county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina moved to amend H. F. No. 2337, the second engrossment, as amended, as follows:

Page 5, line 26, delete everything after "the" and insert "rate equal to the prime rate of interest charged by banks during the six-month period ending on September 30 of that year plus two percent, as determined by the commissioner not later than October 15 of each year. The rate of interest becomes effective on January 1 of the immediately succeeding year. For purposes of this subdivision, the term "prime rate charged by banks" means the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System. The determination of the commissioner pursuant to this subdivision is not considered a "rule" and is not subject to the Administrative Procedure Act contained in chapter 14."

Page 5, delete lines 27 and 28

Page 5, line 29, delete everything before "The"

The motion prevailed and the amendment was adopted.

H. F. No. 2337, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, mineral, liquor, aggregate materials, local, and other taxes and tax-related provisions; changing and providing income and franchise tax credits, exemptions, and deductions; providing for taxation of foreign operating companies; providing a corporate tax benefit transfer program; changing certain mining tax rates and allocation of tax proceeds; changing property tax interest, credits, and exemptions, and providing for use of a local levy; phasing out the state general levy; modifying the renter property tax refund and providing a supplemental targeting refund; modifying city aid payments; modifying tax increment financing district requirements; authorizing, changing, and extending tax increment financing districts in certain local governments; changing sales and use tax payment requirements and changing and providing exemptions; modifying use of revenues and authorizing extension of certain sales and lodging taxes for certain cities; changing liquor tax reporting and credits; allocating funds to border city enterprise zones; authorizing certain local governments to issue public debt; establishing a truth in taxation task force; establishing a tax reform action committee; establishing a greater Minnesota internship program; requiring reports; requiring a funds transfer appropriating money; amending Minnesota Statutes 2010, sections 116J.8737, subdivisions 5, 8, by adding a subdivision; 273.113; 275.025, subdivisions 1, 2, 4; 279.03, subdivisions 1a, 2; 289A.08, subdivision 3; 289A.20, subdivision 4; 290.01, subdivisions 19d, 29; 290.06, by adding subdivisions; 290.068, subdivision 1; 290.17, subdivision 4; 290.21, subdivision 4; 290A.04, subdivision 2a, by adding a subdivision; 290A.23, subdivision 1; 290B.07; 290B.08, subdivision 2; 297A.68, subdivision 5; 297A.70, subdivision 4, by adding a subdivision; 297A.8155; 297G.04, subdivision 2; 298.018, subdivision 1; 298.28, subdivision 4; 298.75, by adding a subdivision; 469.169, by adding a subdivision; 477A.011, subdivision 36; 477A.013, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 116J.8737, subdivisions 1, 2; 290.01, subdivision 19c; 290A.03, subdivisions 11, 13; 290A.04, subdivision 4; 298.01, subdivision 3; 298.015, subdivision 1; 298.28, subdivision 2; 469.176, subdivisions 4c, 4m; 469.1763, subdivision 2; 477A.013, subdivision 9; Laws 1971, chapter 773, section 1, subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1998, chapter 389, article 8, section 43, subdivision 3, as amended; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2003, chapter 127, article 12, section 28; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, section 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 389, article 1, section 12; proposing coding for new law in Minnesota Statutes, chapters 116J; 136A; repealing Minnesota Statutes 2010, section 290.0921, subdivision 7; Minnesota Statutes 2011 Supplement, section 289A.60, subdivision 31; Laws 2009, chapter 88, article 4, section 23, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 72 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeler	Banaian	Buesgens	Dean	Erickson	Gruenhagen
Anderson, B.	Barrett	Cornish	Dettmer	Fabian	Gunther
Anderson, D.	Beard	Crawford	Doepke	Franson	Hackbarth
Anderson, P.	Benson, M.	Dautt	Downey	Garofalo	Hamilton
Anderson, S.	Bills	Davids	Drazkowski	Gottwalt	Hancock

Holberg	Kriesel	Mazorol	Myhra	Sanders	Torkelson
Hoppe	Lanning	McDonald	Nornes	Schomacker	Urdahl
Howes	Leidiger	McElfrick	O'Driscoll	Scott	Vogel
Kelly	LeMieur	McFarlane	Peppin	Shimanski	Wardlow
Kieffer	Lohmer	McNamara	Petersen, B.	Smith	Westrom
Kiel	Loon	Murdock	Quam	Stensrud	Woodard
Kiffmeyer	Mack	Murray	Runbeck	Swedzinski	Spk. Zellers

Those who voted in the negative were:

Allen	Eken	Hortman	Liebling	Murphy, M.	Slawik
Anzelc	Falk	Hosch	Lillie	Nelson	Slocum
Atkins	Fritz	Huntley	Loeffler	Norton	Thissen
Benson, J.	Gauthier	Johnson	Mahoney	Paymar	Tillberry
Brynaert	Greene	Kahn	Mariani	Pelowski	Wagenius
Carlson	Greiling	Kath	Marquart	Persell	Ward
Champion	Hansen	Knuth	Melin	Peterson, S.	Winkler
Clark	Hausman	Koenen	Moran	Poppe	
Davnie	Hilstrom	Laine	Morrow	Rukavina	
Dill	Hilty	Lenczewski	Mullery	Scalze	
Dittrich	Hornstein	Lesch	Murphy, E.	Simon	

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

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Scott moved that the names of LeMieur and Myhra be added as authors on H. F. No. 322. The motion prevailed.

Hortman moved that the names of Johnson and Brynaert be added as authors on H. F. No. 1429. The motion prevailed.

Erickson moved that the name of Woodard be added as an author on H. F. No. 1435. The motion prevailed.

Woodard moved that the name of Hansen be added as an author on H. F. No. 1607. The motion prevailed.

Kriesel moved that the name of Lohmer be added as an author on H. F. No. 1774. The motion prevailed.

Davids moved that the name of Anderson, D., be added as an author on H. F. No. 1972. The motion prevailed.

Vogel moved that the name of Falk be added as an author on H. F. No. 2226. The motion prevailed.

Gottwalt moved that the name of Hamilton be added as an author on H. F. No. 2412. The motion prevailed.

Hackbarth moved that the name of Kahn be added as an author on H. F. No. 2413. The motion prevailed.

Schomacker moved that the name of Hamilton be added as an author on H. F. No. 2525. The motion prevailed.

Howes moved that the name of Atkins be added as an author on H. F. No. 2618. The motion prevailed.

Winkler moved that the name of Peterson, S., be added as an author on H. F. No. 2632. The motion prevailed.

Gunther moved that the name of Davids be added as an author on H. F. No. 2719. The motion prevailed.

Loon moved that the name of Simon be added as an author on H. F. No. 2729. The motion prevailed.

Abeler moved that the name of Davids be added as an author on H. F. No. 2749. The motion prevailed.

Mariani moved that the names of Mullery and Brynaert be added as authors on H. F. No. 2840. The motion prevailed.

Johnson moved that the name of Slocum be added as an author on H. F. No. 2847. The motion prevailed.

Hansen moved that the name of Slocum be added as an author on H. F. No. 2869. The motion prevailed.

Winkler moved that the name of Slocum be added as an author on H. F. No. 2885. The motion prevailed.

Davnie moved that the name of Slocum be added as an author on H. F. No. 2892. The motion prevailed.

Greiling moved that the name of Slocum be added as an author on H. F. No. 2911. The motion prevailed.

Quam moved that the name of Benson, M., be added as an author on H. F. No. 2917. The motion prevailed.

Norton moved that the name of Clark be added as an author on H. F. No. 2937. The motion prevailed.

Howes moved that H. F. No. 1981 be recalled from the Committee on Government Operations and Elections and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 22, 2012. 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 22, 2012.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives