

FIFTY-SIXTH DAY

St. Paul, Minnesota, Tuesday, May 14, 2013

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Dr. David Van Dyke.

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

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

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

The President declared a quorum present.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Latz moved that the following members be excused for a Conference Committee on S.F. No. 671 at 11:00 a.m.:

Senators Latz, Dibble, Goodwin, Dziedzic and Limmer. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

May 9, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2013 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2013	Date Filed 2013
	947	49	3:42 p.m. May 9	May 9
	194	50	3:43 p.m. May 9	May 9
	588	51	3:45 p.m. May 9	May 9
	1113	52	3:47 p.m. May 9	May 9

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1604.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 13, 2013

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1604: A bill for an act relating to health; requiring reporting of diverted narcotics or controlled substances; amending Minnesota Statutes 2012, section 214.33, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1181, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 335 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
335	41				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. No. 335 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Wiger, Stumpf, Eken, Pratt and Fischbach introduced—

S.F. No. 1658: A bill for an act relating to higher education; prohibiting requiring students from purchasing graduation caps and gowns and diplomas; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Higher Education and Workforce Development.

Senators Saxhaug and Pederson, J. introduced—

S.F. No. 1659: A bill for an act relating to the State Building Code; modifying residential inspections; amending Minnesota Statutes 2012, section 326B.106, subdivision 2.

Referred to the Committee on Jobs, Agriculture and Rural Development.

MOTIONS AND RESOLUTIONS

Senator Champion moved that the name of Senator Bakk be added as a co-author to S.F. No. 840. The motion prevailed.

Senator Pappas introduced –

Senate Resolution No. 80: A Senate resolution congratulating Megan Hall on being named the 2013 Minnesota Teacher of the Year.

Referred to the Committee on Rules and Administration.

Senators Brown and Benson introduced –

Senate Resolution No. 81: A Senate resolution congratulating James R. Hill of Zimmerman, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

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

S.F. Nos. 1014, 1272, H.F. Nos. 1138, 975, S.F. Nos. 561 and 778.

SPECIAL ORDER

S.F. No. 1014: A bill for an act relating to human services; modifying provisions related to the Minnesota sex offender program; requiring a public education campaign; modifying the Civil Commitment Act; appropriating money; amending Minnesota Statutes 2012, sections 246B.10; 253B.18, subdivision 4c; 253B.185, subdivisions 1, 10, 11, 11a, 11b, 12, 14, 14a, 15, 17, 18, by adding subdivisions; 253B.19, subdivisions 2, 3, by adding a subdivision; 609.485, subdivision 2; repealing Minnesota Statutes 2012, section 253B.185, subdivision 9.

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 1014. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 1014 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 21, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Newman	Sheran
Benson	Dziedzic	Jensen	Pappas	Sieben
Bonoff	Eaton	Johnson	Petersen, B.	Skoe
Carlson	Eken	Koenen	Pratt	Sparks
Chamberlain	Franzen	Latz	Reinert	Stumpf
Champion	Goodwin	Limmer	Rest	Torres Ray
Clausen	Hall	Lourey	Rosen	Wiger
Cohen	Hann	Marty	Saxhaug	Wiklund
Dahle	Hawj	Metzen	Scalze	

Those who voted in the negative were:

Brown	Housley	Nelson	Ruud	Westrom
Dahms	Ingebrigtsen	Nienow	Schmit	
Fischbach	Kent	Ortman	Senjem	
Gazelka	Kiffmeyer	Osmek	Thompson	
Hoffman	Miller	Pederson, J.	Weber	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1272: A bill for an act relating to public health; establishing a healthy housing grant program; appropriating money for healthy housing grants and lead poisoning prevention activities; proposing coding for new law in Minnesota Statutes, chapter 144.

Senator Brown moved to amend S.F. No. 1272 as follows:

Page 3, after line 3, insert:

"Sec. 3. **FULL-TIME EMPLOYEE RESTRICTION.**

No more than one full-time employee may be hired by the Department of Health to administer the grants under this act."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1272 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gazelka	Limmer	Osmek	Senjem
Benson	Hall	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Newman	Pratt	Westrom
Dahms	Ingebrigtsen	Nienow	Rosen	
Fischbach	Kiffmeyer	Ortman	Ruud	

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

SPECIAL ORDER

H.F. No. 1138: A bill for an act relating to the military; updating the Minnesota Code of Military Justice; providing clarifying language; amending Minnesota Statutes 2012, sections 192A.02, subdivision 1; 192A.045, subdivision 3; 192A.095; 192A.10; 192A.105; 192A.11, subdivision 1; 192A.111; 192A.13; 192A.20; 192A.235, subdivision 3; 192A.605; 192A.62; 192A.66; proposing coding for new law in Minnesota Statutes, chapter 192A; repealing Minnesota Statutes 2012, sections 192A.085; 192A.11, subdivisions 2, 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 975: A bill for an act relating to human services; modifying provisions related to fair hearings and internal audits; creating the Cultural and Ethnic Leadership Communities Council; removing obsolete language; making technical changes; amending Minnesota Statutes 2012, sections 245.4661, subdivisions 2, 6; 245.482, subdivision 5; 256.01, subdivision 2; 256.017, subdivision 1; 256.045, subdivisions 1, 3, 4, 5; 256.0451, subdivisions 5, 13, 22, 24; 256B.055, subdivision 12; 256B.056, subdivision 11; 256B.057, subdivision 3b; 256B.0595, subdivisions 1, 2, 4, 9; 256D.02, subdivision 12a; 256J.30, subdivisions 8, 9; 256J.37, subdivision 3a; 256J.395, subdivision 1; 256J.575, subdivision 3; 256J.626, subdivisions 6, 7; 256J.72, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 2012, sections 245.461, subdivision 3; 245.463, subdivisions 1, 3, 4; 256.01, subdivisions 2a, 13, 23a; 256B.0185; 256D.02, subdivision 4a; 256J.575, subdivision 4; 256J.74, subdivision 4; 256L.04, subdivision 9.

Senator Benson moved to amend H.F. No. 975, as amended pursuant to Rule 45, adopted by the Senate May 1, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 872.)

Page 11, line 10, delete "256.999"

Page 13, line 25, delete everything before the second comma and insert "(11) by February 15, 2014"

Page 13, line 28, delete "since the last report"

Page 13, line 31, after the period, insert "The report must also include a list of programs, groups, and grants used to reduce disparities, and also statistically valid reports of outcomes on the reduction of the disparities."

Page 14, line 8, delete everything after "Expiration."

Page 14, delete line 9 and insert "The council expires on March 15, 2015."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Newman moved to amend H.F. No. 975, as amended pursuant to Rule 45, adopted by the Senate May 1, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 872.)

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2012, section 256.045, subdivision 1, is amended to read:

Subdivision 1. **Powers of the state agency.** ~~The commissioner of human services may appoint one or more state human services referees to conduct hearings and recommend orders in accordance with subdivisions 3, 3a, 3b, 4a, and 5. Human services referees designated pursuant to this section may administer oaths and shall be under the control and supervision of the commissioner of human services and shall not be a part of~~ shall use the Office of Administrative Hearings established pursuant to sections 14.48 to 14.56 for purposes of conducting state agency hearings and recommending orders under this section."

Page 5, line 2, delete "A human service" and insert "An administrative law"

Page 5, line 3, delete "human services" and insert "administrative law"

Page 8, line 16, delete "A human services" and insert "An administrative law"

Page 11, delete section 9 and insert:

"Sec. 9. **REVISOR'S INSTRUCTION.**

The revisor is instructed to substitute the term "administrative law judge" for the term "appeals examiner," "human services referee," "referee," or any similar terms referring to the human services referees previously appointed by the commissioner of human services under Minnesota Statutes 2012, section 256.045, subdivision 1, wherever they appear in Minnesota Statutes, sections 256.045, 256.0451, 256.046, or elsewhere in Minnesota Statutes or Minnesota Rules."

CALL OF THE SENATE

Senator Franzen imposed a call of the Senate for the balance of the proceedings on H.F. No. 975. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Hall	Miller	Pederson, J.	Thompson
Benson	Hann	Nelson	Petersen, B.	Weber
Brown	Housley	Newman	Pratt	Westrom
Chamberlain	Ingebrigtsen	Nienow	Rosen	
Dahms	Kiffmeyer	Ortman	Ruud	
Fischbach	Limmer	Osmeck	Senjem	

Those who voted in the negative were:

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

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

H.F. No. 975 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gazelka	Limmer	Petersen, B.	Weber
Benson	Hall	Miller	Pratt	Westrom
Brown	Hann	Newman	Rosen	
Chamberlain	Housley	Nienow	Ruud	
Dahms	Ingebrigtsen	Ortman	Senjem	
Fischbach	Kiffmeyer	Pederson, J.	Thompson	

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

SPECIAL ORDER

S.F. No. 561: A bill for an act relating to commerce; regulating building and construction contracts; prohibiting certain agreements to insure; amending Minnesota Statutes 2012, section 337.05, subdivision 1.

Senator Jensen moved to amend S.F. No. 561 as follows:

Page 1, line 10, delete "An agreement or contract" and insert "A"

Page 1, line 12, after "those" insert "other"

Page 1, line 13, delete everything after the period

Page 1, delete lines 14 to 17 and insert:

"(c) Paragraph (b) does not affect the validity of a provision that requires a party to provide or obtain workers' compensation insurance, construction performance or payment bonds, or project-specific insurance, including, without limitation, builder's risk policies or owner or contractor-controlled insurance programs or policies.

(d) Paragraph (b) does not affect the validity of a provision that requires the promisor to provide or obtain insurance coverage for the promisee's vicarious liability, or liability imposed by warranty, arising out of the acts or omissions of the promisor."

Page 1, line 18, delete "(c)" and insert "(e)"

The motion prevailed. So the amendment was adopted.

S.F. No. 561 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 778: A bill for an act relating to collective bargaining; authorizing collective bargaining for family child care providers; authorizing collective bargaining for home and community-based long-term care services; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 179A; 256B.

Senator Pappas moved to amend S.F. No. 778 as follows:

Page 3, delete subdivision 11

Page 4, delete subdivision 12

Page 4, line 30, before the period, insert ", provided that the commissioner of the Bureau of Mediation Services shall process any petition under Minnesota Statutes, section 179A.52, subdivision 5, pending as of June 30, 2017, and any certification of an exclusive representative resulting from a petition pending as of June 30, 2017, shall, for the purposes of this section, be treated as having occurred on the date the petition was initially filed"

Page 5, line 1, delete "act" and insert "article"

Page 5, line 29, delete "11" and insert "4"

Page 6, line 23, before "subsequent" insert "three" and delete "for an additional three months"

Page 7, delete subdivisions 11 and 12

Page 8, line 26, delete "This" and insert "The" and after "requirement" insert "under subdivision 2"

Page 10, line 17, delete "not" and insert "no"

Page 10, line 22, delete everything after the period

Page 10, delete lines 23 to 31 and insert "The commissioner shall share the lists with others as needed for the state to meet its obligations under chapter 179A as modified and made applicable to individual providers under section 179A.54, and to facilitate the representational processes under section 179A.54, subdivisions 9 and 10. In order to effectuate this section and section 179A.54, questions of employee organization access to other relevant data on individual providers relating to their employment or prospective employment within covered programs shall be governed by chapter 179A and section 13.43, and shall be treated the same as labor organization access to personnel data under section 13.43, subdivision 6. This shall not include access to private data on participants"

Page 10, line 36, after "section" insert a comma

Page 11, line 17, before "Sections" insert "Provided the commissioner of human services fulfills the department's obligations under Minnesota Statutes, section 256B.0711, subdivision 4, paragraphs (f) and (g), by September 1, 2013,"

Page 11, line 18, before the period, insert ""; provided further that the commissioner of the Bureau of Mediation Services shall process any petition under Minnesota Statutes, section 179A.54, subdivision 10, pending as of June 30, 2017, and any certification of an exclusive representative resulting from a petition pending as of June 30, 2017, shall, for the purposes of this section, be treated as having occurred on the date the petition was initially filed"

Page 11, line 21, delete "act" and insert "article"

Correct the internal references

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 778. The Sergeant at Arms was instructed to bring in the absent members.

Senator Petersen, B. moved that S.F. No. 778 be re-referred to the Committee on Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Clausen	Dibble	Eken	Hawj
Carlson	Cohen	Dziedzic	Franzen	Hayden
Champion	Dahle	Eaton	Goodwin	Hoffman

Jensen	Lourey	Rest	Sieben	Torres Ray
Johnson	Marty	Saxhaug	Skoe	Wiger
Kent	Metzen	Scalze	Sparks	Wiklund
Koenen	Pappas	Schmit	Stumpf	
Latz	Reinert	Sheran	Tomassoni	

The motion did not prevail.

Senator Thompson moved the Senate do now adjourn.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Osmek	Scalze
Benson	Hall	Miller	Pederson, J.	Senjem
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Newman	Pratt	Weber
Dahms	Ingebrigtsen	Nienow	Rosen	Westrom
Fischbach	Kiffmeyer	Ortman	Ruud	

Those who voted in the negative were:

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

The motion did not prevail.

Senator Rosen requested division of the Pappas amendment as follows:

First portion:

Page 4, line 30, before the period, insert " provided that the commissioner of the Bureau of Mediation Services shall process any petition under Minnesota Statutes, section 179A.52, subdivision 5, pending as of June 30, 2017, and any certification of an exclusive representative resulting from a petition pending as of June 30, 2017, shall, for the purposes of this section, be treated as having occurred on the date the petition was initially filed"

Page 5, line 1, delete "act" and insert "article"

Page 5, line 29, delete "11" and insert "4"

Page 6, line 23, before "subsequent" insert "three" and delete "for an additional three months"

Page 8, line 26, delete "This" and insert "The" and after "requirement" insert "under subdivision 2"

Page 10, line 17, delete "not" and insert "no"

Page 10, line 22, delete everything after the period

Page 10, delete lines 23 to 31 and insert "The commissioner shall share the lists with others as needed for the state to meet its obligations under chapter 179A as modified and made applicable to"

individual providers under section 179A.54, and to facilitate the representational processes under section 179A.54, subdivisions 9 and 10. In order to effectuate this section and section 179A.54, questions of employee organization access to other relevant data on individual providers relating to their employment or prospective employment within covered programs shall be governed by chapter 179A and section 13.43, and shall be treated the same as labor organization access to personnel data under section 13.43, subdivision 6. This shall not include access to private data on participants"

Page 10, line 36, after "section" insert a comma

Page 11, line 17, before "Sections" insert "Provided the commissioner of human services fulfills the department's obligations under Minnesota Statutes, section 256B.0711, subdivision 4, paragraphs (f) and (g), by September 1, 2013,"

Page 11, line 18, before the period, insert ""; provided further that the commissioner of the Bureau of Mediation Services shall process any petition under Minnesota Statutes, section 179A.54, subdivision 10, pending as of June 30, 2017, and any certification of an exclusive representative resulting from a petition pending as of June 30, 2017, shall, for the purposes of this section, be treated as having occurred on the date the petition was initially filed"

Page 11, line 21, delete "act" and insert "article"

Correct the internal references

The question was taken on the adoption of the first portion of the amendment.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the first portion of the amendment was adopted.

Second portion:

Page 3, delete subdivision 11

Page 4, delete subdivision 12

Page 7, delete subdivisions 11 and 12

Pursuant to Rule 38.3, Senator Pratt demanded the doors be closed and that no member be permitted to leave the Chamber for the balance of the Pappas amendment.

The question was taken on the adoption of the second portion of the amendment.

Senator Benson moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 35 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the second portion of the amendment was adopted.

Senator Nienow moved that the call of the Senate be lifted. The motion prevailed.

Senator Benson moved to amend S.F. No. 778 as follows:

Page 2, delete subdivision 3

Renumber the subdivisions in sequence

Page 4, after line 31, insert:

"Sec. 7. **APPROPRIATION.**

\$5,615 is appropriated in fiscal year 2014 and \$3,500 in fiscal year 2015 from the general fund to the commissioner of human services for deposit into the child care fund under Minnesota Statutes, section 119B.011, subdivision 6."

Renumber the sections in sequence and correct the internal references

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

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 778. The Sergeant at Arms was instructed to bring in the absent members.

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 2, line 35, after the period, insert "When the list is made available to an employee organization under this subdivision, the list must be made publicly available."

Page 6, line 28, after the period, insert "When the list is available to an employee organization under this subdivision, the list must be made publicly available."

The motion prevailed. So the amendment was adopted.

Senator Nienow moved to amend S.F. No. 778 as follows:

Page 4, line 35, after the period, insert "Before including a family child care provider's name on a list provided under this subdivision to an employee organization, the Bureau of Mediation Services shall, in writing and by email if an email address is available, notify the provider that the provider's name will be included on a list to be provided to an employee organization and allow the provider to opt out of being included on the list. Opting out of inclusion on the list provided to the employee organization does not affect the provider's eligibility to vote in an election under subdivision 5."

Page 6, line 28, after the period, insert "Before including an individual provider's name on a list provided under this subdivision to an employee organization, the Bureau of Mediation Services shall, in writing and by email if an email address is available, notify the provider that the provider's name will be included on a list to be provided to an employee organization and allow the provider to opt out of being included on the list. Opting out of inclusion on the list provided to the employee organization does not affect the provider's eligibility to vote in an election under subdivision 10."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Sheran moved that the following members be excused for a Conference Committee on H.F. No. 1233 at 6:00 p.m.:

Senators Lourey, Sheran, Hayden, Franzen and Wiklund. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Wiger moved that the following members be excused for a Conference Committee on H.F. No. 630 at 6:00 p.m.:

Senators Wiger, Torres Ray, Stumpf, Johnson and Dahle. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Tomassoni moved that the following members be excused for a Conference Committee on H.F. No. 729 at 6:00 p.m.:

Senators Tomassoni, Saxhaug, Sparks, Metzen and Westrom. The motion prevailed.

Senator Newman moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Tenessen rights.** Family child care providers shall have the rights afforded under section 13.04 to individuals on whom data is stored, including, but not limited to, the right to receive a Tennessen warning when asked to supply private or confidential data."

Page 7, after line 22, insert:

"Subd. 13. **Tenessen rights.** Individual providers shall have the rights afforded under section 13.04 to individuals on whom data is stored, including, but not limited to, the right to receive a Tennessen warning when asked to supply private or confidential data."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Ruud
Benson	Gazelka	Limmer	Osmek	Senjem
Bonoff	Hall	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Newman	Pratt	Westrom
Dahms	Ingebrigtsen	Nienow	Reinert	

Those who voted in the negative were:

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

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

Senator Nelson moved to amend S.F. No. 778 as follows:

Page 2, line 29, after the second comma, insert "or after the commissioner of labor and industry reports to the legislature under section 175.40 on the obligations of the state as employer, which is later,"

Page 3, line 1, after the second comma, insert "or after the commissioner of labor and industry reports to the legislature under section 175.40 on the obligations of the state as employer, which is later,"

Page 6, lines 17 and 29, after the second comma, insert "or after the commissioner of labor and industry reports to the legislature under section 175.40 on the obligations of the state as employer, which is later,"

Page 12, after line 3, insert:

"ARTICLE 4

EMPLOYER OBLIGATIONS

Section 1. **[175.40] REVIEW OF EMPLOYER OBLIGATIONS.**

The commissioner of labor and industry shall conduct a review of the new class of employee-employer relationship established in Minnesota Statutes, sections 179A.50 to 179A.52, and 179A.54, to determine the scope of the state's obligations under local, state, and federal law as employer to family child care providers and to individual providers. The commissioner shall report the conclusions to the chairs and ranking minority members of the senate and house of representatives committees and divisions with primary jurisdiction over jobs by September 1, 2013. The report shall include findings as to whether the state must pay an employer's share of federal taxes owed by employers, pay unemployment compensation, grant leaves of absence under the Family and Medical Leave Act, be liable for actions of family child care providers and individual providers, and identify any other obligations that may be imputed to the state. The report shall also identify the benefits provided to state employees that family child care providers and individual providers will be eligible to receive or may negotiate to receive and the cost of those benefits.

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

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Limmer	Pederson, J.	Weber
Benson	Gazelka	Miller	Petersen, B.	Westrom
Bonoff	Hall	Nelson	Pratt	
Brown	Hann	Newman	Ruud	
Chamberlain	Ingebrigtsen	Nienow	Senjem	
Dahms	Kiffmeyer	Osmek	Thompson	

Those who voted in the negative were:

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

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

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **No certification upon joint request.** Notwithstanding section 179A.12, subdivision 2, the commissioner may not certify an employee organization of family child care providers without an election."

Page 7, after line 22, insert:

"Subd. 13. **No certification upon joint request.** Notwithstanding section 179A.12, subdivision 2, the commissioner may not certify an employee organization of individual providers without an election."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Rosen
Benson	Gazelka	Limmer	Osmek	Ruud
Bonoff	Hall	Miller	Pederson, J.	Senjem
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Newman	Pratt	Weber
Dahms	Ingebrigtsen	Nienow	Reinert	Westrom

Those who voted in the negative were:

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

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

Senator Rosen moved to amend S.F. No. 778 as follows:

Page 2, line 32, after "providers" insert ", at least one from each of 50 counties,"

Page 6, line 20, after "providers" insert ", at least one from each of 50 counties,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Kiffmeyer	Osmek	Senjem
Benson	Fischbach	Limmer	Pederson, J.	Thompson
Bonoff	Gazelka	Miller	Petersen, B.	Weber
Brown	Hall	Nelson	Pratt	Westrom
Chamberlain	Hann	Newman	Reinert	
Dahle	Housley	Nienow	Rosen	
Dahms	Ingebrigtsen	Ortman	Ruud	

Those who voted in the negative were:

Bakk	Dziedzic	Hoffman	Lourey	Scalze
Carlson	Eaton	Jensen	Marty	Schmit
Champion	Franzen	Johnson	Metzen	Sheran
Clausen	Goodwin	Kent	Pappas	Sieben
Cohen	Hawj	Koenen	Rest	Skoe
Dibble	Hayden	Latz	Saxhaug	Sparks

Stumpf

Tomassoni

Torres Ray

Wiger

Wiklund

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

Senator Weber moved to amend S.F. No. 778 as follows:

Page 3, line 5, after "percent" insert "within each county of the state"

Page 6, line 35, after "percent" insert "within each county of the state"

Senator Brown moved the Senate do now adjourn.

The question was taken on the adoption of the Brown motion.

Senator Osmek moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 27 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Miller	Pederson, J.	Thompson
Benson	Hall	Nelson	Petersen, B.	Weber
Brown	Housley	Newman	Pratt	Westrom
Chamberlain	Ingebrigtsen	Nienow	Rosen	
Dahms	Kiffmeyer	Ortman	Ruud	
Fischbach	Limmer	Osmek	Senjem	

Those who voted in the negative were:

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

The motion did not prevail.

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

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Nelson moved to amend S.F. No. 778 as follows:

Page 1, line 22, delete "either" and insert "who is" and delete "or unlicensed, who" and insert "and"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 3, line 20, after "179A.22" insert ", or modified"

Page 6, line 7, after "179A.22" insert ", or modified"

Senator Osmek moved that S.F. No. 778 be laid on the table.

The question was taken on the adoption of the Osmek motion.

Senator Hayden moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Osmek	Senjem
Benson	Hall	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Newman	Pratt	
Dahms	Ingebrigtsen	Nienow	Rosen	
Fischbach	Kiffmeyer	Ortman	Ruud	

Those who voted in the negative were:

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

The motion did not prevail.

The question was taken on the adoption of the Petersen, B. amendment.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Ruud
Benson	Gazelka	Limmer	Osmek	Senjem
Bonoff	Hall	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Newman	Pratt	
Dahms	Ingebrigtsen	Nienow	Rosen	

Those who voted in the negative were:

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

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Latz moved that the following members be excused for a Conference Committee on S.F. No. 671 at 10:00 p.m.:

Senators Latz, Dibble, Goodwin, Dziedzic and Limmer. The motion prevailed.

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Open meetings.** All negotiations, meetings, and conferences under this section shall be open to the public."

Page 7, after line 22, insert:

"Subd. 13. **Open meetings.** All negotiations, meetings, and conferences under this section shall be open to the public."

The question was taken on the adoption of the amendment.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Dahms	Housley	Nelson	Pederson, J.
Benson	Fischbach	Ingebrigtsen	Newman	Petersen, B.
Bonoff	Gazelka	Kiffmeyer	Nienow	Pratt
Brown	Hall	Limmer	Ortman	Rosen
Chamberlain	Hann	Miller	Osmek	Ruud

Senjem Thompson Weber

Those who voted in the negative were:

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

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

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Inapplicability of negotiated terms to nonmembers.** Family child care providers who are not members of the exclusive representative shall not be obligated by or otherwise bound by any terms negotiated by the exclusive representative on behalf of its members."

Page 7, after line 22, insert:

"Subd. 13. **Inapplicability of negotiated terms to nonmembers.** Individual providers who are not members of the exclusive representative shall not be obligated by or otherwise bound by any terms negotiated by the exclusive representative on behalf of its members."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Pratt moved to amend S.F. No. 778 as follows:

Page 11, line 23, after "APPROPRIATIONS" insert "; DISCLOSURES"

Page 11, after line 23, insert:

"Section 1. Minnesota Statutes 2012, section 179A.12, subdivision 6, is amended to read:

Subd. 6. **Authorization signatures.** In determining the numerical status of an employee organization for purposes of this section, the commissioner shall require dated representation authorization signatures of affected employees as verification of the statements contained in the joint request or petitions. These authorization signatures shall be privileged and confidential information available to the commissioner only. Authorization signatures are valid only if made on paper within two inches of a disclosure printed in 18-point font or larger that reads: "If an exclusive representative is elected to represent you, the exclusive representative will charge you either:

- (1) periodic dues to be set by the representative, for members of the representative; or
- (2) a fair-share fee to be set by the representative that may be as much as 85 percent of the dues, for nonmembers of the representative."

Sec. 2. Minnesota Statutes 2012, section 179A.12, subdivision 8, is amended to read:

Subd. 8. **Ballot.** The ballot in a certification election may contain as many names of representative candidates as have demonstrated that 30 percent of the employees in the unit desire them as their exclusive representative. The ballots shall contain a space for employees to indicate that no representation is desired. The commissioner shall provide and count absentee ballots in all elections. Ballots under section 179A.12, subdivision 8, are valid only if the ballot contains a disclosure prominently displayed in 18-point font or larger that reads: "If an exclusive representative is elected to represent employers, the exclusive representative will charge either:

- (1) periodic dues to be set by the representative, for members of the representative; or
- (2) a fair-share fee to be set by the representative that may be as much as 85 percent of the dues, for nonmembers of the representative.""

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Anderson moved to amend the Pratt amendment to S.F. No. 778 as follows:

Page 1, line 19, strike "30" and insert "50"

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

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Newman moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Limitation on hours of solicitation of authorization signatures.** Exclusive representatives or petitioners to be exclusive representatives under this section shall not contact family care providers to solicit authorization signatures in person between the hours of 7:00 a.m. and 6:00 p.m."

Page 7, after line 22, insert:

"Subd. 13. **Limitation on hours of solicitation of authorization signatures.** Exclusive representatives or petitioners to be exclusive representatives under this section shall not contact individual providers to solicit authorization signatures in person between the hours of 7:00 a.m. and 7:00 p.m."

Senator Nelson moved to postpone consideration of S.F. No. 778 until May 15, 2013, at 11:00 a.m.

The question was taken on the adoption of the Nelson motion.

The roll was called, and there were yeas 24 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Miller	Osmek	Ruud
Benson	Hall	Nelson	Pederson, J.	Thompson
Brown	Housley	Newman	Petersen, B.	Weber
Chamberlain	Ingebrigtsen	Nienow	Pratt	Westrom
Dahms	Kiffmeyer	Ortman	Rosen	

Those who voted in the negative were:

Bakk	Bonoff	Carlson	Champion	Clausen
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Dahle	Hann	Latz	Scalze	Tomassoni
Dibble	Hawj	Limmer	Schmit	Torres Ray
Dziedzic	Hayden	Lourey	Senjem	Wiger
Eaton	Hoffman	Marty	Sheran	Wiklund
Eken	Jensen	Metzen	Sieben	
Franzen	Johnson	Pappas	Skoe	
Gazelka	Kent	Reinert	Sparks	
Goodwin	Koenen	Saxhaug	Stumpf	

The motion did not prevail.

Senator Franzen raised a point of order pursuant to Mason's Manual of Legislative Procedure, Sec. 112, par. 6. The President ruled the point of order well taken.

Senator Franzen raised a point of order pursuant to Mason's Manual of Legislative Procedure, Sec. 121. The President ruled the point of order not well taken.

Senator Pratt moved to amend the Newman amendment to S.F. No. 778 as follows:

Page 1, line 6, after "6 p.m." insert ", except by appointment."

Page 1, line 11, after "7 p.m." insert ", except by appointment."

Senator Pappas moved that S.F. No. 778 be laid on the table.

The question was taken on the adoption of the Pappas motion.

Senator Bakk moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 50 and nays 11, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Kent	Osmek	Sheran
Benson	Eaton	Kiffmeyer	Pappas	Sieben
Bonoff	Eken	Koenen	Pederson, J.	Skoe
Carlson	Fischbach	Latz	Petersen, B.	Sparks
Chamberlain	Franzen	Limmer	Pratt	Stumpf
Champion	Hann	Lourey	Reinert	Thompson
Clausen	Hayden	Marty	Rest	Torres Ray
Cohen	Hoffman	Miller	Ruud	Westrom
Dahle	Jensen	Nienow	Scalze	Wiger
Dibble	Johnson	Ortman	Schmit	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Ingebrigtsen	Senjem
Brown	Hall	Newman	Weber
Dahms	Housley	Rosen	

The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 681:

H.F. No. 681: A bill for an act relating to civil actions; changing the limitation period for civil actions involving sexual abuse; amending Minnesota Statutes 2012, section 541.073.

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

Simon, Winkler and Abeler have been appointed as such committee on the part of the House.

House File No. 681 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 14, 2013

Senator Latz moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 681, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

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

Senator Cohen from the Committee on Finance, to which was referred

H.F. No. 1183: A bill for an act relating to state government; appropriating money from constitutionally dedicated legacy funds; modifying provisions of Lessard-Sams Outdoor Heritage Council; establishing certain land acquisition requirements; providing for agricultural water quality certification; modifying provisions for restoration evaluations; requiring use of certain standards for public water access sites; establishing Greater Minnesota Regional Parks and Trails Commission; modifying certain metropolitan area regional park provisions; extending previous appropriation; modifying Clean Water Legacy Act; prohibiting sale and use of coal tar sealant; modifying Mississippi River corridor critical area program; modifying certain grant eligibility; requiring issuance of city license; authorizing certain expenditures; requiring recapture of certain funds previously appropriated; providing for reimbursement of certain costs; requiring reports; amending Minnesota Statutes 2012, sections 3.9741, subdivision 3; 10A.01, subdivision 35; 85.53, subdivision 2; 97A.056, subdivisions 3, 10, 11, by adding subdivisions; 114D.15, by adding a subdivision; 114D.50, subdivisions 4, 6, by adding subdivisions; 116G.15, subdivisions 2, 3, 4, 7; 129D.17, subdivision 2; 129D.19, subdivisions 1, 2; Laws 2001, chapter 193, section 10; Laws 2010, chapter 361, article 3, section 7; proposing coding for new law in Minnesota Statutes, chapters 17; 85; 114D; 116; repealing Minnesota Statutes 2012, section 116.201.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

OUTDOOR HERITAGE FUND

Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2014" and "2015" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2014, and June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. The "biennium" is fiscal years 2014 and 2015. The appropriations in this article are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2014</u>	<u>2015</u>

Sec. 2. **OUTDOOR HERITAGE FUND**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>95,618,000</u>	<u>\$</u>	<u>-0-</u>
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This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

<u>Subd. 2. Prairies</u>		<u>27,730,000</u>		<u>-0-</u>
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(a) Grasslands for the Future

\$2,000,000 in the first year is to the Board of Water and Soil Resources for a pilot project to acquire permanent conservation easements on grasslands in cooperation with the Minnesota Land Trust and the Conservation Fund. Up to \$1,850,000 may be used for agreements with the Minnesota Land Trust to acquire permanent conservation easements and up to \$75,000 may be used for establishing monitoring and enforcement funds with the Minnesota Land Trust and the Board of Water and Soil Resources, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Up to \$75,000 may be used

for an agreement with the Conservation Fund for professional services. Easements funded under this appropriation are not subject to emergency haying and grazing orders. Any net proceeds accruing to a project partner from real estate transactions related to this project must be used for the purposes outlined in this appropriation. A list of permanent conservation easements must be provided as part of the required accomplishment plan.

(b) Accelerating Wildlife Management Area Program - Phase V

\$7,960,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) DNR Wildlife Management Area, Scientific and Natural Area, and Native Prairie Bank Easement - Phase V

\$4,940,000 in the first year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8; acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5; and acquire native prairie bank easements under Minnesota Statutes, section 84.96. Up to \$42,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17, for native prairie bank easements. A list of proposed land and permanent conservation easement acquisitions must be provided as part of the required accomplishment plan.

(d) Minnesota Prairie Recovery Project - Phase IV

\$5,310,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire native prairie, wetland, and savanna and restore and enhance grasslands, wetlands, and savanna. A list of proposed land acquisitions must be provided as part of the required accomplishment plan. Annual income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days following the close of The Nature Conservancy's fiscal year.

(e) Minnesota Buffers for Wildlife and Water - Phase III

\$3,520,000 in the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements to protect and enhance habitat by expanding clean water fund riparian wildlife buffers on private land. Up to \$120,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Easements funded under this appropriation are not subject to emergency haying and grazing orders. A list of permanent conservation easements must be provided as part of the final report.

(f) Cannon River Headwaters Habitat Complex - Phase III

\$1,780,000 in the first year is to the commissioner of natural resources for an agreement with Trust for Public Land to acquire and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or aquatic management area purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(g) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase V

\$2,220,000 in the first year is to the commissioner of natural resources to accelerate the restoration and enhancement of wildlife management areas, scientific and natural areas, and land under native prairie bank easements. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 3. Forests

7,130,000

-0-

(a) Young Forest Conservation

\$1,180,000 in the first year is to the commissioner of natural resources for an agreement with the American Bird Conservancy to acquire lands in fee to be added to the wildlife management area system under Minnesota Statutes, section 86A.05, subdivision 8, and to restore and enhance habitat on publicly protected land. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Camp Ripley Partnership - Phase III

\$1,150,000 in the first year is to the Board of Water and Soil Resources and \$300,000 in the first year is to the Department of Natural Resources to acquire land in fee to be added to the wildlife management area system under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire permanent conservation easements on lands adjacent to the Mississippi and Crow Wing Rivers and within the boundaries of the Minnesota National Guard Army Compatible Use Buffer. Of the amount appropriated to the Board of Water and Soil Resources, \$49,900 is for a grant to the Morrison County Soil and Water Conservation District and up to \$33,600 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan

and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Northeastern Minnesota Sharp-Tailed Grouse Habitat Program - Phase IV

\$1,180,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Sharp-Tailed Grouse Society to acquire and enhance lands in Aitkin, Carlton, and Kanabec Counties for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(d) Protect Key Forest Habitat Lands in Cass County - Phase IV

\$500,000 in the first year is to the commissioner of natural resources for an agreement with Cass County to acquire land in fee in Cass County for forest wildlife habitat or to prevent forest fragmentation. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Critical Shoreline Habitat Protection Program - Phase II

\$820,000 in the first year is to the commissioner of natural resources for an agreement with the Minnesota Land Trust to acquire permanent conservation easements along rivers and lakes in the northern forest region. Up to \$160,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements

must be provided as part of the required accomplishment plan.

(f) Minnesota Moose Habitat Collaborative - Phase II

\$2,000,000 in the first year is to the commissioner of natural resources for an agreement with the Minnesota Deer Hunters Association to restore and enhance public forest lands in the northern forest region for moose habitat purposes. A list of proposed land restoration and enhancements must be provided as part of the required accomplishment plan.

Subd. 4. Wetlands

35,550,000

-0-

(a) Reinvest in Minnesota Wetlands Reserve Program Partnership - Phase V

\$17,790,000 in the first year is to the Board of Soil and Water Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program and Ducks Unlimited, including \$1,000,000 for an agreement with Ducks Unlimited to provide technical and bioengineering assistance. Up to \$120,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(b) Accelerating Waterfowl Production Area Acquisition - Phase V

\$6,830,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land

acquisitions must be provided as part of the required accomplishment plan.

(c) Living Shallow Lakes and Wetland Initiative - Phase III

\$3,530,000 in the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(d) Wild Rice Shoreland Protection Program - Phase II

\$1,630,000 in the first year is to the Board of Water and Soil Resources to acquire in fee wild rice lake shoreland habitat for native wild rice bed protection and to acquire permanent conservation easements in cooperation with Ducks Unlimited. Of this amount, \$100,000 is for an agreement with Ducks Unlimited for acquisition of land or interests in land to protect native wild rice beds. Up to \$48,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions must be included as part of the required accomplishment plan.

(e) Wetland Habitat Program

\$1,980,000 in the first year is to the commissioner of natural resources for an agreement with the Minnesota Land Trust to acquire permanent conservation easements in high-priority wetland complexes in the prairie and forest/prairie transition regions. Up to \$280,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land

acquisitions must be included as part of the required accomplishment plan.

(f) Accelerated Shallow Lakes and Wetlands Enhancement - Phase V

\$1,790,000 in the first year is to the commissioner of natural resources to enhance and restore shallow lakes, including \$210,000 for an agreement with Ducks Unlimited to help implement restorations and enhancements. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(g) Pelican Lake Enhancement

\$2,000,000 in the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to construct a gravity outlet, water control structure, and pump station lift to enhance aquatic habitat in Pelican Lake in Wright County. A list of proposed land restoration and enhancements must be included as part of the required accomplishment plan.

Subd. 5. Habitats

23,987,000

-0-

(a) DNR Aquatic Habitat - Phase V

\$5,250,000 in the first year is to the commissioner of natural resources to acquire interests in land in fee for aquatic management purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02, and to restore and enhance aquatic habitat. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

(b) Habitat Protection in Dakota County - Phase IV

\$4,100,000 in the first year is to the commissioner of natural resources for an agreement with Dakota County to acquire, restore, and enhance lands in Dakota County

for fish and wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or aquatic management area purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02, and to acquire permanent conservation easements and restore and enhance habitats in rivers and lake watersheds in Dakota County. Up to \$60,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Root River Protection and Restoration

\$2,750,000 in the first year is to the commissioner of natural resources for agreements to acquire land in fee for scientific and natural areas under Minnesota Statutes, sections 86A.05, subdivision 5, and for state forest purposes under Minnesota Statutes, section 86A.05, subdivision 7, and to acquire permanent conservation easements as follows: \$2,122,000 to The Nature Conservancy and \$628,000 to the Minnesota Land Trust. Up to \$100,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(d) Metro Big Rivers Habitat - Phase IV

\$1,720,000 in the first year is to the commissioner of natural resources for agreements to acquire land in fee and as permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers as follows: \$450,000 to the Minnesota Valley National Wildlife

Refuge Trust, Inc.; \$160,000 to the Friends of the Mississippi; \$210,000 to the Great River Greening; \$450,000 to the Minnesota Land Trust; and \$450,000 to the Trust for Public Land. Up to \$80,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(e) Minnesota Landscape Arboretum

\$1,000,000 in the first year is to the Board of Regents of the University of Minnesota to acquire land in fee surrounding Lake Tamarack in Carver County to be added to the Minnesota Landscape Arboretum. A land description must be provided as part of the required accomplishment plan.

(f) Lower Mississippi River Habitat Partnership - Phase III

\$1,710,000 in the first year is to the commissioner of natural resources to enhance aquatic habitat. Of this amount, \$450,000 is for an agreement with the United States Fish and Wildlife Service to enhance aquatic habitat in the lower Mississippi River watershed. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(g) Coldwater Fish Habitat Enhancement - Phase V

\$2,470,000 in the first year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore and enhance coldwater river and stream habitats in Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(h) Albert Lea Lake Management and Invasive Species Control Structure - Phase III

\$1,127,000 in the first year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to construct structural deterrents and lake level controls to enhance aquatic habitat on Albert Lea Lake in Freeborn County. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(i) Outdoor Heritage Conservation Partners Grant Program - Phase V

\$3,860,000 in the first year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, and habitat for fish, game, or wildlife in Minnesota. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from appropriations in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, \$366,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by state law. The program shall require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to

organizations that have a history of receiving or charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority shall be given to projects associated with existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; and aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a conservation easement or public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority shall be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2017. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summaries that are prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Subd. 6. Administration

1,221,000

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(a) Contract Management

\$175,000 in the first year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner shall provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage Council on the expenditure of this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money

may be expended prior to Lessard-Sams Outdoor Heritage Council approval of the accomplishment plan.

(b) Legislative Coordinating Commission

\$936,000 in the first year is to the Legislative Coordinating Commission for administrative expenses of the Lessard-Sams Outdoor Heritage Council and for compensation and expense reimbursement of council members. Funds in this appropriation are available until June 30, 2015. Minnesota Statutes, section 16A.281, applies to this appropriation.

(c) Technical Evaluation Panel

\$45,000 in the first year is to the commissioner of natural resources for a technical evaluation panel to conduct up to ten restoration evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

(d) High-Priority Pre-Transaction Service Acceleration for Lessard-Sams Outdoor Heritage Council

\$50,000 in the first year is to the commissioner of natural resources to provide land acquisition pre-transaction services including, but not limited to, appraisals, surveys, or title research for acquisition proposals under consideration by the Lessard-Sams Outdoor Heritage Council. A list of activities must be included in the final accomplishment plan.

(e) Legacy Web Site

\$15,000 the first year is for the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10.

Subd. 7. Availability of Appropriation

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in

the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise provided, the amounts in this section are available until June 30, 2016. For acquisition of real property, the amounts in this section are available until June 30, 2017, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2016, and closed no later than June 30, 2017. Funds for restoration or enhancement are available until June 30, 2018, or four years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding. Funds appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public use facilities must have a minimal impact on habitat in acquired lands.

Subd. 8. Payment Conditions and Capital Equipment Expenditures

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures directly related to each appropriation's purpose made on or after July 1, 2013, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice or binding agreement with the landowner and the recipient attests

that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items in excess of \$10,000 must be itemized in and approved as part of the accomplishment plan.

Subd. 9. Mapping

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Department of Natural Resources for mapping any lands acquired in fee with funds appropriated in this section and open to public taking of fish and game. The commissioner of natural resources shall include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps shall include information on and acknowledgement of the outdoor heritage fund, including a notation of any restrictions.

Subd. 10. Appropriations Carryforward; Fee Title Acquisition

The availability of the appropriation for the following project is extended to July 1, 2015: Laws 2010, chapter 361, article 1, section 2, subdivision 5, paragraph (h), Washington County St. Croix River Land Protection, and the appropriation may be spent on acquisition of land in fee title to protect habitat associated with the St. Croix River Valley. A list of

proposed acquisitions must be provided as part of the accomplishment plan.

ARTICLE 2

CLEAN WATER FUND

Section 1. CLEAN WATER FUND APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the clean water fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2014" and "2015" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014 and 2015. The appropriations in this article are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2014</u>	<u>2015</u>

Sec. 2. CLEAN WATER

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>94,711,000</u>	<u>\$</u>	<u>96,507,000</u>
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The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. Availability of Appropriation

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2014 appropriations are available until June 30, 2015, and fiscal year 2015 appropriations are available until June 30, 2016. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

Sec. 3. DEPARTMENT OF AGRICULTURE \$ 5,560,000 \$ 5,760,000

(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) \$1,500,000 the first year and \$1,500,000 the second year are to increase monitoring and evaluate trends in the concentration of nitrates in groundwater in high-risk areas and regionally and to promote and evaluate regional and crop-specific nutrient best management practices. This appropriation is available until June 30, 2018.

(c) \$425,000 the first year and \$425,000 the second year are for the agriculture best management practices loan program. At least \$360,000 each year is for transfer to an agricultural and environmental revolving account created under Minnesota Statutes, section 17.117, subdivision 5a, and is available for pass-through to local government and lenders for low-interest loans under Minnesota Statutes, section 17.117. Any unencumbered balance that is not used for pass-through to local governments does not cancel at the end of the first year and is available for the second year.

(d) \$1,500,000 the first year and \$1,500,000 the second year are for research, pilot projects, and technical assistance on proper implementation of best management practices and more precise information on nonpoint contributions to impaired waters. This appropriation is available until June 30, 2018.

(e) \$1,000,000 the first year and \$1,100,000 the second year are for research to quantify agricultural contributions to impaired waters and for development and evaluation of best management practices to protect and restore water resources while maintaining productivity. This appropriation is available until June 30, 2018.

(f) \$75,000 the first year and \$175,000 the second year are for a research inventory database containing water-related research activities. Any information technology development or support or costs necessary for this research inventory database will be incorporated into the agency's service level agreement with and paid to the Office of Enterprise Technology. This appropriation is available until June 30, 2018.

(g) \$500,000 the first year and \$500,000 the second year are to implement a Minnesota agricultural water quality certification program. This appropriation is available until June 30, 2018.

(h) \$110,000 the first year and \$110,000 the second year are to provide funding for a regional irrigation water quality specialist through the University of Minnesota Extension Service.

(i) \$100,000 the first year and \$100,000 the second year are to develop and implement a comprehensive, up-to-date instruction system for animal waste technicians who apply manure to the ground for hire.

Sec. 4. **PUBLIC FACILITIES AUTHORITY** \$ 11,000,000 \$ 11,000,000

(a) \$9,000,000 the first year and \$9,000,000 the second year are for the total maximum daily load grant program under Minnesota Statutes, section 446A.073. This appropriation is available until June 30, 2018.

(b) \$2,000,000 the first year and \$2,000,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until June 30, 2018.

(c) If there are any uncommitted funds at the end of each fiscal year under paragraph (a) or (b), the Public Facilities Authority may transfer the remaining funds to eligible projects under any of the programs listed in this section based on their priority rank on the

Pollution Control Agency's project priority list.

Sec. 5. **POLLUTION CONTROL AGENCY** \$ 27,840,000 \$ 28,140,000

(a) \$7,600,000 the first year and \$7,600,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends. Of this amount, \$500,000 each year is to monitor and assess contaminants of emerging concern in groundwater and surface water, and \$100,000 each year is for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and watershed monitoring river watch activities in the schools in the Red River of the North Watershed. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2015, on the expenditure of these funds.

(b) \$9,650,000 the first year and \$9,650,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum daily load (TMDL) studies and TMDL implementation plans for waters listed on the Unites States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDL's each year over the biennium.

(c) \$1,125,000 the first year and \$1,125,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, and continuing to monitor for and assess contaminants of emerging concern, and the reassessment of groundwater that was accessed ten to 15 years ago and found to be contaminated.

(d) \$750,000 the first year and \$750,000 the second year are for water quality improvements in the lower St. Louis River and Duluth harbor. This appropriation must be matched at a rate of 65 percent nonstate money to 35 percent state money.

(e) \$1,000,000 the first year and \$1,000,000 the second year are for the clean water partnership program to provide grants to protect and improve the basins and watersheds of the state and provide financial and technical assistance to study waters with nonpoint source pollution problems. Priority shall be given to projects preventing impairments and degradation of lakes, rivers, streams, and groundwater in accordance with Minnesota Statutes, section 114D.20, subdivision 2, clause (4). Any balance remaining in the first year does not cancel and is available for the second year.

(f) \$725,000 the first year and \$725,000 the second year are for storm water research and guidance.

(g) \$1,150,000 the first year and \$1,150,000 the second year are for TMDL research and database development.

(h) \$1,000,000 the first year and \$1,000,000 the second year are to initiate development of a multiagency watershed database reporting portal.

(i) \$1,000,000 the first year and \$1,000,000 the second year are for national pollutant discharge elimination system wastewater and storm water TMDL implementation efforts.

(j) \$375,000 the first year and \$375,000 the second year are for identification of application options for water standards.

(k) \$3,250,000 the first year and \$3,650,000 the second year are for grants to counties with specific plans to significantly reduce water pollution by reducing the number of subsurface sewage treatment systems (SSTS) that are an imminent threat to public health

or safety or are otherwise failing. Counties with an ordinance in place that requires an SSTS to be compliant with existing standards upon property transfer and as a condition of obtaining a building permit shall be given priority for grants under this paragraph. Of this amount, \$750,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater, and \$1,500,000 the first year is for the Voyageurs National Park sewer project. A grant awarded under this paragraph may not exceed \$500,000. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures.

(l) \$115,000 the first year and \$115,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(m) \$100,000 in the first year is to develop information and provide education on the effects of coal tar and its restricted use, and for enforcement of Minnesota Statutes, section 116.201.

(n) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2015, as grants or contracts in this section are available until June 30, 2018.

Sec. 6. DEPARTMENT OF NATURAL RESOURCES

\$ 11,885,000 \$ 11,885,000

(a) \$2,000,000 the first year and \$2,000,000 the second year are for stream flow monitoring.

(b) \$1,300,000 the first year and \$1,300,000 the second year are for lake Index of Biological Integrity (IBI) assessments.

(c) \$135,000 the first year and \$135,000 the second year are for assessing mercury contamination of fish, including monitoring

to track the status of waters impaired by mercury and mercury reduction efforts over time.

(d) \$1,850,000 the first year and \$1,850,000 the second year are for developing targeted, science-based watershed restoration and protection strategies.

(e) \$1,375,000 the first year and \$1,375,000 the second year are for water supply planning, aquifer protection, and monitoring activities.

(f) \$1,000,000 the first year and \$1,000,000 the second year are for technical assistance to support local implementation of nonpoint source restoration and protection activities, including water quality protection in forested watersheds.

(g) \$675,000 the first year and \$675,000 the second year are for applied research and tools, including watershed hydrologic modeling; maintaining and updating spatial data for watershed boundaries, streams, and water bodies and integrating high-resolution digital elevation data; assessing effectiveness of forestry best management practices for water quality; and developing a biomonitoring database.

(h) \$550,000 the first year and \$550,000 the second year are for developing county geologic atlases.

(i) \$3,000,000 the first year and \$3,000,000 the second year are for improved water permit management, including:

(1) install more water level monitoring devices to acquire locally accurate information, and establish sustainability thresholds for use through time;

(2) enhance electronic permitting to increase speed and accuracy;

(3) improve compliance with water appropriation regulations;

(4) manage aquifers comprehensively rather than permit by permit;

(5) support local units of government with financial and technical assistance; and

(6) work with communities to review and update water supply plans and conservation measures.

Sec. 7. BOARD OF WATER AND SOIL RESOURCES

\$ 33,409,000 \$ 35,409,000

(a) \$17,500,000 the first year and \$18,500,000 the second year are for grants to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system (SSTS) projects and stream bank, stream channel, and shoreline restoration projects. The projects must be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans or local water management plans or their equivalents.

(b) \$3,500,000 the first year and \$4,500,000 the second year are for targeted local resource protection and enhancement grants. The board shall give priority consideration to projects and practices that complement, supplement, or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation.

(c) \$975,000 the first year and \$975,000 the second year are to provide state oversight and accountability, evaluate results, and measure the value of conservation program implementation by local governments, including submission to the legislature by March 1 each year an annual report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control

Agency, detailing the recipients and projects funded under this section.

(d) \$1,700,000 the first year and \$1,700,000 the second year are for grants and technical assistance for the conservation drainage management program in consultation with the Drainage Work Group, created under Minnesota Statutes, section 103B.101, subdivision 13, to facilitate planning, design, and installation of conservation practices on drainage systems that will result in water quality improvements, including associated outcomes documentation and outreach to conservation decision makers. The board shall coordinate conservation practice standards with the Natural Resources Conservation Service of the United States Department of Agriculture.

(e) \$6,500,000 the first year and \$6,500,000 the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to lakes, rivers, streams, and tributaries, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

(f) \$1,200,000 the first year and \$1,200,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d). Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health.

(g) \$1,500,000 the first year and \$1,500,000 the second year are for community partners grants to local units of government for:
(1) structural or vegetative management

practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (2) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins in order to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans or local water management plans or their equivalents. Local government unit costs may be used as a match.

(h) \$84,000 the first year and \$84,000 the second year are for a technical evaluation panel to conduct up to ten restoration evaluations under Minnesota Statutes, section 114D.50, subdivision 6.

(i) \$450,000 the first year and \$450,000 the second year are for assistance and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D.

(j) The board shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for up to \$500,000 the first year and up to \$500,000 the second year.

(k) The board may shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(l) The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(m) The appropriations in this section are available until June 30, 2018. Returned grant funds are available until expended and shall be regranting consistent with the purposes of this section.

Sec. 8. **DEPARTMENT OF HEALTH** \$ 3,199,000 \$ 3,198,000

(a) \$944,000 the first year and \$943,000 the second year are for addressing public health concerns related to contaminants found in Minnesota drinking water for which no health-based drinking water standards exist.

(b) \$1,615,000 the first year and \$1,615,000 the second year are for protection of drinking water sources.

(c) \$250,000 the first year and \$250,000 the second year are for cost-share assistance to public and private well owners for up to 50 percent of the cost of sealing unused wells.

(d) \$390,000 the first year and \$390,000 the second year are to update and expand the county well index, in cooperation with the commissioner of natural resources.

(e) The appropriations in this section are available until June 30, 2016.

Sec. 9. **METROPOLITAN COUNCIL** \$ 1,803,000 \$ 1,100,000

(a) \$766,000 the first year and \$600,000 the second year are for implementation of the master water supply plan developed under Minnesota Statutes, section 473.1565, and water supply sustainability projects. Of this amount, \$166,000 the first year is for identification of regional groundwater recharge areas.

(b) \$500,000 the first year and \$500,000 the second year are for grants or loans for local inflow and infiltration reduction programs addressing high priority areas in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2. This appropriation is available until expended.

(c) \$537,000 the first year is for an agreement with the United States Geological Survey to investigate groundwater and surface water interaction in and around White Bear Lake and surrounding northeast metropolitan lakes, including seepage rate determinations, water quality of groundwater and surface water, isotope analyses, lake level analyses, water balance determination, and creation of a calibrated groundwater flow model. The council shall use the results to prepare guidance for other areas to use in addressing groundwater and surface water interaction issues. This is a onetime appropriation and is available until June 30, 2016.

Sec. 10. LEGISLATURE § 15,000 § 15,000

\$15,000 the first year and \$15,000 the second year are for the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10, including detailed mapping.

Sec. 11. Minnesota Statutes 2012, section 114D.15, is amended by adding a subdivision to read:

Subd. 13. **Watershed restoration and protection strategy or WRAPS.** "Watershed restoration and protection strategy" or "WRAPS" means a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code 8 including the physical, chemical, and biological assessment of the water quality of the watershed; identification of impairments and water bodies in need of protection; identification of biotic stressors and sources of pollution, both point and nonpoint; TMDL's for the impairments; and an implementation table containing strategies and actions designed to achieve and maintain water quality standards and goals.

Sec. 12. [114D.26] **WATERSHED RESTORATION AND PROTECTION STRATEGIES.**

Subdivision 1. **Contents.** The Pollution Control Agency shall develop watershed restoration and protection strategies. To ensure effectiveness and accountability in meeting the goals of this chapter, each WRAPS shall:

- (1) identify impaired waters and waters in need of protection;
- (2) identify biotic stressors causing impairments or threats to water quality;
- (3) summarize watershed modeling outputs and resulting pollution load allocations, wasteload allocations, and priority areas for targeting actions to improve water quality;
- (4) identify point sources of pollution for which a national pollutant discharge elimination system permit is required under section 115.03;

(5) identify nonpoint sources of pollution for which a national pollutant discharge elimination system permit is not required under section 115.03, with sufficient specificity to prioritize and geographically locate watershed restoration and protection actions;

(6) describe the current pollution loading and load reduction needed for each source or source category to meet water quality standards and goals, including wasteload and load allocations from TMDL's;

(7) contain a plan for ongoing water quality monitoring to fill data gaps, determine changing conditions, and gauge implementation effectiveness; and

(8) contain an implementation table of strategies and actions that are capable of cumulatively achieving needed pollution load reductions for point and nonpoint sources, including:

(i) water quality parameters of concern;

(ii) current water quality conditions;

(iii) water quality goals and targets by parameter of concern;

(iv) strategies and actions by parameter of concern and the scale of adoptions needed for each;

(v) a timeline for achievement of water quality targets;

(vi) the governmental units with primary responsibility for implementing each watershed restoration or protection strategy; and

(vii) a timeline and interim milestones for achievement of watershed restoration or protection implementation actions within ten years of strategy adoption.

Subd. 2. **Reporting.** Beginning July 1, 2016, and every other year thereafter, the Pollution Control Agency must report on its Web site the progress toward implementation milestones and water quality goals for all adopted TMDL's and, where available, WRAPS's.

Subd. 3. **Timelines; administration.** Each year, the Pollution Control Agency must complete WRAPS's for at least ten percent of the state's major watersheds. WRAPS shall be governed by the procedures for approval and notice in section 114D.25, subdivisions 2 and 4, except that WRAPS need not be submitted to the United States Environmental Protection Agency.

Sec. 13. Minnesota Statutes 2012, section 114D.50, is amended by adding a subdivision to read:

Subd. 3a. **Nonpoint priority funding plan.** (a) Beginning July 1, 2014, and every other year thereafter, the Board of Water and Soil Resources shall prepare and post on its Web site a priority funding plan to prioritize potential nonpoint restoration and protection actions based on available WRAPS's, TMDL's, and local water plans. The plan must take into account the following factors: water quality outcomes, cost-effectiveness, landowner financial need, and leverage of nonstate funding sources. The plan shall include an estimated range of costs for the prioritized actions.

(b) Consistent with the priorities listed in section 114D.20, state agencies allocating money from the clean water fund for nonpoint restoration and protection strategies shall target the money according to the priorities identified on the nonpoint priority funding plan. The allocation of money from the clean water fund to projects eligible for financial assistance under section 116.182 is not governed by the nonpoint priority funding plan.

Sec. 14. Minnesota Statutes 2012, section 114D.50, subdivision 4, is amended to read:

Subd. 4. **Expenditures; accountability.** (a) A project receiving funding from the clean water fund must meet or exceed the constitutional requirements to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater and drinking water from degradation. Priority may be given to projects that meet more than one of these requirements. A project receiving funding from the clean water fund shall include measurable outcomes, as defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the results. A project must be consistent with current science and incorporate state-of-the-art technology.

(b) Money from the clean water fund shall be expended to balance the benefits across all regions and residents of the state.

(c) A state agency or other recipient of a direct appropriation from the clean water fund must compile and submit all information for proposed and funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the Web site required under section 3.303, subdivision 10, as soon as it becomes available. Information classified as not public under section 13D.05, subdivision 3, paragraph (d), is not required to be placed on the Web site.

(d) Grants funded by the clean water fund must be implemented according to section 16B.98 and must account for all expenditures. Proposals must specify a process for any regrants envisioned. Priority for grant proposals must be given to proposals involving grants that will be competitively awarded.

(e) Money from the clean water fund may only be spent on projects that benefit Minnesota waters.

(f) When practicable, a direct recipient of an appropriation from the clean water fund shall prominently display on the recipient's Web site home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the Web site must direct the person to a Web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission Web site required under section 3.303, subdivision 10.

(g) Future eligibility for money from the clean water fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law.

(h) Money from the clean water fund may be used to leverage federal funds through execution of formal project partnership agreements with federal agencies consistent with respective federal agency partnership agreement requirements.

Sec. 15. Minnesota Statutes 2012, section 114D.50, is amended by adding a subdivision to read:

Subd. 4a. **Riparian buffer payments; reporting.** When clean water funds are used to purchase riparian buffer easements, payments for the first 50 feet of riparian buffer that are noncompliant with Minnesota Rules, part 6120.3300, may not exceed noncropped rates as established under section

103F.515. The Board of Water and Soil Resources must include in its biennial report on clean water fund appropriations the funding spent on easements for riparian buffers that are not compliant with Minnesota Rules, part 6120.3300.

ARTICLE 3

PARKS AND TRAILS FUND

Section 1. PARKS AND TRAILS FUND APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the parks and trails fund and are available for the fiscal years indicated for each purpose. The figures "2014" and "2015" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014 and 2015. All appropriations in this article are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2014</u>	<u>2015</u>

Sec. 2. PARKS AND TRAILS

Subdivision 1. <u>Total Appropriation</u>	\$	<u>41,709,000</u>	\$	<u>41,796,000</u>
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The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. Availability of Appropriation

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2014 appropriations are available until June 30, 2016, and fiscal year 2015 appropriations are available until June 30, 2017. If a project receives federal funds, the time period of

the appropriation is extended to equal the availability of federal funding.

Sec. 3. DEPARTMENT OF NATURAL RESOURCES

\$ 24,951,000 \$ 25,157,000

(a) \$16,501,000 the first year and \$16,633,000 the second year are for state parks, recreation areas, and trails to:

(1) connect people to the outdoors;

(2) acquire land and create opportunities;

(3) maintain existing holdings; and

(4) improve cooperation by coordinating with partners to implement the 25-year long-range parks and trails legacy plan.

(b) \$8,250,000 the first year and \$8,317,000 the second year are to contract with the Greater Minnesota Regional Parks and Trails Commission for the purposes of new Minnesota Statutes, section 85.536, subdivision 3. Of this amount, not more than four percent each year may be used for administration and grant oversight. The appropriation must be made directly to the commission after fiscal year 2015.

(c) \$200,000 the first year and \$207,000 the second year are for enhanced, integrated, and accessible Web-based information for park and trail users; joint marketing and promotional efforts for all parks and trails of regional or statewide significance; and support of activities of a parks and trails legacy advisory committee. Of this amount, \$100,000 the first year and \$103,000 the second year are for Greater Minnesota Parks and Trails Commission capacity building.

(d) The commissioner shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for at least \$500,000 the first year and \$500,000 the second year.

Sec. 4. METROPOLITAN COUNCIL

\$ 16,501,000 \$ 16,633,000

\$16,501,000 the first year and \$16,633,000 the second year are to be distributed according to Minnesota Statutes, section 85.53, subdivision 3.

Sec. 5. LEGISLATURE \$ 7,000 \$ 6,000

\$7,000 the first year and \$6,000 the second year are for the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10, including detailed mapping.

Sec. 6. UNIVERSITY OF MINNESOTA \$ 250,000 \$ -0-

\$250,000 the first year is for the University of Minnesota Center for Changing Landscapes to update the long-range inventory and framework for an integrated statewide parks and trails network that provides information on the natural resource-based recreational opportunities available throughout the state. The detailed inventory and framework must be updated to include new census data, updated data from the Greater Minnesota Regional Parks and Trails study authorized by the 2011 legislature, updated physical information, the adoption of a user-friendly platform for the information, and the development of a standardized survey tool for use by:

- (1) the commissioner of natural resources for state parks and trails;
- (2) metropolitan area park and trail agencies for metropolitan parks and trails; and
- (3) park and trail managers outside the metropolitan area for parks and trails of regional or statewide significance.

In updating the inventory and framework, the Center for Changing Landscapes shall consult with the Department of Natural Resources, the Office of Explore Minnesota Tourism, the Greater Minnesota Regional Parks and Trails Commission, the Metropolitan Council, local units of government, park and trail groups, the public, and other stakeholder groups.

The Center for Changing Landscapes shall submit a report on the updated inventory and framework and a summary of the inventory to the commissioner of natural resources and to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over natural resources policy and finance by February 15, 2015.

Sec. 7. [85.536] GREATER MINNESOTA REGIONAL PARKS AND TRAILS COMMISSION.

Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and Trails Commission is created to undertake system planning and provide recommendations to the legislature for grants funded by the parks and trails fund to counties and cities outside of the seven-county metropolitan area for parks and trails of regional significance.

Subd. 2. **Commission.** The commission shall include 13 members appointed by the governor with two members from each of the regional parks and trails districts determined under subdivision 5, and one member at large. Membership terms, compensation, and removal of members and filling of vacancies are as provided in section 15.0575.

Subd. 3. **First appointments.** The governor shall make the first appointment by June 15, 2013. The governor shall designate six of the first appointees to terms ending on the first Monday in January 2015, and the remainder of the first appointees shall serve terms ending the first Monday in January 2016.

Subd. 4. **First meeting.** The governor or his designee shall convene the first meeting of the commission by July 15, 2013, and shall act as chair until the commission elects a chair. The commission shall elect a chair at its first meeting.

Subd. 5. **Districts; plans and hearings.** (a) The commissioner of natural resources, in consultation with the Greater Minnesota Regional Parks and Trails Coalition, shall establish six regional parks and trails districts in the state encompassing the area outside the seven-county metropolitan area. The commissioner shall establish districts by combining counties and may not assign a county to more than one district.

(b) Counties within each district may jointly prepare, after consultation with all affected municipalities, and submit to the commission, and from time to time revise and resubmit to the commission, a master plan for the acquisition and development of parks and trails of regional significance located within the district. District-wide plans and master plans for individual parks and trails must meet the protocols and criteria as set forth in the Greater Minnesota Regional Parks and Trails strategic plan. The counties, after consultation with the commission, shall jointly hold a public hearing on the proposed plan and budget at a time and place determined by the counties. Not less than 15 days before the hearing, the counties shall provide notice of the hearing stating the date, time, and place of the hearing, and the place where the proposed plan and budget may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the plan and budget.

(c) The commission shall review each master plan to determine whether it meets the conditions of subdivision 6. If it does not, the commission shall return the plan with its comments to the district for revision and resubmittal.

Subd. 6. **Recommendations.** (a) In recommending grants under this section, the commission shall make recommendations consistent with master plans.

(b) The commission shall determine recommended grant amounts through an adopted merit-based evaluation process that includes the level of local financial support. The evaluation process is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(c) When recommending grants, the commission shall consider balance of the grant benefits across greater Minnesota.

(d) Grants may be recommended only for parks and trails included in a plan approved by the commission under subdivision 5.

Subd. 7. **Chair.** The commission shall annually elect from among its members a chair and other officers necessary for the performance of its duties.

Subd. 8. **Meetings.** The commission shall meet at least twice each year. Commission meetings are subject to chapter 13D.

Subd. 9. **Report.** The commission shall submit a report by January 15 each year listing its recommendations under subdivision 7 to the chairs and ranking minority members of the committees of the senate and house of representatives with primary jurisdiction over legacy appropriations.

Subd. 10. **Conflict of interest.** A member of the commission may not participate in or vote on a decision of the commission relating to an organization in which the member has either a direct or indirect financial interest.

Subd. 11. **Definitions.** For purposes of this section, "commission" means the Greater Minnesota Regional Parks and Trails Commission established under this section.

Subd. 12. **Sunset.** The commission shall sunset January 1, 2020.

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

ARTICLE 4

ARTS AND CULTURAL HERITAGE FUND

Section 1. ARTS AND CULTURAL HERITAGE FUND APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the entities and for the purposes specified in this article. The appropriations are from the arts and cultural heritage fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2014" and "2015" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2014, and June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014 and 2015. All appropriations in this article are onetime.

APPROPRIATIONS
Available for the Year
Ending June 30
2014 **2015**

Sec. 2. **ARTS AND CULTURAL HERITAGE**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>56,759,000</u>	<u>\$</u>	<u>58,334,000</u>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's guidance to agencies on legacy fund expenditures. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2014 appropriations are available until June 30, 2015, and fiscal year 2015 appropriations are available until June 30, 2016. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding. Money appropriated in this article may not be spent on projects that would otherwise be eligible as a capital investment expenditure under Minnesota Statutes, sections 16A.631 to 16A.675, except that funds appropriated to the Minnesota Historical Society for grants and partnerships may be used to preserve significant historic resources. For all grants issued under this article, priority shall be given to projects that have a nonstate cash match of at least 25 percent of the total eligible project costs.

<u>Subd. 3. Minnesota State Arts Board</u>		<u>27,800,000</u>		<u>29,100,000</u>
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(a) These amounts are appropriated to the Minnesota State Arts Board for arts, arts education, and arts access. Appropriations made directly to the Minnesota State Arts Board shall supplement, and shall not substitute for, traditional sources of funding. Each grant program established within this appropriation shall be separately administered from other state appropriations for program planning and outcome measurements, but may take into consideration other state resources awarded in the selection of applicants and grant award size.

(b) Arts and Arts Access Initiatives

\$22,100,000 the first year and \$23,200,000 the second year are to support Minnesota artists and arts organizations in creating, producing, and presenting high-quality arts activities; to overcome barriers to accessing high-quality arts activities; and to instill the arts into the community and public life in this state.

(c) Arts Education

\$4,000,000 the first year and \$4,200,000 the second year are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts.

(d) Arts and Cultural Heritage

\$1,700,000 the first year and \$1,700,000 the second year are for events and activities that represent the diverse cultural arts traditions, including folk and traditional artists and art organizations, represented in this state.

(e) Four percent of the funds appropriated in paragraphs (b) to (d) may be used by the board for administration of grant programs, delivering technical services, providing fiscal oversight for the statewide system, and ensuring accountability.

Thirty percent of the remaining total appropriation to each of the categories listed in paragraphs (b) to (d) is for grants to the regional arts councils.

Any unencumbered balance remaining under this section in the first year does not cancel, but is available for the second year of the biennium.

Subd. 4. Department of Education

1,000,000

1,000,000

These amounts are appropriated to the commissioner of education for grants to the 12 Minnesota regional library systems to provide educational opportunities in the arts, history, literary arts, and cultural heritage of Minnesota. These funds shall be allocated using the formula in Minnesota Statutes, section 134.355, subdivisions 3, 4, and 5, with the remaining 25 percent to be distributed to all qualifying systems in an amount proportionate to the number of qualifying system entities in each system. For purposes of this subdivision, "qualifying system entity" means a public library, a regional library system, a regional library system headquarters, a county, or an outreach service program. These funds may be used to sponsor programs provided by regional libraries or to provide grants to local arts and cultural heritage programs for programs in partnership with regional libraries. These funds shall be distributed in ten equal payments per year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2015, as grants or contracts in this subdivision are available until June 30, 2017.

Subd. 5. Minnesota Historical Society

14,225,000

15,100,000

(a) These amounts are appropriated to the governing board of the Minnesota Historical Society to preserve and enhance access to Minnesota's history and its cultural and historical resources. Grant agreements entered into by the Minnesota Historical Society and other recipients of

appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Funds directly appropriated to the Minnesota Historical Society shall be used to supplement, and not substitute for, traditional sources of funding. Notwithstanding Minnesota Statutes, section 16A.28, for historic preservation projects that improve historic structures, the amounts are available until June 30, 2017.

(b) Historical Grants and Programs

(1) Statewide Historic and Cultural Grants

\$5,800,000 the first year and \$6,250,000 the second year are for history programs and projects operated or conducted by or through local, county, regional, or other historical or cultural organizations or for activities to preserve significant historic and cultural resources. Funds are to be distributed through a competitive grant process. The Minnesota Historical Society shall administer these funds using established grant mechanisms, with assistance from the advisory committee created under Laws 2009, chapter 172, article 4, section 2, subdivision 4, paragraph (b), item (ii).

(2) Programs

\$5,800,000 the first year and \$6,250,000 the second year are for programs and purposes related to the historical and cultural heritage of the state of Minnesota, conducted by the Minnesota Historical Society.

(3) History Partnerships

\$2,000,000 the first year and \$2,000,000 the second year are for partnerships involving multiple organizations, which may include the Minnesota Historical Society, to preserve and enhance access to Minnesota's history and cultural heritage in all regions of the state.

(4) Statewide Survey of Historical and Archaeological Sites

\$300,000 the first year and \$300,000 the second year are for a contract or contracts to be awarded on a competitive basis to conduct statewide surveys of Minnesota's sites of historical, archaeological, and cultural significance. Results of the surveys must be published in a searchable form and available to the public on a cost-free basis. The Minnesota Historical Society, the Office of the State Archaeologist, and the Indian Affairs Council shall each appoint a representative to an oversight board to select contractors and direct the conduct of the surveys. The oversight board shall consult with the Departments of Transportation and Natural Resources.

(5) Digital Library

\$300,000 the first year and \$300,000 the second year are for a digital library project to preserve, digitize, and share Minnesota images, documents, and historical materials. The Minnesota Historical Society shall cooperate with the Minitex interlibrary loan system and shall jointly share this appropriation for these purposes.

(6) Civil War Task Force

\$25,000 the first year is to the Civil War Task Force for activities that commemorate the sesquicentennial of the American Civil War and the Dakota Conflict, as recommended by the Civil War Commemoration Task Force established in Executive Order 11-15 (2011).

Subd. 6. Department of Administration

9,150,000

8,800,000

(a) These amounts are appropriated to the commissioner of administration for grants to the named organizations for the purposes specified in this subdivision. Up to one percent of funds may be used by the commissioner for grants administration.

(b) Grant agreements entered into by the commissioner and recipients of appropriations in this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

(c) Minnesota Public Radio

\$1,500,000 the first year and \$1,500,000 the second year are for Minnesota Public Radio to create programming and expand news service on Minnesota's cultural heritage and history.

(d) Association of Minnesota Public Educational Radio Stations

\$1,500,000 the first year and \$1,500,000 the second year are appropriated for a grant to the Association of Minnesota Public Educational Radio Stations for production and acquisition grants in accordance with Minnesota Statutes, section 129D.19.

(e) Lake Superior Zoo

\$250,000 the first year and \$250,000 the second year are for a grant to the Lake Superior Zoo for development of the forest discovery zone to create educational exhibits using animals and the environment.

(f) Como Park Zoo

\$500,000 the first year and \$500,000 the second year are for the Como Park Zoo for program development.

(g) Science Museum of Minnesota

\$1,100,000 the first year and \$1,100,000 the second year are for grants to the Science Museum of Minnesota. These amounts are for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage.

(h) Public Television

\$3,950,000 the first year and \$3,950,000 the second year are for grants to the Minnesota Public Television Association for production and acquisition grants according to Minnesota Statutes, section 129D.18.

(i) Minnesota African American Museum and Cultural Center

\$400,000 the first year is for a grant to the Minnesota African American Museum and Cultural Center for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage.

Subd. 7. Minnesota Humanities Center

1,625,000

1,425,000

(a) These amounts are appropriated to the Board of Directors of the Minnesota Humanities Center for the purposes specified in this subdivision. The Minnesota Humanities Center may use up to four percent of the following grants to cover the cost of administering, planning, evaluating, and reporting these grants.

(b) Programs and Purposes

\$525,000 the first year and \$525,000 the second year are for programs and purposes of the Minnesota Humanities Center.

(c) Children's Museum Grants

\$1,100,000 the first year and \$900,000 the second year are for arts and cultural heritage grants to children's museums.

Of this amount, \$600,000 the first year and \$400,000 the second year are for the Minnesota Children's Museum, \$200,000 each year is for the Duluth Children's Museum, \$100,000 each year is for the Grand Rapids Children's Museum, and \$200,000 each year is for the Southern Minnesota Children's Museum.

Subd. 8. Department of Agriculture

400,000

400,000

These amounts are appropriated to the commissioner of agriculture for grants to county agricultural societies to enhance arts access and education and to preserve and promote Minnesota's history and cultural heritage as embodied in its county fairs. The grants are in addition to the aid distributed to county agricultural societies under Minnesota Statutes, section 38.02.

Subd. 9. Minnesota Zoo

1,750,000

1,750,000

These amounts are appropriated to the Minnesota Zoological Board for programs and development of the Minnesota Zoological Garden and to provide access to the arts, arts education, and cultural heritage of Minnesota.

Subd. 10. Indian Affairs Council

750,000

750,000

(a) These amounts are appropriated to the Indian Affairs Council for the purposes identified in this subdivision.

(b) Grants to Preserve Dakota and Ojibwe Languages

\$300,000 the first year and \$300,000 the second year are for grants for programs that preserve Dakota and Ojibwe Indian languages and to foster educational programs in Dakota and Ojibwe languages.

(c) Language Immersion

\$250,000 the first year and \$250,000 the second year are for grants of \$125,000 each year to the Niigaane Ojibwe Immersion School and the Wicoie Nandagikendan urban immersion project.

(d) Competitive Grants for Language Immersion

\$200,000 the first year and \$200,000 the second year are for competitive grants for language immersion programs.

Subd. 11. Legislature

9,000

9,000

This amount is appropriated to the Legislative Coordinating Commission to operate the Web site for dedicated funds required under Minnesota Statutes, section 3.303, subdivision 10.

Sec. 3. Minnesota Statutes 2012, section 129D.17, subdivision 2, is amended to read:

Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural heritage fund may be spent only for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage. A project or program receiving funding from the arts and cultural heritage fund must include measurable outcomes, and a plan for measuring and evaluating the results. A project or program must be consistent with current scholarship, or best practices, when appropriate and must incorporate state-of-the-art technology when appropriate.

(b) Funding from the arts and cultural heritage fund may be granted for an entire project or for part of a project so long as the recipient provides a description and cost for the entire project and can demonstrate that it has adequate resources to ensure that the entire project will be completed.

(c) Money from the arts and cultural heritage fund shall be expended for benefits across all regions and residents of the state.

(d) A state agency or other recipient of a direct appropriation from the arts and cultural heritage fund must compile and submit all information for funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the Web site required under section 3.303, subdivision 10, as soon as it becomes available.

(e) Grants funded by the arts and cultural heritage fund must be implemented according to section 16B.98 and must account for all expenditures of funds. Priority for grant proposals must be given to proposals involving grants that will be competitively awarded.

(f) All money from the arts and cultural heritage fund must be for projects located in Minnesota. Money from the arts and cultural heritage fund may be used to travel outside the state of Minnesota if the travel is directly related to and necessary for a project that is based in Minnesota.

(g) When practicable, a direct recipient of an appropriation from the arts and cultural heritage fund shall prominently display on the recipient's Web site home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the Web site must direct the person to a Web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission Web site required under section 3.303, subdivision 10.

(h) Future eligibility for money from the arts and cultural heritage fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law.

Sec. 4. Minnesota Statutes 2012, section 129D.17, is amended by adding a subdivision to read:

Subd. 4. **Minnesota State Arts Board allocation.** At least 50 percent of the money deposited in the arts and cultural heritage fund must be for grants and services awarded through the Minnesota State Arts Board, or regional arts councils subject to appropriation.

Sec. 5. Minnesota Statutes 2012, section 129D.19, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** This section applies only to the Association of Minnesota Public Educational Radio Stations and the noncommercial radio stations that are members of the Association of Minnesota Public Educational Radio Stations.

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

Sec. 6. Minnesota Statutes 2012, section 129D.19, subdivision 2, is amended to read:

Subd. 2. **Use of grant funds.** Money appropriated from the Minnesota arts and cultural heritage fund may be designated to make grants to the Association of Minnesota Public Educational Radio Stations and its member stations and noncommercial radio stations, as defined in section 129D.14, subdivision 2. Grants received under this section must be used to create, produce, acquire, or distribute programs that educate, enhance, or promote local, regional, or statewide items of artistic, cultural, or historic significance. Grant funds may be used to cover any expenses associated with the creation, production, acquisition, or distribution of noncommercial radio programs through broadcast.

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

Delete the title and insert:

"A bill for an act relating to state government; appropriating money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; modifying certain outdoor heritage provisions; providing for watershed restoration and protection strategies; creating the Greater Minnesota Regional Parks and Trails Commission; extending previous appropriations; authorizing certain expenditures; providing for the allocation of arts and cultural heritage fund to the Minnesota State Arts Board; modifying certain grant eligibility; amending Minnesota Statutes 2012, sections 114D.15, by adding a subdivision; 114D.50, subdivision 4, by adding subdivisions; 129D.17, subdivision 2, by adding a subdivision; 129D.19, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 85; 114D."

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 56: A bill for an act relating to natural resources; appropriating money from the outdoor heritage fund.

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

Page 1, line 17, delete "91,203,000" and insert "95,618,000"

Page 7, line 22, delete "31,150,000" and insert "35,550,000"

Page 7, line 25, delete "\$13,390,000" and insert "\$17,790,000"

Page 15, line 14, delete "1,206,000" and insert "1,221,000"

Page 16, after line 20, insert:

"(e) Legacy Web Site

\$15,000 the first year is for the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10."

Page 18, after line 35, insert:

"Subd. 10. Appropriations carryforward; fee title acquisition

The availability of the appropriation for the following project is extended to July 1, 2015: Laws 2010, chapter 361, article 1, section 2, subdivision 5, paragraph (h), Washington County St. Croix River Land Protection, and the appropriation may be spent on acquisition of land in fee title to protect habitat associated with the St. Croix River Valley. A list of proposed acquisitions must be provided as part of the accomplishment plan."

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1656: A bill for an act relating to disaster assistance; appropriating money to match federal disaster aid for the April 2013 severe winter storm in southwest Minnesota.

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

Delete everything after the enacting clause and insert:

"Section 1. **DISASTER RELATED APPROPRIATIONS.**

(a) The appropriation in Laws 2012, First Special Session, chapter 1, article 1, section 3, subdivision 2, is reduced by \$1,500,000.

(b) \$1,500,000 is appropriated from the general fund in fiscal year 2013 to the commissioner of public safety to provide a match for Federal Emergency Management Agency disaster assistance to state agencies and political subdivisions under Minnesota Statutes, section 12.221, in the area designated under Presidential Declaration of Major Disaster, FEMA-4113-DR, for the ice storm in Minnesota in the spring of 2013, whether included in the original declaration or added later by federal government action. This is a one time appropriation and is available until expended.

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

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1480: A bill for an act relating to appropriations; appropriating money for a program to reduce childhood obesity.

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1633: A bill for an act relating to capital investment; adding the chairs of the senate's Capital Investment Committee to those receiving notification regarding capital investment projects; amending Minnesota Statutes 2012, section 16B.335, subdivisions 1, 2, 5.

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 235: A bill for an act relating to public safety; modifying the lawful possession of firearms; requiring timely transmittal of law enforcement, court, and civil commitment data to certain state and federal searchable databases; amending Minnesota Statutes 2012, sections 241.301; 245.041; 253B.24; 299C.10, subdivisions 1, 3; 299C.11, subdivision 1; 299C.14; 299C.17; 624.712, subdivision 5; 624.713, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 241.301, is amended to read:

241.301 FINGERPRINTS OF INMATES, PAROLEES, AND PROBATIONERS FROM OTHER STATES.

The commissioner of corrections shall establish procedures so that whenever this state receives an inmate, parolee, or probationer from another state under sections 241.28 to 241.30 or 243.1605, fingerprints and thumbprints of the inmate, parolee, or probationer are obtained and forwarded to the Bureau of Criminal Apprehension. by electronic entry into a Bureau of Criminal Apprehension-managed searchable database within 24 hours of receipt. The bureau shall convert the fingerprints and thumbprints into an electronic format for entry into the searchable database within three business days of receipt if the data is not entered by the commissioner.

Sec. 2. Minnesota Statutes 2012, section 253B.24, is amended to read:

253B.24 TRANSMITTAL OF DATA TO NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

When a court:

(1) commits a person under this chapter as being mentally ill, developmentally disabled, mentally ill and dangerous, or chemically dependent;

(2) determines in a criminal case that a person is incompetent to stand trial or not guilty by reason of mental illness; or

(3) restores a person's ability to possess a firearm under section 609.165, subdivision 1d, or 624.713, subdivision 4,

the court shall ensure that this information is electronically transmitted as soon as practicable within three business days to the National Instant Criminal Background Check System.

Sec. 3. Minnesota Statutes 2012, section 299C.10, subdivision 1, is amended to read:

Subdivision 1. **Required fingerprinting.** (a) Sheriffs, peace officers, and community corrections agencies operating secure juvenile detention facilities shall take or cause to be taken immediately finger and thumb prints, photographs, distinctive physical mark identification data, information on any known aliases or street names, and other identification data requested or required by the superintendent of the bureau, of the following:

(1) persons arrested for, appearing in court on a charge of, or convicted of a felony, gross misdemeanor, or targeted misdemeanor;

(2) juveniles arrested for, appearing in court on a charge of, adjudicated delinquent for, or alleged to have committed felonies or gross misdemeanors as distinguished from those committed by adult offenders;

(3) adults and juveniles admitted to jails or detention facilities;

(4) persons reasonably believed by the arresting officer to be fugitives from justice;

(5) persons in whose possession, when arrested, are found concealed firearms or other dangerous weapons, burglar tools or outfits, high-power explosives, or articles, machines, or appliances usable for an unlawful purpose and reasonably believed by the arresting officer to be intended for such purposes;

(6) juveniles referred by a law enforcement agency to a diversion program for a felony or gross misdemeanor offense; and

(7) persons currently involved in the criminal justice process, on probation, on parole, or in custody for any offense whom the superintendent of the bureau identifies as being the subject of a court disposition record which cannot be linked to an arrest record, and whose fingerprints are necessary to reduce the number of suspense files, or to comply with the mandates of section 299C.111, relating to the reduction of the number of suspense files. This duty to obtain fingerprints for the offenses in suspense at the request of the bureau shall include the requirement that fingerprints be taken in post-arrest interviews, while making court appearances, while in custody, or while on any form of probation, diversion, or supervised release.

(b) Unless the superintendent of the bureau requires a shorter period, within 24 hours of taking the fingerprints and data, the fingerprint records and other identification data specified under paragraph (a) must be forwarded to the bureau on such forms and in such electronically entered into a bureau-managed searchable database in a manner as may be prescribed by the superintendent.

(c) Prosecutors, courts, and probation officers and their agents, employees, and subordinates shall attempt to ensure that the required identification data is taken on a person described in paragraph (a). Law enforcement may take fingerprints of an individual who is presently on probation.

(d) Finger and thumb prints must be obtained no later than:

- (1) release from booking; or
- (2) if not booked prior to acceptance of a plea of guilty or not guilty.

Prior to acceptance of a plea of guilty or not guilty, an individual's finger and thumb prints must be submitted to the Bureau of Criminal Apprehension for the offense. If finger and thumb prints have not been successfully received by the bureau, an individual may, upon order of the court, be taken into custody for no more than eight hours so that the taking of prints can be completed. Upon notice and motion of the prosecuting attorney, this time period may be extended upon a showing that additional time in custody is essential for the successful taking of prints.

(e) For purposes of this section, a targeted misdemeanor is a misdemeanor violation of section 169A.20 (driving while impaired), 518B.01 (order for protection violation), 609.224 (fifth-degree assault), 609.2242 (domestic assault), 609.746 (interference with privacy), 609.748 (harassment or restraining order violation), 617.23 (indecent exposure), or 629.75 (domestic abuse no contact order).

Sec. 4. Minnesota Statutes 2012, section 299C.10, subdivision 3, is amended to read:

Subd. 3. **Bureau duty.** The bureau must ~~enter~~ convert into an electronic format for entry in the criminal records system ~~finger and thumb prints~~ fingerprints, thumbprints, and other identification data within ~~five working days~~ three business days after they are received under this section if the fingerprints, thumbprints, and other identification data were not electronically entered by a criminal justice agency.

Sec. 5. Minnesota Statutes 2012, section 299C.11, subdivision 1, is amended to read:

Subdivision 1. **Identification data other than DNA.** (a) Each sheriff and chief of police shall furnish the bureau, upon such form as the superintendent shall prescribe, with such finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data as may be requested or required by the superintendent of the bureau, which must be taken under the provisions of section 299C.10. In addition, sheriffs and chiefs of police shall furnish this identification data to the bureau for individuals found to have been convicted of a felony, gross misdemeanor, or targeted misdemeanor, within the ten years immediately preceding their arrest. When the bureau learns that an individual who is the subject of a background check has used, or is using, identifying information, including, but not limited to, name and date of birth, other than those listed on the criminal history, the bureau ~~may add~~ shall convert into an electronic format, if necessary, and enter into a bureau-managed searchable database the new identifying information to the criminal history when supported by fingerprints within three business days of learning the information if the information is not entered by a law enforcement agency.

(b) No petition under chapter 609A is required if the person has not been convicted of any felony or gross misdemeanor, either within or without the state, within the period of ten years immediately preceding the determination of all pending criminal actions or proceedings in favor of the arrested person, and either of the following occurred:

- (1) all charges were dismissed prior to a determination of probable cause; or
- (2) the prosecuting authority declined to file any charges and a grand jury did not return an indictment.

Where these conditions are met, the bureau or agency shall, upon demand, return to the arrested person finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data, and all copies and duplicates of them.

(c) Except as otherwise provided in paragraph (b), upon the determination of all pending criminal actions or proceedings in favor of the arrested person, and the granting of the petition of the arrested person under chapter 609A, the bureau shall seal finger and thumb prints, photographs, distinctive physical mark identification data, information on known aliases and street names, and other identification data, and all copies and duplicates of them if the arrested person has not been convicted of any felony or gross misdemeanor, either within or without the state, within the period of ten years immediately preceding such determination.

Sec. 6. Minnesota Statutes 2012, section 299C.14, is amended to read:

299C.14 INFORMATION ON RELEASED PRISONER.

It shall be the duty of the officials having charge of the penal institutions of the state or the release of prisoners therefrom to furnish to the bureau, as the superintendent may require, finger and thumb prints, photographs, distinctive physical mark identification data, other identification data, modus operandi reports, and criminal records of prisoners heretofore, now, or hereafter confined in such penal institutions, together with the period of their service and the time, terms, and conditions of their discharge. This duty to furnish information includes, but is not limited to, requests for fingerprints as the superintendent of the bureau deems necessary to maintain and ensure the accuracy of the bureau's criminal history files, to reduce the number of suspense files, or to comply with the mandates of section 299C.111 relating to the reduction of the number of suspense files where a disposition record is received that cannot be linked to an arrest record. The officials shall electronically enter the information in a bureau-managed searchable database within 24 hours of a prisoner's date of release or discharge. The bureau shall convert the information into an electronic format and enter it into the searchable database within three business days of the date of receipt, if the information is not entered by the officials.

Sec. 7. Minnesota Statutes 2012, section 299C.17, is amended to read:

299C.17 REPORT BY COURT ADMINISTRATOR.

The superintendent shall ~~have power to~~ require the court administrator ~~of any county of every court which sentences a defendant for a felony, gross misdemeanor, or targeted misdemeanor to file with the department, at such time as the superintendent may designate, electronically transmit within 24 hours of the disposition of the case a report, upon such in a form as prescribed by the superintendent may prescribe, furnishing such~~ providing information as ~~the~~ required by the superintendent ~~may require~~ with regard to the prosecution and disposition of criminal cases. A copy of the report shall be kept on file in the office of the court administrator.

Sec. 8. Minnesota Statutes 2012, section 624.713, subdivision 3, is amended to read:

Subd. 3. **Notice.** (a) When a person is convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, a crime of violence as defined in section 624.712, subdivision 5, the court shall inform the defendant that the defendant is prohibited from possessing a pistol or semiautomatic military-style assault weapon for the remainder of the person's lifetime, and that it is a felony offense to violate this prohibition. The failure of the court to provide

this information to a defendant does not affect the applicability of the pistol or semiautomatic military-style assault weapon possession prohibition or the felony penalty to that defendant.

(b) When a person, including a person under the jurisdiction of the juvenile court, is charged with committing a crime of violence and is placed in a pretrial diversion program by the court before disposition, the court shall inform the defendant that: (1) the defendant is prohibited from possessing a pistol or semiautomatic military-style assault weapon until the person has completed the diversion program and the charge of committing a crime of violence has been dismissed; (2) it is a gross misdemeanor offense to violate this prohibition; and (3) if the defendant violates this condition of participation in the diversion program, the charge of committing a crime of violence may be prosecuted. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol or semiautomatic military-style assault weapon possession prohibition or the gross misdemeanor penalty to that defendant.

(c) A court shall notify a person subject to subdivision 1, clause (3), of the prohibitions described in that clause and those described in United States Code, title 18, sections 922(d)(4) and 922(g)(4).

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 9. Minnesota Statutes 2012, section 624.713, is amended by adding a subdivision to read:

Subd. 5. **Provision of firearms background check information.** (a) When a court places a person, including a person under the jurisdiction of the juvenile court, who is charged with committing a crime of violence into a pretrial diversion program before disposition, the court must ensure that information regarding the person's placement in that program and the ordered expiration date of that placement is transmitted as soon as practicable to the National Instant Criminal Background Check System. When a person successfully completes or discontinues the program, the prosecuting attorney must also report that fact within 24 hours of receipt to the National Instant Criminal Background Check System.

(b) The court must report the conviction and duration of the firearms disqualification imposed as soon as practicable to the National Instant Criminal Background Check System when a person is convicted of a gross misdemeanor that disqualifies the person from possessing firearms under the following sections:

- (1) 518B.01, subdivision 14;
- (2) 609.224, subdivision 3;
- (3) 609.2242, subdivision 3;
- (4) 609.749, subdivision 8;
- (5) 624.713, subdivision 1, clause (11); or
- (6) 629.715, subdivision 2.

(c) If the court reports a firearms disqualification based on a charge of violating an offense listed in paragraph (b), the court must provide notice of the disposition of the charge to the National Instant Criminal Background Check System within three business days.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 10. **PRIOR CIVIL COMMITMENTS AND FELONY CONVICTIONS.**

(a) By September 1, 2013, a court shall electronically enter into the National Instant Criminal Background Check System information on all persons civilly committed during the period from January 1, 1994, to September 28, 2010, that has not already been entered in the system.

(b) By September 1, 2013, courts and law enforcement agencies shall electronically enter into a Bureau of Criminal Apprehension-managed database information on all persons convicted in a Minnesota court of a felony during the years 2008 to 2012 that has not already been entered into a searchable database. The bureau shall convert into an electronic format and enter into the searchable database, within three business days of receipt of the data, all data received from a court or law enforcement agency that is not entered by the court or agency into a bureau-managed searchable database.

(c) The governor or commissioner of public safety may extend the time for entering information of prior civil commitments and felony convictions under paragraphs (a) and (b) for a period not to exceed 60 days for good cause shown.

Sec. 11. CRIMINAL AND JUVENILE JUSTICE INFORMATION POLICY GROUP.

The Criminal and Juvenile Justice Information Policy Group shall report to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over criminal justice policy and funding by January 1, 2014, on the search capabilities of the Bureau of Criminal Apprehension-managed databases and recommend how the search capabilities of the databases may be improved with, among other proposals, an increase in the number of identification data for each person included in the databases. The group shall also report on the progress made on reducing the number of bureau suspense files and recommendations to facilitate the reduction of these files. The group, in consultation with the revisor of statutes, shall review existing law relating to the timely transmittal and entry of data and propose legislation for the 2014 legislative session that clarifies, conforms, implements, and resolves any conflicts with this act."

Amend the title as follows:

Page 1, line 2, delete "modifying the lawful possession of firearms;"

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was referred

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

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

Delete everything after the enacting clause and insert:

"Section 1. **LEGISLATIVE PURPOSE AND INTENT.**

Bullying by a student against another student is a significant problem in our schools. Such conduct cannot only adversely impact the educational opportunities of another student or students, but it may also substantially disrupt the orderly functioning of a school. Schools have a responsibility to try to prevent such adverse consequences and disruptions for the benefit of all students.

Consistent with United States Supreme Court precedent, under this Act, which may be cited as the "Safe and Supportive Minnesota Schools Act," bullying involves plainly offensive conduct that improperly interferes with the rights of other students and the work or discipline of the school. Bullying may occur on school premises or school buses, at school events or functions, or by use of technology. This legislation is intended to prevent bullying by a student to facilitate a safe and conducive educational environment for all students, ameliorate the effects of bullying and teach students the boundaries of socially appropriate behavior.

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

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

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

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

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

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

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

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

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

(1) on the school premises, at the school functions or activities, or on the school transportation;

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

(3) by use of electronic technology and communications off the school premises to the extent such use is reasonably foreseeable to substantially and materially disrupt student learning or the school environment.

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

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

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

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

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

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

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

(3) emphasize remedial responses over punitive measures;

(4) be conspicuously posted throughout the school building;

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

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

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

(c) Each district and school under this subdivision must discuss its policy with students, school personnel, and volunteers and provide training for all school personnel and volunteers to prevent, identify, and appropriately respond to prohibited conduct. Districts and schools must establish a training cycle, not to exceed a period of three school years, for school personnel and volunteers under this paragraph. Newly employed school personnel and new volunteers must receive the training within the first year of their employment with or volunteer service to the district or school. A district or school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance.

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

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

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

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

(2) materially and substantially interferes with a student's educational opportunities or performance or ability to participate in the school functions or activities or receive the school benefits, services, or privileges;

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

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

(c) "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet Web site or forum, transmitted through a computer, cell phone, or other electronic device.

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

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

(f) "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Districts and schools may seek the assistance of the

school climate center under section 127A.052 to develop and implement remedial responses on behalf of a student who is the target of prohibited conduct, to stop and correct a student engaging in prohibited conduct, and for use with students and adults in the school community. Districts and schools need not report the use of remedial responses when their use is unrelated to any particular incident of prohibited conduct.

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

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

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

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

(4) indicate how a school will respond to an identified incident of prohibited conduct, including immediately intervening to protect the target of the prohibited conduct; at the school administrator's discretion and consistent with state and federal data practices law governing access to data, notifying the parent of the reported target of the prohibited conduct and the parent of the actor engaged in the prohibited conduct, or law enforcement officials or officials of a park and recreation public agency that has adopted a policy substantially similar to the requirements of section 121A.031 and provides training to those who have regular contact with youth patrons and personnel who have access to private data on youth patrons; providing other remedial responses to the prohibited conduct; and ensuring that remedial responses are tailored to the particular incident and nature of the conduct and the student's developmental age and behavioral history;

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

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

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

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

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

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

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

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

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

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

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

(4) the incidence and nature of cyberbullying; and

(5) Internet safety and cyberbullying.

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

(b) Districts and schools are encouraged to:

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

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

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

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

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

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

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

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

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

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

(3) for a child with a disability, whenever an evaluation by an individualized education program team or a section 504 team indicates that the child's disability affects the child's social skills development or the child is vulnerable to prohibited conduct because of the child's disability, the child's individualized education program or section 504 plan must address the skills and proficiencies the child needs to not engage in and respond to such conduct; and

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

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

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

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

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

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

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

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

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

(1) establish any private right of action;

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

(3) interfere with a person's rights of religious expression and free speech and expression under the First Amendment of the United States Constitution.

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

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

121A.55 POLICIES TO BE ESTABLISHED.

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

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

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

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

Sec. 5. Minnesota Statutes 2012, section 122A.60, subdivision 1a, is amended to read:

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

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

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

(b) Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills,

such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under section 122A.61.

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

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

Sec. 6. Minnesota Statutes 2012, section 122A.60, subdivision 3, is amended to read:

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

(1) improve student achievement of state and local education standards in all areas of the curriculum by using best practices methods;

(2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;

(3) provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;

(4) improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;

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

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

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

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

Sec. 7. Minnesota Statutes 2012, section 124D.10, subdivision 8, is amended to read:

Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.

(c) A school authorized by a school board may be located in any district, unless the school board of the district of the proposed location disapproves by written resolution.

(d) A charter school must be nonsectarian in its programs, admission policies, employment practices, and all other operations. An authorizer may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or a religious institution. A charter school student must be released for religious instruction, consistent with section 120A.22, subdivision 12, clause (3).

(e) Charter schools must not be used as a method of providing education or generating revenue for students who are being home-schooled. This paragraph does not apply to shared time aid under section 126C.19.

(f) The primary focus of a charter school must be to provide a comprehensive program of instruction for at least one grade or age group from five through 18 years of age. Instruction may be provided to people younger than five years and older than 18 years of age.

(g) A charter school may not charge tuition.

(h) A charter school is subject to and must comply with chapter 363A and section 121A.04.

(i) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(j) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65. A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with the requirements of sections 123B.75 to 123B.83, except to the extent deviations are necessary because of the program at the school. Deviations must be approved by the commissioner and authorizer. The Department of Education, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school determined to be in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(k) A charter school is a district for the purposes of tort liability under chapter 466.

(l) A charter school must comply with chapters 13 and 13D; and sections 120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

(m) A charter school is subject to the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(n) A charter school offering online courses or programs must comply with section 124D.095.

(o) A charter school and charter school board of directors are subject to chapter 181.

(p) A charter school must comply with section 120A.22, subdivision 7, governing the transfer of students' educational records and sections 138.163 and 138.17 governing the management of local records.

(q) A charter school that provides early childhood health and developmental screening must comply with sections 121A.16 to 121A.19.

(r) A charter school that provides school-sponsored youth athletic activities must comply with section 121A.38.

(s) A charter school must comply with section 121A.031 governing policies on prohibited conduct.

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

Sec. 8. Minnesota Statutes 2012, section 124D.895, subdivision 1, is amended to read:

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

(1) engage the interests and talents of parents or guardians in recognizing and meeting the emotional, intellectual, and physical needs of their school-age children;

(2) promote healthy self-concepts among parents or guardians and other family members;

(3) offer parents or guardians a chance to share and learn about educational skills, techniques, and ideas;

(4) provide creative learning experiences for parents or guardians and their school-age children, including involvement from parents or guardians of color;

(5) encourage parents to actively participate in their district's curriculum advisory committee under section 120B.11 in order to assist the school board in improving children's education programs; and

(6) encourage parents to help in promoting school desegregation/integration; and

(7) partner with parents in establishing a positive school climate by developing and implementing prevention and intervention programs on prohibited conduct under section 121A.031.

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

Sec. 9. Minnesota Statutes 2012, section 124D.8955, is amended to read:

124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.

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

(1) communication between home and school that is regular, two-way, and meaningful;

(2) parenting skills;

(3) parents and caregivers who play an integral role in assisting student learning and learn about fostering students' academic success and learning at home and school;

(4) welcoming parents in the school and seeking their support and assistance;

(5) partnerships with parents in the decisions that affect children and families in the schools; and

(6) providing community resources to strengthen schools, families, and student learning, including establishing a safe and supportive school climate by developing and implementing prevention and intervention programs on prohibited conduct under section 121A.031.

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

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

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

(c) The board must consider best practices when implementing this policy.

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

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

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

Sec. 10. Minnesota Statutes 2012, section 125B.15, is amended to read:

125B.15 INTERNET ACCESS FOR STUDENTS.

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

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

(c) A school district receiving technology revenue under section 125B.26 must prohibit, including through use of available software filtering technology or other effective methods, adult

access to material that under federal or state law is reasonably believed to be obscene or child pornography.

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

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

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

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

Sec. 11. **[127A.051] SCHOOL CLIMATE COUNCIL.**

Subdivision 1. **Establishment and membership; terms.** (a) A 24-member multiagency leadership council is established to improve school climate and school safety so that all Minnesota students in prekindergarten through grade 12 schools and higher education institutions have a safe and supportive learning environment in order to maximize each student's learning potential.

(b) The council shall consist of:

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

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

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

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

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

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

(c) A member serves at the pleasure of their appointing authority and continues to serve until their successor is appointed.

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

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

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

(3) development and dissemination of resources and training for schools and communities about issues of prohibited conduct under section 121A.031, and other school safety-related issues.

Subd. 3. **Meetings; chair.** The commissioner of education must convene the first meeting of the council by October 1, 2013, and must serve as chair. The council must meet at least one time per year. The council does not need a quorum to conduct its meetings.

Subd. 4. **Compensation.** Council members are not eligible for compensation or reimbursement for expenses related to council activities.

Subd. 5. **Support.** The Department of Education and the Department of Public Safety must provide technical assistance to council members upon request. The council, upon request, must consult with the school climate center and the school safety center.

Subd. 6. **Reporting.** The council must report its activities annually by October 1, to the commissioner of education. The Department of Education must post the council's meeting notices and other relevant information regarding its duties on the agency's Web site.

Subd. 7. **Expiration.** The school climate council does not expire.

Sec. 12. **[127A.052] SCHOOL CLIMATE CENTER.**

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

(b) The center's services shall include:

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

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

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

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

(5) education and skill building;

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

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

(c) The center shall:

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

(2) establish and maintain a central repository for collecting and analyzing information about prohibited conduct under section 121A.031, including, but not limited to:

(i) training materials on strategies and techniques to prevent and appropriately address prohibited conduct under section 121A.031;

(ii) model programming;

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

(iv) other resources for improving the school climate and preventing prohibited conduct under section 121A.031;

(3) assist districts and schools to develop strategies and techniques for effectively communicating with and engaging parents in efforts to protect and deter students from prohibited conduct under section 121A.031; and

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

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

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

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

Sec. 13. Minnesota Statutes 2012, section 127A.42, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

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

Sec. 14. **REPEALER.**

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

Amend the title as follows:

Page 1, line 2, after "schools" insert "by prohibiting bullying"

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was referred

H.F. No. 1389: A bill for an act relating to state government; changing certain finance and budget provisions; adding the Office of MN.IT Services to certain provisions and changing certain MN.IT provisions; amending Minnesota Statutes 2012, sections 3.30, subdivision 2; 3.3005, subdivision 2, by adding subdivisions; 3.736, subdivision 7; 3.989, subdivision 2; 3D.14; 4.07, subdivision 2; 4A.01, subdivision 3; 4A.02; 15.06, subdivision 1; 15.76, subdivisions 1, 2, 3; 16A.056, subdivision 7; 16A.095; 16A.10, subdivisions 1, 1c; 16A.127, subdivision 4; 16A.96, subdivision 2; 16E.01, subdivision 1; 16E.04, subdivision 2; 16E.18, subdivision 8; 43A.08, subdivision 1a; 299C.65, subdivision 1; 403.36, subdivision 1; 477A.03, subdivision 2b; repealing Minnesota Statutes 2012, sections 15.06, subdivision 1a; 16A.06, subdivision 9; 16A.103, subdivision 4; 16A.106; 43A.31, subdivision 2; 325G.415.

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

Page 11, after line 5, insert:

"Sec. 22. Minnesota Statutes 2012, section 16E.015, is amended by adding a subdivision to read:

Subd. 5. **State information network.** "State information network" means optical fiber facilities and terminal equipment used in the delivery of high-speed telecommunications services."

Page 12, delete section 23 and insert:

"Sec. 24. Minnesota Statutes 2012, section 16E.18, subdivision 8, is amended to read:

Subd. 8. **Exemption.** The system state information network is exempt from the five-year five and ten-year limitation on contracts set by sections 16C.05, subdivision 2, paragraph (b), 16C.08, subdivision 3, clause (5), and 16C.09, clause (6), and section 16C.03, subdivision 17. A contract compliance review must be performed by the office on a five-year basis for any contract that has a

total term greater than five years. The review must detail any compliance or performance issues on the part of the contractor."

Page 17, after line 15, insert:

"Sec. 29. Laws 2011, First Special Session chapter 10, article 4, section 7, is amended to read:

Sec. 7. STUDY.

The chief information officer in the Office of ~~Enterprise Technology~~ MN.IT Services shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state government finance by January 15, 2014, on the feasibility and desirability of the office entering into service-level agreements with ~~the senate~~, the State Lottery, the Statewide Radio Board, Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, and the Campaign Finance and Public Disclosure Board regarding provision of information technology systems and services to those entities."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "exempting the state information network from certain term limitations on contracts;"

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was referred

H.F. No. 1451: A bill for an act relating to transportation; bridges; providing for disposition of remnant steel of I-35W bridge; proposing coding for new law in Minnesota Statutes, chapter 3.

(Amended pursuant to Rule 45, adopted by the Senate May 8, 2013; the text of H.F. No. 1451 is identical to S.F. No. 1305.)

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

SECOND READING OF SENATE BILLS

S.F. Nos. 56, 1656, 1480, 1633 and 235 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1183, 826, 1389 and 1451 were read the second time.

RECESS

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

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

APPOINTMENTS

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

H.F. No. 681: Senators Latz, Hoffman and Housley.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pappas moved that S.F. No. 778 be taken from the table. The motion prevailed.

The Senate resumed consideration of the pending Pratt amendment to the pending Newman amendment.

CALL OF THE SENATE

Senator Pratt imposed a call of the Senate for the balance of the proceedings on S.F. No. 778. The Sergeant at Arms was instructed to bring in the absent members.

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

Senator Sieben moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Dziedzic	Hoffman	Marty	Sieben
Carlson	Eaton	Jensen	Pappas	Skoe
Champion	Eken	Johnson	Reinert	Sparks
Clausen	Franzen	Kent	Rest	Stumpf
Cohen	Goodwin	Koenen	Scalze	Torres Ray
Dahle	Hawj	Latz	Schmit	Wiger
Dibble	Hayden	Lourey	Sheran	Wiklund

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

Senator Kiffmeyer moved to amend the Newman amendment to S.F. No. 778 as follows:

Page 1, line 6, after "6 p.m." insert ", or hours specified in a service provider contract."

Page 1, line 11, after "7 p.m." insert ", or hours specified in a service provider contract."

The question was taken on the adoption of the Kiffmeyer amendment to the Newman amendment.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Dahms	Ingebrigtsen	Nienow	Ruud
Benson	Fischbach	Kiffmeyer	Ortman	Senjem
Bonoff	Gazelka	Limmer	Osmek	Thompson
Brown	Hall	Miller	Pederson, J.	Weber
Chamberlain	Hann	Nelson	Pratt	Westrom
Cohen	Housley	Newman	Rosen	

Those who voted in the negative were:

Bakk	Eken	Kent	Reinert	Sparks
Carlson	Franzen	Koenen	Rest	Stumpf
Champion	Goodwin	Latz	Saxhaug	Torres Ray
Clausen	Hawj	Lourey	Scalze	Wiklund
Dahle	Hayden	Marty	Schmit	
Dibble	Hoffman	Metzen	Sheran	
Dziedzic	Jensen	Pappas	Sieben	
Eaton	Johnson	Petersen, B.	Skoe	

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

Senator Benson moved to amend S.F. No. 778 as follows:

Page 11, delete lines 4 to 10

The question was taken on the adoption of the amendment.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Petersen, B. moved to amend S.F. No. 778 as follows:

Page 4, after line 22, insert:

"Sec. 5. [179A.531] PROHIBITION ON SERVICE TO EARLY LEARNING SCHOLARSHIP RECIPIENT.

A family child care provider who provides child care services to a child who is a recipient of an early learning scholarship is exempt from this act.

EFFECTIVE DATE. This section is effective the day following final enactment of a law styled as Senate File No. 481 of the 88th legislature."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Petersen, B. moved to amend the Petersen, B. amendment to S.F. No. 778 as follows:

Page 1, line 7, delete "of"

Page 1, line 8, delete everything before the period

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

The question recurred on the Petersen, B. amendment, as amended.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail. So the Petersen, B. amendment, as amended, was not adopted.

Senator Thompson moved to amend S.F. No. 778 as follows:

Page 12, after line 3, insert:

"Sec. 2. **APPROPRIATION FOR ATTORNEY FEES.**

The amount necessary to pay the attorney fees awarded against the state by the Court of Appeals of Minnesota on April 22, 2013, in the case of Becky Swanson et al., v Dayton, 62-CV-11-9535, estimated to be in excess of \$50,000 is appropriated from the general fund to the commissioner of management and budget."

Senator Cohen questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Osmek moved to amend S.F. No. 778 as follows:

Page 2, line 11, after the period, insert "Family child care providers are not state employees for purposes of section 3.736."

Page 5, line 22, after the period, insert "Individual providers are not state employees for purposes of section 3.736."

The motion prevailed. So the amendment was adopted.

Senator Gazelka moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Limit on dues.** Dues for membership in an employee organization elected under this section must not be greater than \$5 per month."

Page 7, after line 22, insert:

"Subd. 13. **Limit on dues.** Dues for membership in an employee organization elected under this section must not be greater than \$5 per month."

The question was taken on the adoption of the amendment.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Eaton	Johnson	Reinert	Sparks
Carlson	Eken	Kent	Rest	Stumpf
Champion	Franzen	Koenen	Saxhaug	Tomassoni
Clausen	Hawj	Latz	Scalze	Torres Ray
Cohen	Hayden	Lourey	Schmit	Wiger
Dahle	Hoffman	Metzen	Sheran	Wiklund
Dziedzic	Jensen	Pappas	Sieben	

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

Senator Kiffmeyer moved to amend S.F. No. 778 as follows:

Page 2, line 35, after the period, insert "The commissioner of human services shall notify in writing every person whose name is on a list provided by the commissioner of human services to any employee organization under this section. This notice shall identify all information about the person that will be provided to the organization and shall identify the organization to which the information will be provided."

Page 6, line 28, after the period, insert "The commissioner of the Bureau of Mediation Services shall notify in writing every person whose name is on a list provided by the commissioner of the Bureau of Mediation Services to any employee organization under this section. This notice shall identify all information about the person that was provided to the organization and shall identify the organization to which the information was provided."

Senator Kiffmeyer moved to amend the Kiffmeyer amendment to S.F. No. 778 as follows:

Page 1, lines 3 and 8, delete "in writing" and insert "by email"

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

The question recurred on the Kiffmeyer amendment, as amended.

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail. So the Kiffmeyer amendment, as amended, was not adopted.

Senator Gazelka moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Limit on dues.** Dues for membership in an employee organization elected under this section must not be greater than \$10 per month."

Page 7, after line 22, insert:

"Subd. 13. **Limit on dues.** Dues for membership in an employee organization elected under this section must not be greater than \$10 per month."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Senjem
Benson	Gazelka	Limmer	Osmek	Thompson
Bonoff	Hall	Miller	Pederson, J.	Weber
Brown	Hann	Nelson	Petersen, B.	Westrom
Chamberlain	Housley	Newman	Pratt	
Dahms	Ingebrigtsen	Nienow	Ruud	

Those who voted in the negative were:

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

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

Senator Pratt moved to amend S.F. No. 778 as follows:

Page 4, after line 16, insert:

"Subd. 13. **Dues and fair share fees set and disclosed prior to election.** Prior to an election under subdivision 5, an exclusive representative must set the dues and fair share fees that the representative will charge for a period of two years after certification and must disclose those dues and fair share fees to family child care providers before an election under subdivision 5."

Page 7, after line 22, insert:

"Subd. 13. **Dues disclosure.** Prior to an election under subdivision 9, an exclusive representative must set the dues and fair share fees that the representative will charge for a period of two years after certification and must disclose those dues and fair share fees to individual providers before an election under subdivision 10."

Senator Thompson moved to amend the Pratt amendment to S.F. No. 778 as follows:

Page 1, after line 7, insert:

"Page 4, after line 22, insert:

"Sec. 5. [179A.54] **POLITICAL USE PROHIBITED.**

Dues or fees that are paid to exclusive representatives of family child care providers under this chapter must not be used for any political contributions or expenditures."

Page 1, after line 12, insert:

"Subd. 14. **Political use prohibited.** Dues or fees that are paid to exclusive representatives of individual providers of direct support services under this chapter must not be used for any political contributions or expenditures."

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

Senator Hayden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S.F. No. 778 was read the third time, as amended.

Senator Bakk moved that S.F. No. 778 be laid on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 49 and nays 18, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Johnson	Osmek	Sieben
Benson	Eken	Kent	Pappas	Skoe
Bonoff	Fischbach	Koenen	Pederson, J.	Sparks
Carlson	Franzen	Latz	Pratt	Stumpf
Champion	Gazelka	Limmer	Reinert	Tomassoni
Clausen	Goodwin	Lourey	Rest	Torres Ray
Cohen	Hawj	Marty	Saxhaug	Westrom
Dahle	Hayden	Metzen	Scalze	Wiger
Dibble	Hoffman	Miller	Schmit	Wiklund
Dziedzic	Jensen	Nelson	Sheran	

Those who voted in the negative were:

Anderson	Hall	Kiffmeyer	Petersen, B.	Thompson
Brown	Hann	Newman	Rosen	Weber
Chamberlain	Housley	Nienow	Ruud	
Dahms	Ingebrigtsen	Ortman	Senjem	

The motion prevailed.

MEMBERS EXCUSED

Senator Lourey was excused from the Session of today from 11:00 a.m. to 12:50 p.m. Senator Skoe was excused from the Session of today from 11:00 a.m. to 12:50 p.m. and from 6:00 to 7:00 p.m. Senator Tomassoni was excused from the Session of today from 12:30 to 2:10 p.m. Senator Dziedzic was excused from the Session of today from 2:00 to 2:10 p.m. Senator Rosen was excused from the Session of today from 2:05 to 2:40 p.m. and from 7:00 to 7:45 p.m. Senator Bakk was excused from the Session of today from 2:30 to 4:00 p.m. Senator Schmit was excused from the Session of today from 2:45 to 3:15 p.m. Senator Dibble was excused from the Session of today from 4:30 to 6:30 p.m. Senator Marty was excused from the Session of today from 6:00 to 7:00 p.m. Senator Rest was excused from the Session of today from 6:00 to 7:00 p.m., from 11:20 p.m. to

12:30 a.m, and from 5:05 to 6:20 a.m. Senator Brown was excused from the Session of today from 2:50 to 3:05 a.m. Senator Rosen was excused from the Session of today from 5:25 to 6:00 a.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 7:01 a.m., Wednesday, May 15, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

