The House of Representatives convened at 12:00 noon and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by the Reverend Richard D. Buller, Valley Community Presbyterian Church, Golden Valley, Minnesota.

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

The roll was called and the following members were present:

Abeler  Dehn, R.  Hamilton  Lenczewski  Murphy, M.  Schomacker
Albright  Dettmer  Hansen  Lesch  Myhra  Scott
Allen  Dill  Hausman  Liebling  Nelson  Selcer
Anderson, M.  Dorholt  Hertaus  Lien  Newberger  Simonson
Anderson, P.  Drazkowski  Hilstrom  Lilie  Newton  Slocum
Andersen, S.  Erhardt  Holberg  Loeffler  Normes  Sundin
Anzelc  Erickson, R.  Hoppe  Lohmer  Norton  Swedzinski
Atkins  Erickson, S.  Hornstein  Loon  O'Driscoll  Theis
Barrett  Fabian  Hortman  Mack  O'Neil  Torkelson
Beard  Falk  Howe  Mahoney  Peppin  Uglem
Benson, J.  Faust  Huntley  Mariani  Persell  Udahl
Benson, M.  Fischer  Isaacson  Marguart  Petersburg  Wagenius
Bernardy  FitzSimmons  Johnson, B.  Masin  Poppe  Ward, J.A.
Bly  Franson  Johnson, C.  McDonald  Pugh  Ward, J.E.
Brynaert  Freiberg  Johnson, S.  McNamar  Quam  Wills
Carlson  Fritz  Kahn  McNamar  Radinovich  Winkler
Clark  Garofalo  Kelly  Melin  Rosenthal  Yarusso
Cornish  Green  Kieffer  Metsa  Runbeck  Zellers
Daudt  Gruenhagen  Kiel  Moran  Sanders  Zerwas
Davids  Gunther  Kresha  Morgan  Savick  Spk. Thissen
Davnie  Hackbart  Laine  Mullery  Sawatzky  
Dean, M.  Halverson  Leidiger  Murphy, E.  Schoen

A quorum was present.

Paymar, Pelowski and Woodard were excused.

Simon was excused until 6:30 p.m.

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

S. F. No. 1725 and H. F. No. 2156, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rosenthal moved that S. F. No. 1725 be substituted for H. F. No. 2156 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1900 and H. F. No. 2307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Schoen moved that the rules be so far suspended that S. F. No. 1900 be substituted for H. F. No. 2307 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2310 and H. F. No. 2664, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Nelson moved that S. F. No. 2310 be substituted for H. F. No. 2664 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Murphy, E., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1984, A bill for an act relating to state government; providing for enhancement of accountability and transparency in public construction; establishing a requirement for a definition of responsible contractor; proposing coding for new law in Minnesota Statutes, chapter 16C.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 2728, A bill for an act relating to public safety; modifying permits for motorized bicycle operators; establishing a fee for the commercial learner's permit; providing for federal conformance in laws pertaining to commercial motor vehicles; amending Minnesota Statutes 2012, sections 171.02, subdivision 3; 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.
Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 2752, A bill for an act relating to metropolitan transit; requiring Metropolitan Council to adopt standards for light rail vehicles; requiring Transportation Accessibility Advisory Committee review of vehicle standards; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 2852, A bill for an act relating to natural resources; modifying game and fish laws; modifying use of vehicles for hunting; modifying oversight committee provisions; modifying provisions for wildlife management areas; modifying license provisions and fees; modifying invasive species provisions; providing for certain grants; requiring development of certain master plan; modifying provisions for taking wild animals; authorizing nonlethal hazing of Canada geese; modifying disability-related angling and hunting licenses and special permit provisions; providing for designations on driver's license and Minnesota identification card; updating and eliminating certain obsolete language; modifying prior appropriations; requiring issuance of general permit; requiring rulemaking; amending Minnesota Statutes 2012, sections 84.154, subdivisions 1, 2, 3; 84.777, subdivision 2; 84.87, by adding a subdivision; 84.944, subdivision 2; 84A.10; 84A.50; 84D.01, subdivision 8b; 97A.025; 97A.055, subdivision 4b; 97A.131; 97A.137, subdivision 3, by adding a subdivision; 97A.311, subdivision 5, by adding a subdivision; 97A.434, subdivision 1; 97A.441, subdivisions 1, 5; 97A.473, subdivisions 2a, 2b, 5, 5a; 97A.502; 97B.031, subdivision 5; 97B.081, subdivision 3; 97B.086; 97B.095; 97B.111, subdivision 1; 97B.516; 97B.605; 97B.655, subdivision 1; 97B.667, subdivisions 3, 4; 97B.731, subdivision 1; 97C.821; 171.07, subdivision 15, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 97A.441, subdivisions 6, 6a; 97A.475, subdivisions 2, 3; 97A.485, subdivision 6; Laws 2008, chapter 363, article 5, section 4, subdivision 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 87A; 97B; 97C; repealing Minnesota Statutes 2012, sections 84.154, subdivision 5; 84A.04; 84A.08; 84A.11; 97A.081; 97A.083; 97A.445, subdivision 3; 97A.4742, subdivision 3; 97B.061; 97B.611; 97B.615; 97B.621, subdivisions 1, 4; 97B.625; 97B.631; 97B.635; 97B.711; 97B.715, subdivision 2; 97B.803; 97B.911; 97B.915; 97B.921; 97B.925; 97C.011; 97C.827; Minnesota Rules, part 6100.5100.

Reported the same back with the following amendments:

Page 7, after line 32, insert:

"Sec. 18. [97A.346] PROHIBITION ON LURING OR FEEDING OWLS; PENALTY.

(a) A person may not intentionally lure or feed an owl in the wild with any animate or inanimate object, food, or animal. A person in violation of this section is guilty of a petty misdemeanor.

(b) Notwithstanding paragraph (a), a person may use lures, bait, or traps to lure or feed an owl:

(1) while conducting scientific research under a federal or state permit authorizing the collection of data, samples, or bird banding; or

(2) while rescuing an ill or injured owl."
(c) For the purposes of this section, "lure" means to purposefully attract a wild owl in an attempt to cause it to move from one location to another and "feed" means to put in place, in the presence of a wild owl, any living or frozen animal or facsimile."

Page 8, delete section 19 and insert:

"Sec. 20. Minnesota Statutes 2012, section 97A.441, subdivision 1, is amended to read:

Subdivision 1. Angling and spearing; disabled residents. (a) A person authorized to issue licenses must issue, without a fee, licenses to take fish by angling or spearing shall be issued without a fee to a resident who is:

1. blind;

2. a recipient of supplemental security income for the aged, blind, and disabled;

3. a recipient of Social Security aid to the disabled under United States Code, title 42, section 416, paragraph (i)(l), or section 423(d);

4. a recipient of workers' compensation based on a finding of total and permanent disability; or

5. 65 years of age or older and was qualified under clause (2) or (3) at the age of 64; or

6. permanently disabled and meets the disability requirements for supplemental security income or Social Security aid to the disabled under United States Code, title 42, section 416, paragraph (i)(l), or section 423(d).

(b) A driver's license or Minnesota identification card bearing the applicable designation under section 171.07, subdivision 17, serves as satisfactory evidence to obtain a license under this subdivision at all agent locations."

Page 21, delete section 48 and insert:

"Sec. 49. Minnesota Statutes 2012, section 171.07, is amended by adding a subdivision to read:

Subd. 17. Disability designation. At the request of an applicant with permanent eligibility for a disability designation and on payment of the required fee, the department shall issue, renew, or reissue to the applicant a driver's license or Minnesota identification card bearing a physical disability designation based on the following medical conditions:

1. type 1, to an applicant who is permanently blind or disabled and meets the requirements for a free license to take fish under section 97A.441, subdivision 1, paragraph (a), clause (1), (4), (5), or (6); or

2. type 2, to an applicant who permanently meets the requirements for disability under section 97B.111, subdivision 1, paragraph (a), clause (1), item (i).

EFFECTIVE DATE. This section is effective the day following final enactment and applies to applications submitted on or after January 1, 2016, or the date the new driver and vehicle services information technology system is implemented, whichever comes later."
Page 23, lines 14 and 16, delete "23 to 26" and insert "24 to 27"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 2925, A bill for an act relating to public safety; compensating exonerated persons; amending Minnesota Statutes 2012, sections 590.01, by adding a subdivision; 609A.02, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 611.

Reported the same back with the following amendments:

Page 5, line 22, delete the semicolon

Page 5, line 23, delete "APPROPRIATIONS PROCESS"

Page 5, line 25, delete "for" and insert a period

Page 5, delete lines 26 to 29 and insert "The commissioner of management and budget shall submit the recommendations of the compensation panel to the legislature for consideration during the next session of the legislature."

Page 5, after line 32, insert:

"Sec. 10. APPROPRIATION.

$3,000 is appropriated in fiscal year 2015 from the general fund to the commissioner of management and budget for the operating costs of the compensation panel established in section 4 of this act."

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "appropriating money;"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1984, 2728, 2752, 2852 and 2925 were read for the second time.
SECOND READING OF SENATE BILLS

S. F. Nos. 1725, 1900 and 2310 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hansen introduced:

H. F. No. 3345, A bill for an act relating to natural resources; modifying Wetlands Conservation Act; amending Minnesota Statutes 2012, sections 103G.005, subdivision 10e, by adding a subdivision; 103G.222, subdivision 1; 103G.2241, subdivisions 2, 6, 9, 10, 11; 103G.2242, subdivision 1, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Lenczewski introduced:

H. F. No. 3346, A bill for an act relating to taxation; sales and use; exempting purchases by regional rail authorities; amending Minnesota Statutes 2012, section 297A.70, by adding a subdivision.

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

Anzelc, Melin, Radinovich and Dill introduced:

H. F. No. 3347, A bill for an act relating to taxation; minerals; making clarifying changes; removing obsolete, redundant, and unnecessary laws administered by the Office of the Commissioner of Iron Range resources and rehabilitation; modifying funds; appropriating money; amending Minnesota Statutes 2012, sections 273.1341; 298.22, as amended; 298.2211, as amended; 298.2212; 298.28, subdivisions 7, 11; 298.292, as amended; 298.293; 298.294; 298.296, subdivisions 1, 2; repealing Minnesota Statutes 2012, sections 298.2213, subdivisions 1, 2, 3, 5, 6; 298.222; 298.223, subdivision 3; 298.296, subdivision 4; 298.2961, subdivisions 1, 3, 6, 7; 298.298; Minnesota Statutes 2013 Supplement, sections 298.22, subdivision 8; 298.2213, subdivision 4; 298.223, subdivisions 1, 2; 298.2961, subdivisions 2, 4, 5.

The bill was read for the first time and referred to the Committee on Taxes.
MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3172, A bill for an act relating to state government; providing supplemental appropriations for higher education, jobs and economic development, public safety, corrections, transportation, environment, natural resources, and agriculture, kindergarten through grade 12 and adult education, health and human services; making forecast adjustments; modifying prior appropriations; modifying disposition of certain revenues; dedicating money to the Board of Trustees of the Minnesota State Colleges and Universities for compensation costs associated with settlement of employment contracts; dedicating certain funds for homeownership opportunities for families evicted or given notice of eviction due to a disabled child in the home; requiring the housing finance agency to improve efforts to reduce racial and ethnic inequalities in homeownership rates; creating an office of regenerative medicine development; modifying workforce program outcomes; creating job training programs; providing funding for the Minnesota Racing Commission; providing a grant to the Mille Lacs Tourism Council; funding Peace Officer Standards and Training Board; modifying certain provisions pertaining to victims of domestic violence and sentencing for criminal sexual conduct; continuing the fire safety advisory committee; providing for disaster assistance for public entities when federal aid is granted and when federal aid is absent; establishing certain transportation oversight authority; modifying provisions for railroad and pipeline safety; modifying certain transportation provisions; providing compensation for bee deaths due to pesticide poisoning; establishing pollinator emergency response team; providing nonresident off-highway motorcycle state trail pass; requiring certain recycling; modifying solid waste reduction; regulating harmful chemicals in children's products; providing for state parks and trails license plates, and licensing and inspection of commercial dog and cat breeders; providing for invasive terrestrial plants and pests center; providing funding and policy modifications for early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, special education, facilities, nutrition, community education, self-sufficiency and lifelong learning, and state agencies; making changes to provisions governing the Department of Health, Department of Human Services, children and family services, continuing care, community first services and supports, health care, public assistance programs, and chemical dependency; providing for unborn child protection; modifying the hospital payment system; modifying provisions governing background studies and home and community-based services standards; setting fees; providing rate increases; establishing grant programs; modifying medical assistance provisions; modifying the use of positive support strategies and emergency manual restraint; providing for certain grants; defining terms; creating accounts; requiring reports; providing penalties; authorizing rulemaking; amending Minnesota Statutes 2012, sections 12.03, by adding subdivisions; 12.221, subdivision 4, by adding a subdivision; 12A.02, subdivision 2, by adding subdivisions; 12A.03, subdivision 3; 12A.15, subdivision 1; 13.46, subdivision 4; 13.643, subdivision 6; 13.7411, subdivision 8; 13.84, subdivisions 5, 6; 16A.28, by adding a subdivision; 18B.01, by adding subdivisions; 18B.03, by adding a subdivision; 18B.04; 84.788, subdivision 2; 85.053, subdivision 2; 85.34, subdivision 7; 85A.02, subdivision 2; 103G.271, subdivision 6; 115A.151; 115A.55, subdivision 4; 115A.551, subdivisions 1, 2a; 115A.557, subdivisions 2, 3; 115B.39, subdivision 2; 115E.01, by adding subdivisions; 115E.08, by adding subdivisions; 116.9401; 116.9402; 116.9403; 116.9404; 116.9406; 116L.98; 119B.09, subdivision 9a, by adding a subdivision; 121A.19; 122A.40, subdivision 13; 122A.41, subdivision 6; 122A.415, subdivision 1; 123A.05, subdivision 2; 123A.485; 123A.64; 123B.57, subdivision 6; 123B.71, subdivisions 8, 9; 124D.09, subdivisions 9, 13; 124D.111, by adding a subdivision; 124D.16, subdivision 2; 124D.522; 124D.531, subdivision 3; 124D.59, subdivision 2; 125A.76, subdivision 2; 126C.10, subdivisions 25, 26; 127A.45, subdivisions 2, 3; 127A.49,
subdivisions 2, 3; 129C.10, subdivision 3, by adding a subdivision; 144.0724, as amended; 144.551, subdivision 1; 145.4131, subdivision 1; 165.15, subdivision 2; 169.826, by adding a subdivision; 169.8261, by adding a subdivision; 169.86, subdivision 5; 169.863, by adding a subdivision; 169.865, subdivisions 1, 2, by adding a subdivision; 169.866, subdivision 3, by adding a subdivision; 174.24, by adding a subdivision; 174.56, subdivision 1, by adding a subdivision; 179.02, by adding a subdivision; 181A.07, by adding a subdivision; 219.015, subdivisions 1, 2, 243.167, subdivision 1; 245A.03, subdivision 2c; 245C.04, by adding a subdivision; 245C.05, subdivision 5; 245C.10, by adding a subdivision; 245C.33, subdivisions 1, 4; 252.27, by adding a subdivision; 252.451, subdivision 2; 254B.12; 256.01, by adding a subdivision; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 2; 256.969, subdivisions 1, 2; 256.9691, subdivisions 1, 2b, 3a, 3b, 3c, 6a, 8a, 9, 10, 12, 14, 17, 18, 25, 30, by adding subdivisions; 256.9752, subdivision 2; 256B.04, by adding a subdivision; 256B.0625, subdivisions 18b, 18c, 18d, 18g, 30, by adding a subdivision; 256B.0751, by adding a subdivision; 256B.199; 256B.35, subdivision 1; 256B.431, by adding a subdivision; 256B.434, by adding a subdivision; 256B.441, by adding a subdivision; 256B.5012, by adding a subdivision; 256L.04, subdivision 2b; 256L.05, subdivision 2; 256L.49, subdivision 13; 256L.53, subdivisions 1, 2, 5; 256L.531; 257.85, subdivision 11; 260C.212, subdivision 1; 260C.515, subdivision 4; 260C.611; 299F.012, subdivisions 1, 2; 469.084, by adding a subdivision; 473.408, by adding a subdivision; 609.135, subdivision 2; 609.3451, subdivision 3; 61A.06, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 16A.724, subdivision 2; 123B.53, subdivisions 1, 5; 123B.54; 123B.75, subdivision 5; 124D.11, subdivision 1; 124D.111, subdivision 1; 124D.165, subdivision 5; 124D.531, subdivision 1; 124D.65, subdivision 5; 124D.862, subdivisions 1, 2; 125A.0942; 125A.11, subdivision 1; 125A.76, subdivisions 1a, 2a, 2b, 2c; 125A.79, subdivisions 1, 5, 8; 126C.05, subdivision 15; 126C.10, subdivisions 2, 2a, 2d, 24, 31; 126C.17, subdivisions 6, 7b, 9, 9a; 126C.44, subdivision 8; 127A.47, subdivision 7; 145.4716, subdivision 2; 168.123, subdivision 2; 174.42, subdivision 2; 245.8251; 245A.03, subdivision 7; 245A.042, subdivision 3; 245A.16, subdivision 1; 245C.08, subdivision 1; 245D.02, subdivisions 3, 4b, 8b, 11, 15b, 29, 34, 34a, by adding a subdivision; 245D.03, subdivisions 1, 2, 3, by adding a subdivision; 245D.04, subdivision 3; 245D.05, subdivisions 1, 1a, 1b, 2, 4, 5; 245D.051; 245D.06, subdivisions 1, 2, 4, 6, 7, 8; 245D.071, subdivisions 3, 4, 5; 245D.081, subdivision 2; 245D.09, subdivisions 3, 4a; 245D.091, subdivisions 2, 3, 4; 245D.10, subdivisions 3, 4; 245D.11, subdivision 2; 256B.04, subdivision 21; 256B.056, subdivision 5c; 256B.0625, subdivisions 17, 18e; 256B.0949, subdivisions 4, 11; 256B.439, subdivisions 1, 7; 256B.441, subdivision 53; 256B.4912, subdivision 1; 256B.492; 256B.69, subdivision 34; 256B.85, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 23, 24, by adding subdivisions; 256N.22, subdivisions 1, 2, 4; 256N.23, subdivision 4; 256N.25, subdivisions 2, 3; 256N.26, subdivision 1; 256N.27, subdivision 4; Laws 2008, chapter 363, article 5, section 4, subdivision 7, as amended; Laws 2009, chapter 83, article 1, section 10, subdivision 7; Laws 2010, chapter 189, sections 15, subdivision 12; 26, subdivision 4; Laws 2012, chapter 249, section 11; Laws 2012, chapter 263, section 1; Laws 2012, chapter 287, article 2, sections 1, 3; Laws 2012, First Special Session chapter 1, article 1, section 28; Laws 2013, chapter 1, section 6, as amended; Laws 2013, chapter 85, article 1, sections 3, subdivisions 2, 5, 6, 4, subdivisions 1, 2, 5, 13, subdivision 5; Laws 2013, chapter 86, article 1, sections 12, subdivision 3, as amended; 13; Laws 2013, chapter 108, article 1, section 24; article 3, section 48; article 7, sections 14; 49; article 14, sections 2, subdivisions 1, 4, as amended, 5, 6, as amended; 3, subdivisions 1, 4; subdivision 8; 12; Laws 2013, chapter 114, article 3, section 4, subdivision 3; Laws 2013, chapter 116, article 1, section 58, subdivisions 2, 3, 4, 5, 6, 7, 11; article 3, section 37, subdivisions 3, 4, 5, 6, 8, 11, 15, 20; article 4, section 9, subdivision 2; article 5, section 31, subdivisions 2, 3, 4, 8; article 6, section 12, subdivisions 2, 3, 4, 5, 6; article 7, section 21, subdivisions 2, 3, 4, 6, 7, 9; article 8, section 5, subdivisions 2, 3, 4, 10, 11, 14; article 9, sections 1, subdivision 2; Laws 2013, chapter 117, article 1, sections 3, subdivisions 2, 3, 4; proposing coding for new law in Minnesota Statutes, chapters 8; 18B; 19; 84; 85; 87A; 115E; 116; 116J; 123A; 123B; 124D; 129C; 144; 144A; 145; 168; 219; 299A; 347; 473; proposing coding for new law as Minnesota Statutes, chapter 12B; repealing Minnesota Statutes 2012, sections 115A.551, subdivision 2; 116.997; 123B.71, subdivision 1; 256.969, subdivisions 2c, 8b, 9a, 9b, 11, 13, 20, 21, 22, 26, 27, 28; 256.9695, subdivisions 3, 4; Minnesota Statutes 2013 Supplement, sections 256B.0625, subdivision 18f; 256N.26, subdivision 7.

JOANNE M. ZOFF, Secretary of the Senate
Carlson moved that the House refuse to concur in the Senate amendments to H. F. No. 3172, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

**CALENDAR FOR THE DAY**

H. F. No. 2446, A bill for an act relating to public safety; granting the Board of Pharmacy cease and desist authority to prevent the sale of synthetic drugs; modifying laws governing misbranding drugs, adulterated drugs; expanding the definition of drug; repealing the sunset and legislative reporting requirement for the Board of Pharmacy's emergency drug scheduling authority; providing for mandatory restitution when a person is convicted for selling controlled substance under false pretense of being legal; establishing a public education plan; appropriating money; amending Minnesota Statutes 2012, sections 151.01, subdivision 5; 151.06, subdivision 1a, by adding a subdivision; 151.26, subdivision 1; 151.34; 151.35; 151.36; 152.02, subdivision 8b; proposing coding for new law in Minnesota Statutes, chapter 152.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dehn, R.  Hamilton  Lenczewski  Murphy, M.  Schomacker
Albright  Dettmer   Hansen  Lesch  Myhra  Scott
Allen  Dill  Dorholt  Drazkowski  Holberg  Liebling  Nelson  Selcer
Anderson, M.  Erhardt  Hilstrom  Lien  Newberger  Simonson
Anderson, P.  Erickson, R.  Hoppe  Loeffler  Newton  Slocum
Anderson, S.  Erickson, S.  Hornstein  Lohmer  Norton  Sundin
Anzelc  Fabian  Horzman  Mack  O'Driscoll  Swedzinski
Atkins  Falk  Hoppe  Mahoney  O'Neill  Theis
Barrett  Faust  Howe  Mariani  Peppin  Torkelson
Beard  Falk  Huntley  Marquart  Persell  Uglem
Benson, J.  Faust  Isaacs  Masin  Petersburg  Udahl
Benson, M.  Fischer  Isaacson  McDonald  Poppe  Wagenius
Bernardy  FitzSimmons  Johnson, B.  McNamar  Pugh  Ward, J.A.
Bly  Franson  Johnson, C.  McNaughton  Quam  Ward, J.E.
Brynnaert  Freiberg  Johnson, S.  McNamara  Runbeck  Wills
Carlson  Fritz  Kahn  Melin  Radinovich  Winkler
Clark  Garofalo  Kelly  Merts  Rosenthal  Yarusso
Cornish  Green  Kieffer  Moran  Sanders  Zerwas
Daudt  Gruenhagen  Kiel  Morgan  Savick  Zellers
Davids  Gunther  Kresha  Mullery  Sawatzky  Spk. Thissen
Danie  Hackbarth  Laine  Murphy, E.  Schoen  Spk. Thissen
Dean, M.  Halverson  Leidiger

The bill was passed and its title agreed to.
H. F. No. 2656, A bill for an act relating to health; modifying the use of the all-payer claims data; convening a work group to make recommendations on expanded uses of the all-payer claims database; amending Minnesota Statutes 2012, section 62U.04, subdivision 4, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 80 yeas and 48 nays as follows:

Those who voted in the affirmative were:


Those who voted in the negative were:


The bill was passed and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3172:

Carlson, Huntley, Mahoney, Marquart and Wagenius.
H. F. No. 2227, A bill for an act relating to health; requiring the commissioner of health to assess and report on quality of care for ST elevation myocardial infarction response and treatment; proposing coding for new law in Minnesota Statutes, chapter 144.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Albright
Allen
Anderson, M.
Anderson, P.
Anderson, S.
Anzelc
Atkins
Barrett
Beard
Benson, J.
Benson, M.
Bernardy
Bly
Brynaert
Carlson
Clark
Cornish
Daudt
Davids
Davnie
Dean, M.
Dehn, R.
Dettmer
Dill
Dorhol
Drazkowski
Erhardt
Ericson, R.
Ericson, S.
Fabian
Falk
Faulk
FitzSimmons
Fritz
Freiberg
Garofalo
Gauher
Hackett
Halverson
Hamilton
Hansen
Hausman
Hertaus
Hilstrom
Holberg
Hoppe
Hornstein
Hortman
Howe
Huntley
Isacson
Johnson, B.
Johnson, C.
Johnson, S.
Kahn
Kelly
Kien
Kiel
Kresha
Laine
Lenczowski
Lesch
Liebling
Lien
Lillie
Loeffler
Lohmer
Loom
Mahoney
Mariani
Marquart
Masin
McDonald
McNamar
McNamara
Melin
Metsa
Mora
Morgan
Mullery
Murphy, E.
Murphy, M.
Myhra
Nelson
Newberger
Newton
Nombres
Norton
O’Neill
Peppin
Persell
Petersburg
Pope
Pugh
Quam
Radinovich
Ruhnbeck
Sands
Savick
Sawatzky
Scherten
Murphy, M.
Selcer
Simonson
Slocum
Sundin
Swedzinski
Theis
Uglen
Urdahl
Wagenius
Ward, J.A.
Ward, J.E.
Wills
Winkler
Yarusso
Zellers
Zerwas
Spk. Thissen
Carlson
Clark
Cornish
Davnie
Dean, M.
Davids
Daudt
Anderson, S.
Anderson, P.
Anderson, M.
Allen
Albright
Abeler

The bill was passed and its title agreed to.

H. F. No. 2141, A bill for an act relating to public safety; clarifying probable cause arrests for violations of protection, restraining, and no contact orders; modifying time limit for probable cause arrests for domestic abuse; amending Minnesota Statutes 2012, sections 629.34, subdivision 1; 629.341, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, M.
Anzelc
Beard
Bernardy
Carlson
Albright
Anderson, P.
Atkins
Benson, J.
Bly
Clark
Allen
Anderson, S.
Barrett
Benson, M.
Brynaert
Cornish
The bill was passed and its title agreed to.

H. F. No. 2874 was reported to the House.

Liebling moved to amend H. F. No. 2874 as follows:

Page 19, delete article 4

Page 22, delete section 3 and insert:

"Sec. 3. REPEALER.

Minnesota Statutes 2012, sections 62J.322; 144.011, subdivision 2; 144.0506; 144.071; 144.072; 144.076; 144.146, subdivision 1; 144.1475; 145.132; 145.97; and 145.98, subdivisions 1 and 3, are repealed."

Renumber the sections in sequence and correct the internal references

Renumber the articles in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2874, A bill for an act relating to health; making technical changes; eliminating or modernizing antiquated, unnecessary, and obsolete provisions; amending Minnesota Statutes 2012, sections 62J.50, subdivisions 1, 2; 62J.51; 62J.52, as amended; 62J.53; 62J.535; 62J.536, subdivision 2; 62J.54, subdivisions 1, 2, 3; 62J.56, subdivisions 1, 2, 3; 62J.581, subdivisions 1, 3, 4; 62J.61, subdivision 1; 122A.40, subdivision 12; 122A.41, subdivision 6; 144.12, subdivision 1; 154.25; 626.557, subdivision 12b; repealing Minnesota Statutes 2012, sections 62J.322; 62J.59; 144.011, subdivision 2; 144.0506; 144.071; 144.072; 144.076; 144.146, subdivision 1; 144.1475; 144.443; 144.444; 144.45; 145.132; 145.97; 145.98, subdivisions 1, 3.

The bill was read for the third time, as amended, and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dettmer  Hamilton  Lenczewski  Murphy, M.  Schomacker
Albright  Dill  Hansen  Lesch  Myhra  Scott
Allen  Dorholt  Hausman  Liebling  Nelson  Selcer
Anderson, M.  Hertaus  Lien  Newberger  Simonson
Anderson, P.  Drazkowski  Hilstrom  Lillie  Newton  Slocum
Anderson, S.  Erhardt  Holberg  Loeffler  Nornes  Sundin
Anzelc  Erickson, R.  Hoppe  Lohmer  Norton  Swedzinski
Atkins  Erickson, S.  Hornstein  Loon  O'Driscoll  Theis
Barrett  Fabian  Hortman  Mack  O'Neill  Torkelson
Beard  Falk  Howe  Mahoney  Peppin  Uglem
Benson, J.  Faust  Huntley  Mariani  Persell  Urdahl
Benson, M.  Fischer  Isaacson  Marquart  Petersburg  Wagenius
Bernardy  FrizSimmons  Johnson, B.  Masin  Poppe  Ward, J.A.
Bly  Franson  Johnson, C.  McDonald  Pugh  Ward, J.E.
Brynaert  Freiberg  Johnson, S.  McNamar  Quam  Wills
Carlson  Fritz  Kahn  McNamara  Radinovich  Winkler
Clark  Garofalo  Kelly  Melin  Rosenthal  Yarusso
Cornish  Green  Kieffer  Metsa  Runbeck  Zellers
Daudt  Gruenhagen  Kiel  Moran  Sanders  Zerwas
Davids  Gunther  Kresha  Morgan  Savick  Spk. Thissen
Davnie  Hackbart  Laine  Mullery  Sawatzky
Dean, M.  Halverson  Leidiger  Murphy, E.  Schoen

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

H. F. No. 2536 was reported to the House.

Bernardy moved to amend H. F. No. 2536, the second engrossment, as follows:

Page 16, line 16, after "parent," insert "mother-in-law, father-in-law,"

Page 16, line 33, after "parent," insert "mother-in-law, father-in-law,"

The motion prevailed and the amendment was adopted.

Anderson, S., moved to amend H. F. No. 2536, the second engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
WOMEN'S ECONOMIC SECURITY ACT

Section 1. CITATION; WOMEN'S ECONOMIC SECURITY ACT.

This act shall be known as the Women's Economic Security Act."
ARTICLE 2
ECONOMIC SECURITY

Section 1. Minnesota Statutes 2012, section 13.552, is amended by adding a subdivision to read:

Subd. 7. **Equal pay certificate of compliance.** Access to data relating to equal pay certificates of compliance is governed by section 363A.44.

Sec. 2. Minnesota Statutes 2013 Supplement, section 116L.665, subdivision 2, is amended to read:

Subd. 2. **Membership.** The governor’s Workforce Development Council is composed of 31 members appointed by the governor. The members may be removed pursuant to section 15.059. In selecting the representatives of the council, the governor shall ensure that 50 percent of the members come from nominations provided by local workforce councils. Local education representatives shall come from nominations provided by local education to employment partnerships. The 31 members shall represent the following sectors:

(a) State agencies: the following individuals shall serve on the council:

(1) commissioner of the Minnesota Department of Employment and Economic Development;

(2) commissioner of the Minnesota Department of Education; and

(3) commissioner of the Minnesota Department of Human Services.

(b) Business and industry: six individuals shall represent the business and industry sectors of Minnesota.

(c) Organized labor: six individuals shall represent labor organizations of Minnesota.

(d) Community-based organizations: four individuals shall represent community-based organizations of Minnesota. Community-based organizations are defined by the Workforce Investment Act as private nonprofit organizations that are representative of communities or significant segments of communities and that have demonstrated expertise and effectiveness in the field of workforce investment and may include entities that provide job training services, serve youth, serve individuals with disabilities, serve displaced homemakers, union-related organizations, employer-related nonprofit organizations, and organizations serving nonreservation Indians and tribal governments.

(e) Education: six individuals shall represent the education sector of Minnesota as follows:

(1) one individual shall represent local public secondary education;

(2) one individual shall have expertise in design and implementation of school-based service-learning;

(3) one individual shall represent leadership of the University of Minnesota;

(4) one individual shall represent secondary/postsecondary vocational institutions;

(5) the chancellor of the Board of Trustees of the Minnesota State Colleges and Universities; and

(6) one individual shall have expertise in agricultural education.

(f) Other: two individuals shall represent other constituencies including:
(1) units of local government; and

(2) applicable state or local programs.

The speaker and the minority leader of the house of representatives shall each appoint a representative to serve as an ex officio member of the council. The majority and minority leaders of the senate shall each appoint a senator to serve as an ex officio member of the council.

The governor shall appoint one individual representing public libraries, one individual with expertise in assisting women in obtaining employment in high-wage, high-demand, nontraditional occupations, and one individual representing adult basic education programs to serve as a nonvoting advisor to the council.

(g) Appointment: each member shall be appointed for a term of three years from the first day of January or July immediately following their appointment. Elected officials shall forfeit their appointment if they cease to serve in elected office.

(h) Members of the council are compensated as provided in section 15.059, subdivision 3.

Sec. 3. [116L.99] WOMEN AND HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS GRANT PROGRAM.

Subdivision 1. Definitions. (a) For the purpose of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of employment and economic development.

(c) "Eligible organization" includes, but is not limited to:

(1) community-based organizations experienced in serving women;

(2) employers;

(3) business and trade associations;

(4) labor unions and employee organizations;

(5) registered apprenticeship programs;

(6) secondary and postsecondary education institutions located in Minnesota; and

(7) workforce and economic development agencies.

(d) "High-wage, high-demand" means occupations that represent at least 0.1 percent of total employment in the base year, have an annual median salary which is higher than the average for the current year, and are projected to have more total openings as a share of employment than the average.

(e) "Low-income" means income less than 200 percent of the federal poverty guideline adjusted for a family size of four.

(f) "Nontraditional occupations" means those occupations in which women make up less than 25 percent of the workforce as defined under United States Code, title 20, section 2302.

(g) "Registered apprenticeship program" means a program registered under United States Code, title 29, section 50.
Subd. 2. **Grant program.** The commissioner shall establish the women and high-wage, high-demand, nontraditional jobs grant program to increase the number of women in high-wage, high-demand, nontraditional occupations. The commissioner shall make grants to eligible organizations for programs that encourage and assist women to enter high-wage, high-demand, nontraditional occupations including but not limited to those in the skilled trades, science, technology, engineering, and math (STEM) occupations.

Subd. 3. **Use of funds.** (a) Grant funds awarded under this section may be used for:

1. recruitment, preparation, placement, and retention of women, including low-income women and women over 50 years old, in registered apprenticeships, postsecondary education programs, on-the-job training, and permanent employment in high-wage, high-demand, nontraditional occupations;

2. secondary or postsecondary education or other training to prepare women to succeed in high-wage, high-demand, nontraditional occupations. Activities under this clause may be conducted by the grantee or in collaboration with another institution, including but not limited to a public or private secondary or postsecondary school;

3. innovative, hands-on, best practices that stimulate interest in high-wage, high-demand, nontraditional occupations among girls, increase awareness among girls about opportunities in high-wage, high-demand, nontraditional occupations, or increase access to secondary programming leading to jobs in high-wage, high-demand, nontraditional occupations. Best practices include but are not limited to mentoring, internships, or apprenticeships for girls in high-wage, high-demand, nontraditional occupations;

4. training and other staff development for job seeker counselors and Minnesota family investment program (MFIP) caseworkers on opportunities in high-wage, high-demand, nontraditional occupations;

5. incentives for employers and sponsors of registered apprenticeship programs to retain women in high-wage, high-demand, nontraditional occupations for more than one year;

6. training and technical assistance for employers to create a safe and healthy workplace environment designed to retain and advance women, including best practices for addressing sexual harassment, and to overcome gender inequity among employers and registered apprenticeship programs;

7. public education and outreach activities to overcome stereotypes about women in high-wage, high-demand, nontraditional occupations, including the development of educational and marketing materials; and

8. support for women in high-wage, high-demand, nontraditional occupations including but not limited to assistance with workplace issues resolution and access to advocacy assistance and services.

(b) Grant applications must include detailed information about how the applicant plans to:

1. increase women’s participation in high-wage, high-demand occupations in which women are currently underrepresented in the workforce;

2. comply with the requirements under subdivision 3; and

3. use grant funds in conjunction with funding from other public or private sources.

(c) In awarding grants under this subdivision, the commissioner shall give priority to eligible organizations:
(1) with demonstrated success in recruiting and preparing women, especially low-income women and women over 50 years old, for high-wage, high-demand, nontraditional occupations; and

(2) that leverage additional public and private resources.

(d) At least 50 percent of total grant funds must be awarded to programs providing services and activities targeted to low-income women.

(e) The commissioner of employment and economic development in conjunction with the commissioner of labor and industry shall monitor the use of funds under this section, collect and compile information on the activities of other state agencies and public or private entities that have purposes similar to those under this section, and identify other public and private funding available for these purposes.

Sec. 4. Minnesota Statutes 2012, section 268.095, subdivision 1, is amended to read:

Subdivision 1. **Quit.** An applicant who quit employment is ineligible for all unemployment benefits according to subdivision 10 except when:

(1) the applicant quit the employment because of a good reason caused by the employer as defined in subdivision 3;

(2) the applicant quit the employment to accept other covered employment that provided substantially better terms and conditions of employment, but the applicant did not work long enough at the second employment to have sufficient subsequent earnings to satisfy the period of ineligibility that would otherwise be imposed under subdivision 10 for quitting the first employment;

(3) the applicant quit the employment within 30 calendar days of beginning the employment because the employment was unsuitable for the applicant;

(4) the employment was unsuitable for the applicant and the applicant quit to enter reemployment assistance training;

(5) the employment was part time and the applicant also had full-time employment in the base period, from which full-time employment the applicant separated because of reasons for which the applicant was held not to be ineligible, and the wage credits from the full-time employment are sufficient to meet the minimum requirements to establish a benefit account under section 268.07;

(6) the applicant quit because the employer notified the applicant that the applicant was going to be laid off because of lack of work within 30 calendar days. An applicant who quit employment within 30 calendar days of a notified date of layoff because of lack of work is ineligible for unemployment benefits through the end of the week that includes the scheduled date of layoff;

(7) the applicant quit the employment (i) because the applicant's serious illness or injury made it medically necessary that the applicant quit; or (ii) in order to provide necessary care because of the illness, injury, or disability of an immediate family member of the applicant. This exception only applies if the applicant informs the employer of the medical problem and requests accommodation and no reasonable accommodation is made available.

If the applicant's serious illness is chemical dependency, this exception does not apply if the applicant was previously diagnosed as chemically dependent or had treatment for chemical dependency, and since that diagnosis or treatment has failed to make consistent efforts to control the chemical dependency.
This exception raises an issue of the applicant's being available for suitable employment under section 268.085, subdivision 1, that the commissioner must determine;

(8) the applicant's loss of child care for the applicant's minor child caused the applicant to quit the employment, provided the applicant made reasonable effort to obtain other child care and requested time off or other accommodation from the employer and no reasonable accommodation is available.

This exception raises an issue of the applicant's being available for suitable employment under section 268.085, subdivision 1, that the commissioner must determine;

(9) the applicant quit because domestic abuse, sexual assault, or stalking of the applicant or an immediate family member of the applicant, necessitated the applicant's quitting the employment. Domestic abuse must be shown by one or more of the following:

(i) a district court order for protection or other documentation of equitable relief issued by a court;

(ii) a police record documenting the domestic abuse;

(iii) documentation that the perpetrator of the domestic abuse has been convicted of the offense of domestic abuse;

(iv) medical documentation of domestic abuse; or

(v) written statement that the applicant or an immediate family member of the applicant is a victim of domestic abuse, provided by a social worker, member of the clergy, shelter worker, attorney at law, or other professional who has assisted the applicant in dealing with the domestic abuse.

Domestic abuse for purposes of this clause is defined under section 518B.01; or

For purposes of this section:

(i) "domestic abuse" has the meaning given in section 518B.01;

(ii) "sexual assault" means an act that would constitute a violation of sections 609.342 to 609.3453 or 609.352; and

(iii) "stalking" means an act that would constitute a violation of section 609.749; or

(10) the applicant quit in order to relocate to accompany a spouse whose job location changed making it impractical for the applicant to commute.

EFFECTIVE DATE. This section is effective October 5, 2014, and applies to all determinations and appeal decisions issued on or after that date.

Sec. 5. Minnesota Statutes 2012, section 268.095, subdivision 6, is amended to read:

Subd. 6. Employment misconduct defined. (a) Employment misconduct means any intentional, negligent, or indifferent conduct, on the job or off the job that displays clearly:

(1) a serious violation of the standards of behavior the employer has the right to reasonably expect of the employee; or
(2) a substantial lack of concern for the employment.

(b) Regardless of paragraph (a), the following is not employment misconduct:

(1) conduct that was a consequence of the applicant's mental illness or impairment;

(2) conduct that was a consequence of the applicant's inefficiency or inadvertence;

(3) simple unsatisfactory conduct;

(4) conduct an average reasonable employee would have engaged in under the circumstances;

(5) conduct that was a consequence of the applicant's inability or incapacity;

(6) good faith errors in judgment if judgment was required;

(7) absence because of illness or injury of the applicant, with proper notice to the employer;

(8) absence, with proper notice to the employer, in order to provide necessary care because of the illness, injury, or disability of an immediate family member of the applicant;

(9) conduct that was a consequence of the applicant's chemical dependency, unless the applicant was previously diagnosed chemically dependent or had treatment for chemical dependency, and since that diagnosis or treatment has failed to make consistent efforts to control the chemical dependency; or

(10) conduct that was a consequence of the applicant, or an immediate family member of the applicant, being a victim of domestic abuse or sexual assault, as defined under section 518B.01, or stalking. Domestic abuse must be shown as provided in subdivision 1, clause (9).

(c) Regardless of paragraph (b), clause (9), conduct in violation of sections 169A.20, 169A.31, or 169A.50 to 169A.53 that interferes with or adversely affects the employment is employment misconduct.

(d) If the conduct for which the applicant was discharged involved only a single incident, that is an important fact that must be considered in deciding whether the conduct rises to the level of employment misconduct under paragraph (a). This paragraph does not require that a determination under section 268.101 or decision under section 268.105 contain a specific acknowledgment or explanation that this paragraph was considered.

(e) The definition of employment misconduct provided by this subdivision is exclusive and no other definition applies.

EFFECTIVE DATE. This section is effective October 5, 2014, and applies to all determinations and appeal decisions issued on or after that date.

Sec. 6. [363A.44] EQUAL PAY CERTIFICATE.

Subdivision 1. Scope. No department, agency of the state, the Metropolitan Council, or an agency listed in section 473.143, subdivision 1, shall execute a contract or agreement in excess of $500,000 with a business that has 100 or more full-time employees in this state or a state where the business has its primary place of business on a single day during the prior 12 months, unless the business has an equal pay certificate or it has certified in writing that it is exempt. For purposes of this section, a business does not include an entity with a contract with a
department or agency of the state if the entity has a license, certification, registration, provider agreement, or provider enrollment contract which are prerequisite to providing goods and services to consumers under chapters 43A, 62A, 62C, 62D, 62E, 256B, and 256L. A certificate is valid for four years.

Subd. 2. **Application.** A business shall apply for an equal pay certificate by submitting an equal pay compliance statement in coordination with its affirmative action plan filing to the commissioner. The commissioner shall issue an equal pay certificate of compliance to a business that submits to the commissioner a statement:

1. that the business is in compliance with Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, Minnesota Human Rights Act, and Minnesota Equal Pay for Equal Work law;

2. that wage and benefit disparities are corrected when identified to ensure compliance with the laws cited in clause (1); and

3. how often wages and benefits are evaluated to ensure compliance with the laws cited in clause (1).

Subd. 3. **Issuance of certificate.** The commissioner must issue an equal pay certificate, or a statement of why the application was rejected, within 15 days of receipt of the application.

Subd. 4. **Revocation of certificate.** An equal pay certificate may be suspended or revoked by the commissioner when the certificate holder has multiple violations of the laws set forth in subdivision 2, clause (1), and fails to make a good faith effort to comply with such laws.

Subd. 5. **Revocation of contract.** (a) The commissioner may void a contract on behalf of the state that was awarded to a business that did not have an equal pay certificate. After suspending or revoking a certificate, the commissioner may abridge or void a contract if the contractor is not implementing or is failing to make a good faith effort to correct violations of the laws identified in subdivision 2, clause (1).

(b) Prior to taking action to abridge or void a contract, the commissioner must first demonstrate that no undue hardship would occur to the state and that obtaining wages and benefits due to employees of the business is an insufficient remedy. Multiple violations of the laws set forth in subdivision 2, clause (1), or a determination of deliberate intent to violate such laws by the certificate holder may be sufficient justification for the commissioner to void a contract.

(c) The commissioner shall analyze the good faith efforts of a business on the basis of:

1. information from the equal pay compliance statement;

2. reasonable evidence submitted by the business;

3. timeliness in addressing deficiencies and providing information; and

4. clear and convincing evidence of a deliberate intent to violate the laws set forth in subdivision (2), clause (1)

Subd. 6. **Administrative review.** A business may obtain a hearing when the commissioner issues an order revoking a certificate or directing a contract abridged or revoked by filing a written request for a hearing with the department within 20 days after service of the notice of abridgement or revocation. The hearing shall be a contested case proceeding pursuant to sections 14.57 to 14.69.

Subd. 7. **Technical assistance.** The commissioner must provide technical assistance to any business that requests assistance regarding this section.
Subd. 8. **Audit.** The commissioner shall have authority to audit compliance with this section with respect to a business’s Minnesota employees expected to perform work under the contract by requesting information from the business reasonably necessary to determine compliance with this section.

Subd. 9. **Access to data.** Data submitted to the commissioner related to equal pay certificates are private data on individuals or nonpublic data with respect to persons other than department employees. The commissioner’s decision to grant, not grant, revoke, or suspend an equal pay certificate is public data.

Subd. 10. **Report.** The commissioner shall report to the governor and the chairs and ranking minority members of the committees in the senate and the house of representatives with primary jurisdiction over the department by January 31, 2016. The report shall indicate the number of equal pay certificates issued, the number of audits conducted, the processes used by contractors to ensure compliance with the laws cited in subdivision 2, clause (1), and a summary of its auditing efforts. The commissioner shall consult with the Commission on the Economic Status of Women in preparing the report.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to any solicitation made on or after that date, provided that a business that becomes subject to this section and already has a certificate of compliance pursuant to section 363A.36 shall not be required to obtain a certificate of pay equity compliance until the renewal of its current certificate of compliance pursuant to section 363A.36.

Sec. 7. **HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS PROGRAM APPROPRIATION.**

$500,000 is appropriated from the general fund in fiscal year 2015 to the commissioner of employment and economic development to develop and implement the women and high-wage, high-demand, nontraditional jobs grant program under Minnesota Statutes, section 116L.99. Funds available under this section must not supplant other funds available for the same purposes. This is a onetime appropriation.

Sec. 8. **WOMEN ENTREPRENEURS BUSINESS DEVELOPMENT; APPROPRIATION.**

(a) $500,000 in fiscal year 2015 is appropriated from the general fund to the commissioner of employment and economic development for grants to Women Venture and the Women's Business Center of Northeastern Minnesota at the Northeast Entrepreneurial Fund to facilitate and promote the creation and expansion of women-owned businesses in Minnesota. Funds available under this section must be divided equally among grant recipients. This is a onetime appropriation. Grant funds may be used only for the purposes under paragraph (b) except that up to ten percent of each grant award may be used by grant recipients for administrative costs.

(b) Grants awarded under this section must be used for:

1. entrepreneurial training, mentoring, and technical assistance for the startup or expansion of eligible women-owned businesses;
2. development of networks of potential investors for eligible women-owned businesses; and
3. development of recruitment programs for mid-career women with an interest in starting eligible women-owned businesses.

(c) For the purposes of this section "eligible women-owned business" means a business entity:

1. that is at least 51 percent female owned or, in the case of a publicly traded business, at least 51 percent of the stock is female owned;
(2) whose management and daily operations are controlled by women;

(3) that is organized for profit;

(4) that is projected to generate at least $500,000 in annual revenue and create at least ten jobs, each of which pay an annual income equal to at least 200 percent of the federal poverty guideline adjusted for a family size of four; and

(5) in the field of construction; transportation; warehousing; agriculture; mining; finance; insurance; professional, technical, or scientific services; technology; or other industries with businesses meeting the revenue and job creation requirements of clause (4).

(d) A grant award under this section does not affect any other grant award or appropriation made to a grant recipient.

(e) The Women's Business Center of Northeastern Minnesota shall partner with the Arrowhead Economic Opportunity Agency to provide entrepreneurial development training and resources to women with incomes less than 200 percent of the federal poverty guideline, adjusted for a family size of four, to assist with the start-up or expansion of eligible women-owned businesses.

Sec. 9. WOMEN AND HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS APPRENTICESHIPS; APPROPRIATION.

$250,000 is appropriated from the general fund in fiscal year 2015 to the commissioner of labor and industry for the labor education advancement program under Minnesota Statutes, section 178.11, to educate, promote, assist, and support women to enter apprenticeship programs in high-wage, high-demand, nontraditional occupations. Funds available under this section must not supplant other funds available for the same purposes. This is a onetime appropriation.

Sec. 10. APPROPRIATION; PAY EQUITY.

$75,000 in fiscal year 2015 is appropriated from the general fund to the commissioner of human rights for implementation of Minnesota Statutes, section 363A.44.

ARTICLE 3
LABOR STANDARDS AND WAGES

Section 1. Minnesota Statutes 2012, section 181.940, subdivision 2, is amended to read:

Subd. 2. Employee. "Employee" means a person who performs services for hire for an employer from whom a leave is requested under sections 181.940 to 181.944 for:

(1) at least 12 consecutive months immediately preceding the request; and

(2) for an average number of hours per week equal to one-half the full-time equivalent position in the employee's job classification as defined by the employer's personnel policies or practices or pursuant to the provisions of a collective bargaining agreement, during those 12 months.

Employee includes all individuals employed at any site owned or operated by the employer but does not include an independent contractor.
Sec. 2. Minnesota Statutes 2012, section 181.941, is amended to read:

181.941 PREGNANCY AND PARENTING LEAVE.

Subdivision 1. Six Twelve-week leave; pregnancy, birth, or adoption. (a) An employer must grant an unpaid leave of absence to an employee who is a natural or adoptive parent in conjunction with the birth or adoption of a child. The length of the leave shall be determined by the employee, but may not exceed six weeks, unless agreed to by the employer:

(1) a natural or adoptive parent in conjunction with the birth or adoption of a child; or

(2) a female employee for prenatal care, or incapacity due to pregnancy or childbirth.

(b) The length of the leave shall be determined by the employee, but must not exceed 12 weeks, unless agreed to by the employer.

Subd. 2. Start of leave. The leave shall begin at a time requested by the employee. The employer may adopt reasonable policies governing the timing of requests for unpaid leave, and may require an employee who plans to take a leave under this section to give the employer reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken under subdivision 1, paragraph (a), clause (1), the leave must begin not more than six weeks after within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave may not begin more than six weeks within 12 months after the child leaves the hospital.

Subd. 3. No employer retribution. An employer shall not retaliate against an employee for requesting or obtaining a leave of absence as provided by this section.

Subd. 4. Continued insurance. The employer must continue to make coverage available to the employee while on leave of absence under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents. Nothing in this section requires the employer to pay the costs of the insurance or health care while the employee is on leave of absence.

Sec. 3. Minnesota Statutes 2013 Supplement, section 181.9413, is amended to read:

181.9413 SICK LEAVE BENEFITS; CARE OF RELATIVES.

(a) An employee may use personal sick leave benefits provided by the employer for absences due to an illness of or injury to the employee's child, as defined in section 181.940, subdivision 4, adult child, spouse, sibling, parent, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. This section applies only to personal sick leave benefits payable to the employee from the employer's general assets.

(b) An employee may use sick leave as allowed under this section for safety leave, whether or not the employee's employer allows use of sick leave for that purpose for such reasonable periods of time as may be necessary. Safety leave may be used for assistance to the employee or assistance to the relatives described in paragraph (a). For the purpose of this section, "safety leave" is leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking. For the purpose of this paragraph:

(1) "domestic abuse" has the meaning given in section 518B.01.
(2) "sexual assault" means an act that constitutes a violation under sections 609.342 to 609.3453 or 609.352; and

(3) "stalking" has the meaning given in section 609.749.

(c) An employer may limit the use of safety leave as described in paragraph (b) or personal sick leave benefits provided by the employer for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandchild, grandparent, or stepparent to no less than 160 hours in any 12-month period. This paragraph does not apply to absences due to the illness or injury of a child, as defined in section 181.940, subdivision 4.

(2) (d) For purposes of this section, "personal sick leave benefits" means time accrued and available to an employee to be used as a result of absence from work due to personal illness or injury, but does not include short-term or long-term disability or other salary continuation benefits.

(d) (e) For the purpose of this section, "child" includes a stepchild and a biological, adopted, and foster child.

(f) For the purpose of this section, "grandchild" includes a step-grandchild, and a biological, adopted, and foster grandchild.

(e) (g) This section does not prevent an employer from providing greater sick leave benefits than are provided for under this section.

(h) An employer shall not retaliate against an employee for requesting or obtaining a leave of absence under this section.

Sec. 4. [181.9414] PREGNANCY ACCOMMODATIONS.

Subd. 1. Accommodation. An employer must provide reasonable accommodation for an employee for conditions related to pregnancy or childbirth if she so requests provided the accommodation does not impose an undue hardship on the employer. "Reasonable accommodation" includes, but is not limited to: seating, frequent restroom breaks, and limits to heavy lifting over 20 pounds. The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. Notwithstanding any other provision of this section, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision, and shall not be required to discharge any employee, transfer any other employee with greater seniority, or promote any employee. An employer may not claim an employee's request for a reasonable accommodation for seating, frequent restroom breaks, and limits to heavy lifting over 20 pounds imposes an undue hardship.

Subd. 2. Transfer. An employer must temporarily transfer a pregnant female employee to a less strenuous or hazardous position for the duration of her pregnancy if she so requests provided the transfer does not impose an undue hardship on the employer. An employee requesting a temporary transfer shall be required to provide to the employer written documentation of medical necessity by a licensed health care provider. The employee and employer shall engage in an interactive process with respect to an employee's request for a temporary transfer. Notwithstanding any other provision of this section, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision and shall not be required to discharge any employee, transfer any other employee with greater seniority, or promote any employee. An employer may not claim an employee's request for a temporary transfer to a less strenuous or hazardous position imposes an undue hardship.

Subd. 3. Interaction with other laws. Nothing in this section shall be construed to affect any other provision of law relating to sex discrimination or pregnancy, or in any way to diminish the coverage of pregnancy, childbirth, or health conditions related to pregnancy or childbirth under any other provisions of any other law.

Subd. 4. No employer retribution. An employer shall not retaliate against an employee for requesting or obtaining accommodation under this section.
Sec. 5. Minnesota Statutes 2012, section 181.943, is amended to read:

**181.943 RELATIONSHIP TO OTHER LEAVE.**

(a) The length of parental leave provided under section 181.941 may be reduced by any period of paid parental or disability leave, but not accrued sick leave, provided by the employer, so that the total leave does not exceed six weeks, unless agreed to by the employer:

(1) paid parental, disability, personal, medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed to by the employer; or

(2) leave taken for the same purpose by the employee under United States Code, title 29, chapter 28.

(b) Nothing in sections 181.940 to 181.943 prevents any employer from providing leave benefits in addition to those provided in sections 181.940 to 181.944 or otherwise affects an employee's rights with respect to any other employment benefit.

**ARTICLE 4**

**EMPLOYMENT PROTECTIONS**

Section 1. Minnesota Statutes 2012, section 181.939, is amended to read:

**181.939 NURSING MOTHERS.**

(a) An employer must provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child. The break time must, if possible, run concurrently with any break time already provided to the employee. An employer is not required to provide break time under this section if to do so would unduly disrupt the operations of the employer.

(b) The employer must make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, that is shielded from view and free from intrusion and that includes access to an electrical outlet, where the employee can express her milk in privacy. The employer would be held harmless if reasonable effort has been made.

(c) For the purposes of this section, "employer" means a person or entity that employs one or more employees and includes the state and its political subdivisions.

(d) The Department of Labor and Industry shall enforce this section. The department shall assess a fine of up to $1,000 for a first violation and up to $2,000 for a second and subsequent violation of this section. A fine shall be assessed only if an employer fails to remedy a violation within 15 days of written notice of a violation from the department.

Sec. 2. **[181.172] WAGE DISCLOSURE PROTECTION.**

(a) An employer shall not:

(1) require nondisclosure by an employee of the employee's wages as a condition of employment;

(2) require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages; or
(3) take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.

(b) Nothing in this section shall be construed to:

(1) create an obligation on any employer or employee to disclose wages;

(2) permit an employee, without the written consent of the employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law;

(3) diminish any existing rights under the National Labor Relations Act under United States Code, title 29; or

(4) permit the employee to disclose wage information to a competitor of their employer.

ARTICLE 5
EARLY CHILDHOOD

Section 1. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 3, is amended to read:

Subd. 3. Administration. (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner may prioritize applications on factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

(b) Scholarships may be awarded up to $5,000 for each eligible child. The commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.13, subdivision 1, paragraph (b), per year. The commissioner may award scholarships in amounts below the target level for fiscal year 2015 if sufficient funds are not available to ensure that the number of grant awards is equal to or greater than the number of awards the previous year.

(c) A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number.

(d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ten months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. A child may not be awarded more than one scholarship in a 12-month period.

(e) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program.

(f) The family of a child awarded a scholarship must be notified of the scholarship and, upon receipt of that notice, be given an opportunity to enroll in or transfer to an eligible program chosen by the family.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 2. EARLY LEARNING SCHOLARSHIP; APPROPRIATION.

$300,000 in fiscal year 2014 and $599,000 in fiscal year 2015 are appropriated from the general fund to the commissioner of education for early learning scholarships under section 124D.165.

ARTICLE 6
EFFECTIVE DATES AND APPLICATION

Section 1. EFFECTIVE DATES.

(a) Article 2, sections 1 and 6 are not effective until the latter of:

(1) the effective date specified in article 2, section 6; or

(2) the date on which the governor, on behalf of executive agencies, and all appointing authorities in the legislative branch, on behalf of their employees, all certify that they are in compliance with the requirements of article 2, section 6, subdivision 2, clause (1), with respect to their unclassified employees.

(b) Articles 3 and 4 are not effective until the governor, on behalf of executive agencies, and all appointing authorities in the legislative branch, on behalf of their employees, all certify that they have adopted policies that are in compliance with the new requirements imposed in those articles with respect to their unclassified employees.

Sec. 2. APPLICATION.

Articles 1 to 4 do not apply to women-owned businesses for the purposes of this section. "women-owned business" means a business entity:

(1) that is at least 51 percent female owned or, in the case of a publicly traded business, at least 51 percent of the stock is female owned;

(2) whose management and daily operations are controlled by women; and

(3) that is organized for profit."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Melin moved to amend the Anderson, S., amendment to H. F. No. 2536, the second engrossment, as amended, as follows:

Page 8, delete section 6 and insert:

"Sec. 6. [363A.44] EQUAL PAY CERTIFICATE OF COMPLIANCE.

Subdivision 1. Scope. No department or agency of the state may execute a contract in excess of $500,000 with a business that has 50 or more full-time employees in this state or a state where the business has its primary place of business on a single working day during the previous 12 months unless the business has an equal pay certificate of
compliance. For purposes of this section, a business does not include an entity or a parent or subsidiary of the entity with a contract with a department or agency of the state if the entity has a license, certification, registration, provider agreement, or provider enrollment contract which are a prerequisite to receive reimbursement for providing goods and services to individuals under chapters 43A, 62A, 62C, 62D, 62E, 256B, 256I, and 256L. The commissioner shall issue an equal pay certificate of compliance to a business that submits to the commissioner a statement that:

(1) its compensation policies or practices are based on the principle of equal pay for equal work, and are in compliance with title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Minnesota Human Rights Act, and the Minnesota Equal Pay for Equal Work Law;

(2) its wage schedules and other compensation formulas are not related to, or based on, the sex of its employees;

(3) it does not restrict employees of one sex to certain job classifications and makes retention and promotion of qualified employees without regard to sex;

(4) its contributions to insurance, pensions, and other benefit plans are not related to, or based on, the sex of its employees; and

(5) the average compensation for its female employees is not consistently below the average compensation for its male employees within each of the major job categories in the EEO-1 employee information report for which an employee is expected to perform work under the contract, taking into account factors such as length of service, requirements of specific jobs, experience, skill, effort, responsibility, working conditions of the job, or other mitigating factors.

Subd. 2. Application; issuance; duration. A business applying for a certificate of compliance must pay a $150 fee to the commissioner. The commissioner must issue a business an equal pay certificate of compliance, or a statement of why the application was rejected, within 15 days of receipt of the application and the filing fee. An equal pay certificate of compliance is valid for four years. Proceeds of the filing fee are appropriated to the commissioner for purposes of this section.

Subd. 3. Conditions; audit. (a) As a condition of receiving an equal pay certificate of compliance, and as a condition of the contract that is subject to this section, a business must agree that:

(1) the commissioner may audit the business's compliance with this section; and

(2) the commissioner or the agency entering into the contract may void a contract if the commissioner determines that the business is not in compliance with items specified in subdivision 1, clauses (1) to (5).

(b) As a condition of receiving an equal pay certificate of compliance, and as a condition of the contract that is subject to this section, a business must agree that as part of an audit, the business will provide the commissioner the following information with respect to employees expected to perform work under the contract in each of the major job categories in the EEO-1 employee information report:

(1) number of male employees;

(2) number of female employees;

(3) average annualized salaries paid to male employees and to female employees, in the manner most consistent with the employer's compensation system, within each major job category;

(4) information on performance payments, benefits, or other elements of compensation, in the manner most consistent with the employer's compensation system, if requested by the commissioner as part of a determination as to whether these elements of compensation are different for male and female employees;

(5) average length of service for male and female employees in each major job category; and

(6) other information identified by the business or by the commissioner, as needed, to determine compliance with items specified in subdivision 1, clauses (1) to (5).
Subd. 4. **Compliance plan; revocation of certificate.** If the commissioner determines that a business that has an equal pay certificate of compliance is not in compliance with subdivision 1, clauses (1) to (5), the commissioner may require the business to implement a plan to remedy the noncompliance with subdivision 1, clauses (1) to (5), as a condition of retaining its certificate of compliance. The commissioner may suspend or revoke a certificate if the commissioner determines that the business is not in compliance with items specified in subdivision 1, clauses (1) to (5), and is failing to implement its plan to remedy noncompliance.

Subd. 5. **Voiding of contract.** Prior to taking action to void a contract, the commissioner must first demonstrate that no undue hardship would occur to the state and that obtaining wages and benefits due to employees of the business is an insufficient remedy. Multiple violations of the laws set forth in subdivision 1, clause (1), or a determination of deliberate intent to violate these laws by the certificate holder may be sufficient justification for the commissioner to void a contract.

Subd. 6. **Administrative review.** A business may obtain a hearing when the commissioner issues an order directing a contract voided or an equal pay certificate of compliance revoked by filing a written request for a hearing with the department within 20 days after service of the notice of sanction. The hearing shall be a contested case proceeding pursuant to sections 14.57 to 14.69.

Subd. 7. **Technical assistance.** The commissioner must provide technical assistance to any business that requests assistance.

Subd. 8. **Access to data.** Data submitted to the commissioner by a business for purposes of obtaining a certificate of compliance under this section, or in response to an audit under this section, are private data on individuals or nonpublic data with respect to persons other than Department of Human Rights employees. The commissioner's decision to grant, not grant, revoke, or suspend a certificate of compliance is public data.

**EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to a contract for which a state department or agency issues a solicitation on or after that date.

Page 12, delete section 10 and insert:

"Sec. 10. **REPORT; PAY EQUITY.**

The commissioner of human rights shall report to the governor and the chairs and ranking minority members of the committees in the senate and the house of representatives with primary jurisdiction over the department by January 31, 2016. The report shall indicate the number of equal pay certificates issued under Minnesota Statutes, section 363A.44, the number of audits conducted, and a summary of results of its auditing efforts. The commissioner shall consult with the Office on the Economic Status of Women in preparing the report.

Sec. 11. **APPROPRIATION; PAY EQUITY.**

$674,000 in fiscal year 2015 is appropriated from the general fund to the commissioner of human rights for implementation of Minnesota Statutes, section 363A.44. The agency base budget for this purpose is $426,000 each year in fiscal years 2016 and 2017."

Page 14, delete lines 16 to 27 and insert:

"Subdivision 1. **Accommodation.** An employer must provide reasonable accommodation for an employee for conditions related to pregnancy, childbirth, or related health conditions, if she so requests. The employer may provide the accommodation requested by the employee or an equally effective alternative. "Reasonable accommodation" includes, but is not limited to: seating, frequent restroom breaks, and limits to heavy lifting. The
employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. Notwithstanding any other provision of this section, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision, and shall not be required to discharge any employee, transfer any other employee with greater seniority, or promote any employee."

Page 16, after line 27, insert:

"Sec. 2. Minnesota Statutes 2012, section 363A.03, is amended by adding a subdivision to read:

Subd. 18a. **Family caregiver.** "Family caregiver" means a person who cares for another person:

(1) who is related by blood, marriage, or legal custody; or

(2) with whom the person lives in a familial relationship.

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

Sec. 3. Minnesota Statutes 2012, section 363A.08, subdivision 1, is amended to read:

Subdivision 1. **Labor organization.** Except when based on a bona fide occupational qualification, it is an unfair employment practice for a labor organization, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, disability, sexual orientation, or age:

(1) to deny full and equal membership rights to a person seeking membership or to a member;

(2) to expel a member from membership;

(3) to discriminate against a person seeking membership or a member with respect to hiring, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

(4) to fail to classify properly, or refer for employment or otherwise to discriminate against a person or member.

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

Sec. 4. Minnesota Statutes 2012, section 363A.08, subdivision 2, is amended to read:

Subd. 2. **Employer.** Except when based on a bona fide occupational qualification, it is an unfair employment practice for an employer, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, membership or activity in a local commission, disability, sexual orientation, or age to:

(1) refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or

(2) discharge an employee; or

(3) discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
Sec. 5. Minnesota Statutes 2012, section 363A.08, subdivision 3, is amended to read:

Subd. 3. Employment agency. Except when based on a bona fide occupational qualification, it is an unfair employment practice for an employment agency, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, disability, sexual orientation, or age to:

(1) refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against a person; or

(2) comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter.

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

Sec. 6. Minnesota Statutes 2012, section 363A.08, subdivision 4, is amended to read:

Subd. 4. Employer, employment agency, or labor organization. (a) Except when based on a bona fide occupational qualification, it is an unfair employment practice for an employer, employment agency, or labor organization, before a person is employed by an employer or admitted to membership in a labor organization, to:

(1) require or request the person to furnish information that pertains to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, disability, sexual orientation, or age; or, subject to section 363A.20, to require or request a person to undergo physical examination; unless for the sole and exclusive purpose of national security, information pertaining to national origin is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the sole and exclusive purpose of compliance with the Public Contracts Act or any rule, regulation, or laws of the United States or of this state requiring the information or examination. A law enforcement agency may, after notifying an applicant for a peace officer or part-time peace officer position that the law enforcement agency is commencing the background investigation on the applicant, request the applicant's date of birth, gender, and race on a separate form for the sole and exclusive purpose of conducting a criminal history check, a driver's license check, and fingerprint criminal history inquiry. The form shall include a statement indicating why the data is being collected and what its limited use will be. No document which has date of birth, gender, or race information will be included in the information given to or available to any person who is involved in selecting the person or persons employed other than the background investigator. No person may act both as background investigator and be involved in the selection of an employee except that the background investigator's report about background may be used in that selection as long as no direct or indirect references are made to the applicant's race, age, or gender; or

(2) seek and obtain for purposes of making a job decision, information from any source that pertains to the person's race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, disability, sexual orientation, or age, unless for the sole and exclusive purpose of compliance with the Public Contracts Act or any rule, regulation, or laws of the United States or of this state requiring the information; or

(3) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, status as a family caregiver, disability, sexual orientation, or age.

(b) Any individual who is required to provide information that is prohibited by this subdivision is an aggrieved party under sections 363A.06, subdivision 4, and 363A.28, subdivisions 1 to 9.

EFFECTIVE DATE. This section is effective the day following final enactment."
Page 17, line 28, delete "and $599,000 in fiscal year 2015 are" and insert "is"

Page 17, delete article 6 and insert:

"ARTICLE 6
EXECUTIVE AND LEGISLATIVE COMPLIANCE

Section 1. CERTIFICATION.

By August 1, 2015, the governor, on behalf of executive branch agencies, and the house of representatives, the senate, and the Legislative Coordinating Commission, on behalf of employees under control of each of these entities, must certify to the commissioner of human rights that they are in compliance with requirements of article 2, section 6, clauses (1) to (5)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Daudt raised a point of order pursuant to rule 3.21(b) that the Melin amendment to the Anderson, S., amendment was not in order. The Speaker ruled the point of order not well taken and the Melin amendment to the Anderson, S., amendment in order.

The question recurred on the Melin amendment to the Anderson, S., amendment and the roll was called. There were 110 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler  Dettmer  Hausman  Liebling  Myhra  Slocum
Albright  Dill  Hilstrom  Lien  Nelson  Sundin
Allen  Dorholt  Holberg  Lillie  Newton  Swedzinski
Anderson, M.  Erhardt  Hoppe  Loeffler  Nornes  Theis
Anderson, P.  Erickson, R.  Hornstein  Lohmer  Norton  Torkelson
Anzele  Fabian  Hortman  Mack  O'Driscoll  Uglem
Atkins  Falk  Howe  Mahoney  Persell  Udahl
Barrett  Faust  Huntley  Mariani  Petersburg  Wagenius
Benson, J.  Fischer  Isaacson  Marquart  Poppe  Ward, J.A.
Bernardy  FitzSimmons  Johnson, B.  Masin  Quam  Ward, J.E.
Bly  Franson  Johnson, C.  McNamar  Radinovich  Willis
Brynaert  Freiberg  Johnson, S.  McNama  Runbeck  Winkler
Carlson  Fritz  Kahl  Melin  Sanders  Yarusso
Clark  Green  Kelly  Mesta  Savick  Zerwas
Cornish  Gruenhagen  Kiel  Moran  Sawatzky  Spk. Thissen
David  Gunther  Kresha  Morgan  Schoen  Scott
Davnie  Halverson  Laine  Mullery  Schomacker  Dehn, R.
Dean, M.  Hamilton  Lenczewski  Murphy, E.  Scott
Dehn, R.  Hansen  Lesch  Murphy, M.  Simonson
Those who voted in the negative were:

- Anderson, S.
- Beard
- Benson, M.
- Daudt
- Drazkowski
- Erickson, S.
- Garofalo
- Hackbarth
- Hertaus
- Kieffer
- Leidiger
- Loon
- McDonald
- Newberger
- O'Neill
- Peppin

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Anderson, S., amendment, as amended, and the roll was called. There were 61 yeas and 69 nays as follows:

Those who voted in the affirmative were:

- Abeler
- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Barrett
- Beard
- Benson, M.
- Cornish
- Daudt
- Davids
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FritzSimmons
- Fraser
- Garofalo
- Green
- Gruenhagen
- Gunther
- Hackbarth
- Hamilton
- Hertaus
- Holberg
- Hoppe
- Houe
- Johnson, B.
- Kelly
- Kieffer
- Kiel
- Kresha
- Lillie
- Lofstrom
- Lofstrom
- Lohn
- Lohmer
- Loeffler
- Mahoney
- Mariani
- Marquan
- Masin
- Kahn
- Laine
- Lenczewski
- Lesch
- Liebling
- Lien
- Lillie
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- O'Neil
- O'Neil
- Persell
- Poppe
- Radowicz
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Spk. Thissen, Murphy, E., moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 2536, A bill for an act relating to state government; providing for the Women's Economic Security Act; requiring equal pay certificates of compliance; modifying workforce development provisions; creating women and high-wage, high-demand, nontraditional jobs grant program; modifying eligibility for unemployment insurance benefits; offering women entrepreneurs business development competitive grants; requiring a report on a potential state-administered retirement savings plan; modifying parenting leave, sick leave, and pregnancy accommodations; providing employment protections for women and family caregivers; providing wage disclosure protection; modifying the award of early childhood scholarships; appropriating money; amending Minnesota Statutes 2012, sections 13.552, by adding a subdivision; 181.939; 181.940, subdivision 2; 181.941; 181.943; 268.095, subdivisions 1, 6; 363A.03, by adding a subdivision; 363A.08, subdivisions 1, 2, 3, 4, by adding subdivisions; Minnesota Statutes 2013 Supplement, sections 116L.665, subdivision 2; 124D.165, subdivision 3; 181.9413; proposing coding for new law in Minnesota Statutes, chapters 116L; 181; 363A.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abeler  Carlson  Erickson, R.  Hansen  Johnson, C.  Lillie
Allen  Clark  Fabian  Hausman  Johnson, S.  Loeffler
Anderson, P.  Cornish  Falk  Hilstrom  Kahn  Lohmer
Anderson, S.  Davids  Faust  Holberg  Kelly  Mack
Anzelc  Davnie  Fischer  Hoppe  Kiel  Mahoney
Atkins  Dean, M.  Freiberg  Hornstein  Kresha  Mariani
Barrett  Dehn, R.  Fritz  Hortman  Laine  Marquart
Benson, J.  Detter  Green  Howe  Lenzewski  Masin
Bernardy  Dill  Gunther  Huntley  Lesch  McNamar
Bly  Dorholt  Halverson  Isaacson  Liebling  McNamara
Brynaert  Erhardt  Hamilton  Johnson, B.  Lien  Melin
Those who voted in the negative were:

Albright
Anderson, M.
Beard
Benson, M.

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

CALL OF THE HOUSE LIFTED

Murphy, E., moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Murphy, E., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

CALENDAR FOR THE DAY, Continued

H. F. No. 2313 was reported to the House.

Peppin moved to amend H. F. No. 2313, the first engrossment, as follows:

Page 1, line 6, before ""Confidential" insert "(a)"

Page 1, line 8, reinstate the stricken language and delete the new language

Page 1, after line 11, insert:

"(b) For employees of the metropolitan council, "confidential employee" means an employee who as part of the employee's job duties:
(1) is required to access and actually use labor relations information as that term is defined in section 13.37, subdivision 1, paragraph (c); or

(2) actively participates in the meeting and negotiating on behalf of the public employer."

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albright  Dettmer  Hamilton  Lesch  Peppin  Uglem
Anderson, M.  Drazkowski  Herre  Lohner  Petersburg  Urdaal
Anderson, P.  Erickson, S.  Holberg  Loom  Pugh  Wills
Anderson, S.  Fabian  Hoppe  Mack  Quam  Zellers
Barrett  FitzSimmons  Howe  McDonald  Runbeck  Zerwas
Beard  Franson  Johnson, B.  McNamara  Sanders
Benson, M.  Garofalo  Kelly  Myhra  Schomacker
Cornish  Green  Kieffer  Newberger  Scott
Daudt  Gruenhagen  Kiel  Nornes  Swedzinski
Davids  Gunther  Kresha  O'Driscoll  Theis
Dean, M.  Hackbarth  Leidiger  O'Neill  Torkelson

Those who voted in the negative were:

Abeler  Dill  Hilstrom  Lillie  Murphy, E.  Selcer
Allen  Dorholt  Hornstein  Loeffler  Murphy, M.  Simon
Anzelc  Erhardt  Hortman  Mahoney  Nelson  Simonson
Atkins  Erickson, R.  Huntley  Mariani  Newton  Slocum
Benson, J.  Falk  Isaacson  Marquart  Norton  Sundin
Bernardy  Faust  Johnson, C.  Masin  Persell  Wagenius
Bly  Fischer  Johnson, S.  Mcnamar  Poppe  Ward, J.A.
Brynaert  Freiberg  Kahn  Melin  Radinovich  Ward, J.E.
Carlson  Fritz  Laine  Metsa  Rosenthal  Winkler
Clark  Halverson  Lenczewski  Moran  Savick  Yarusso
Davnie  Hansen  Liebling  Morgan  Sawatzky  Spk. Thissen
Dehn, R.  Hausman  Lien  Mullery  Schoen

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

Peppin moved to amend H. F. No. 2313, the first engrossment, as follows:

Page 1, line 6, after "an employee" insert "who performs human resources functions or who performs managerial functions related to information technology, or an employee"

A roll call was requested and properly seconded.
The question was taken on the Peppin amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Albright  Dettmer  Hamilton  Lohmer  Peppin  Torkelson
Anderson, M.  Drazkowski  Hertaus  Loon  Petersburg  Uglen
Anderson, P.  Erickson, S.  Holberg  Mack  Pugh  Udahl
Anderson, S.  Fabian  Hoppe  McDonald  Quam  Wills
Barrett  FitzSimmons  Howe  McNamara  Runbeck  Zellers
Beard  Franson  Johnson, B.  Myhra  Sanders  Zerwas
Benson, M.  Garofalo  Kelly  Newberger  Schomacker
Cornish  Green  Kieffer  Nornes  Scott
Daudt  Gruenhagen  Kiel  Norton  Simon
Davids  Gunther  Kresha  O'Driscoll  Swedzinski
Dean, M.  Hackbarth  Leidiger  O'Neil  Theis

Those who voted in the negative were:

Abeler  Dill  Hilstrom  Lien  Mullery  Selcer
Allen  Dorholt  Hornstein  Lillie  Murphy, E.  Simonson
Anzelc  Erhardt  Hortman  Loeffler  Murphy, M.  Slocum
Atkins  Erickson, R.  Huntley  Mahoney  Nelson  Sundin
Benson, J.  Falk  Isaacson  Mariani  Newton  Wagenius
Bernardy  Faust  Johnson, C.  Marquart  Persell  Ward, J.A.
Bly  Fischer  Johnson, S.  Masin  Poppe  Ward, J.E.
Brynaert  Freiberg  Kahn  McNamar  Radinovich  Winkler
Carlson  Fritz  Laine  Melin  Rosenthal  Yarusso
Clark  Halverson  Lenczewski  Metsa  Savick  Spk. Thissen
Davnie  Hansen  Lesch  Moran  Sawatzky
Dehn, R.  Hausman  Liebling  Morgan  Schoen

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

Benson, M., moved to amend H. F. No. 2313, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. STUDY OF CONFIDENTIAL EMPLOYEES.

The commissioner of mediation services, in consultation with representatives of state and local public employers and exclusive representatives of state and local public employees, shall report to the legislature by January 15, 2015, on potential amendments to the definition of "confidential employees" in the Public Employment Labor Relations Act. In preparing the report, the commissioner must balance the needs of management to have confidential employees who are not included in bargaining units with other employees, and the benefits to employees of being included in bargaining units with other employees."

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.
O'Driscoll moved to amend H. F. No. 2313, the first engrossment, as follows:

Page 1, after line 11, insert:

"Improper disclosure of labor relations information, as defined in section 13.37, subdivision 1, paragraph (c), by a public employee or an employee of an exclusive representative is a misdemeanor, and also is grounds for discipline or discharge of the public employee."

A roll call was requested and properly seconded.

The question was taken on the O'Driscoll amendment and the roll was called. There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler  Davids  Gruenhagen  Kieffer  Newberger  Schomacker
Albright  Dean, M.  Gunther  Kiel  Nornes  Scott
Anderson, M.  Detmer  Hackbarth  Kresha  O'Driscoll  Theis
Anderson, P.  Drazkowski  Hamilton  Leidiger  O'Neill  Torkelson
Anderson, S.  Erickson, S.  Hertaus  Lohmer  Peppin  Uglem
Barrett  Fabian  Holberg  Loon  Petersburg  Urdaal
Beard  FitzSimmons  Hoppe  Mack  Pugh  Wills
Benson, M.  Franson  Howe  McDonald  Quam  Zellers
Cornish  Garofalo  Johnson, B.  McNamara  Runbeck  Zerwas
Daudt  Green  Kelly  Myhra  Sanders

Those who voted in the negative were:

Allen  Dorholt  Hornstein  Lillie  Murphy, E.  Selcer
Anzelc  Erhardt  Hortman  Loeffler  Murphy, M.  Simon
Atkins  Erickson, R.  Huntley  Mahoney  Nelson  Simonson
Benson, J.  Falk  Isaacson  Mariani  Newton  Slocum
Bernardy  Faust  Johnson, C.  Marquart  Norton  Sundin
Bly  Fischer  Johnson, S.  Masin  Persell  Swedzinski
Brynaert  Freiberg  Kahn  McNamara  Poppe  Wagenius
Carlson  Fritz  Laine  Melin  Radinovich  Ward, J.A.
Clark  Halverson  Lenczewski  Metsa  Rosenthal  Ward, J.E.
Davnie  Hansen  Lesch  Moran  Savick  Winkler
Dehn, R.  Hausman  Liebling  Morgan  Sawatzky  Yarusso
Dill  Hilstrom  Lien  Mullery  Schoen  Spk. Thissen

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

Hornstein was excused between the hours of 6:45 p.m. and 7:20 p.m.

Drazkowski moved to amend H. F. No. 2313, the first engrossment, as follows:

Page 1, line 8, reinstate the stricken language and delete the new language

Page 1, after line 11, insert:
For employees of a city of the first class, "confidential employee" means an employee who as part of the employee's job duties:

(1) is required to access and actually use labor relations information as that term is defined in section 13.37, subdivision 1, paragraph (c); or

(2) actively participates in the meeting and negotiating on behalf of the public employer."

A roll call was requested and properly seconded.

The question was taken on the Drazkowski amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright  Dean, M.  Gunther  Kiel  Nornes  Scott
Anderson, M.  Dettmer  Hackbarth  Kresha  O'Driscoll  Theis
Anderson, P.  Drazkowski  Hamilton  Leidiger  O'Neill  Torkelson
Anderson, S.  Erickson, S.  Hertaus  Lohmer  Peppin  Uglem
Barrett  Fabian  Holberg  Loon  Petersburg  Urdahl
Beard  FitzSimmons  Hoppe  Mack  Pugh  Wills
Benson, M.  Franson  Howe  McDonald  Quam  Zellers
Cornish  Garofalo  Johnson, B.  McNamara  Runbeck  Zerwas
Daukt  Green  Kelly  Myhra  Sanders
Davids  Gruenhagen  Kieffer  Newberger  Schomacker

Those who voted in the negative were:

Abeler  Dill  Hilstrom  Lillie  Murphy, E.  Selcer
Allen  Dorholt  Hortman  Loeffler  Murphy, M.  Simon
Anzelc  Erhardt  Huntley  Mahoney  Nelson  Simonson
Atkins  Erickson, R.  Isaacson  Mariani  Newton  Slocum
Benson, J.  Falk  Johnson, C.  Marquart  Norton  Sundin
Bernardy  Faust  Johnson, S.  Masin  Persell  Swedzinski
Bly  Fischer  Kahn  McNamar  Poppe  Wagenius
Brynaert  Freiberg  Laine  Melin  Radinovich  Ward, J.A.
Carlson  Fritz  Lenczewski  Metsa  Rosenthal  Ward, J.E.
Clark  Halverson  Lesch  Moran  Savick  Winkler
Davnie  Hansen  Liebling  Morgan  Sawatzky  Yarusso
Dehn, R.  Hausman  Lien  Mullery  Schoen  Spk. Thissen

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

Uglem moved to amend H. F. No. 2313, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 179A.03, subdivision 4, is amended to read:

Subd. 4. Confidential employee. "Confidential employee" means an employee who as part of the employee's job duties:
(1) has **authorized** access to labor relations information as that term is defined in section 13.37, subdivision 1, paragraph (c); or

(2) actively participates in the meeting and negotiating on behalf of the public employer.

For purposes of clause (1), an employee whose primary duties involve information technology has **authorized** access if the employee is the primary network administrator for the public employer, or is the one designated employee of the public employer who serves as the back-up network administrator."

A roll call was requested and properly seconded.

The question was taken on the Uglem amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Davids</th>
<th>Gruenhagen</th>
<th>Kiel</th>
<th>Nornes</th>
<th>Scott</th>
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</thead>
<tbody>
<tr>
<td>Albright</td>
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<td>Gunther</td>
<td>Kresha</td>
<td>O'Driscoll</td>
<td>Swedzinski</td>
</tr>
<tr>
<td>Anderson, M.</td>
<td>Dettmer</td>
<td>Hackebart</td>
<td>Leidiger</td>
<td>O'Neill</td>
<td>Theis</td>
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<tr>
<td>Anderson, P.</td>
<td>Drazkowski</td>
<td>Hertaus</td>
<td>Lohmer</td>
<td>Peppin</td>
<td>Torkelson</td>
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<tr>
<td>Anderson, S.</td>
<td>Erickson, S.</td>
<td>Holberg</td>
<td>Loon</td>
<td>Petersburg</td>
<td>Uglem</td>
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<tr>
<td>Barrett</td>
<td>Fabian</td>
<td>Hoppe</td>
<td>Mack</td>
<td>Pugh</td>
<td>Urdahl</td>
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<tr>
<td>Beard</td>
<td>FitzSimmons</td>
<td>Howe</td>
<td>McDonald</td>
<td>Quam</td>
<td>Wills</td>
</tr>
<tr>
<td>Benson, M.</td>
<td>Franson</td>
<td>Johnson, B.</td>
<td>McNama</td>
<td>Runbeck</td>
<td>Zellers</td>
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<tr>
<td>Cornish</td>
<td>Garofalo</td>
<td>Kelly</td>
<td>Myhra</td>
<td>Sanders</td>
<td>Zerwas</td>
</tr>
<tr>
<td>Daudt</td>
<td>Green</td>
<td>Kieffer</td>
<td>Newberger</td>
<td>Schomacker</td>
<td></td>
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</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Allen</th>
<th>Dorholt</th>
<th>Hilstrom</th>
<th>Lillie</th>
<th>Murphy, E.</th>
<th>Selcer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzelc</td>
<td>Erhardt</td>
<td>Hortman</td>
<td>Loeffler</td>
<td>Murphy, M.</td>
<td>Simon</td>
</tr>
<tr>
<td>Atkins</td>
<td>Erickson, R.</td>
<td>Huntley</td>
<td>Mahoney</td>
<td>Nelson</td>
<td>Simonson</td>
</tr>
<tr>
<td>Benson, J.</td>
<td>Falk</td>
<td>Isaacson</td>
<td>Mariani</td>
<td>Newton</td>
<td>Slocum</td>
</tr>
<tr>
<td>Bernardy</td>
<td>Faust</td>
<td>Johnson, C.</td>
<td>Marquart</td>
<td>Norton</td>
<td>Sundin</td>
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<tr>
<td>Bly</td>
<td>Fischer</td>
<td>Johnson, S.</td>
<td>Masin</td>
<td>Persell</td>
<td>Wagenius</td>
</tr>
<tr>
<td>Brynaert</td>
<td>Freiberg</td>
<td>Kahn</td>
<td>McNamar</td>
<td>Poppe</td>
<td>Ward, J.A.</td>
</tr>
<tr>
<td>Carlson</td>
<td>Fritz</td>
<td>Laine</td>
<td>Melin</td>
<td>Radinovich</td>
<td>Ward, J.E.</td>
</tr>
<tr>
<td>Clark</td>
<td>Halverson</td>
<td>Lenczewsli</td>
<td>Metsa</td>
<td>Rosenthal</td>
<td>Winkler</td>
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<tr>
<td>Davnie</td>
<td>Hamilton</td>
<td>Lesch</td>
<td>Moran</td>
<td>Savick</td>
<td>Yarusso</td>
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<tr>
<td>Dehn, R.</td>
<td>Hansen</td>
<td>Liebling</td>
<td>Morgan</td>
<td>Sawatzky</td>
<td>Spk. Thissen</td>
</tr>
<tr>
<td>Dill</td>
<td>Hausman</td>
<td>Lien</td>
<td>Mullery</td>
<td>Schoen</td>
<td></td>
</tr>
</tbody>
</table>

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

H. F. No. 2313, A bill for an act relating to public employment; changing the definition of a confidential employee; amending Minnesota Statutes 2012, section 179A.03, subdivision 4.

The bill was read for the third time and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 77 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeler       Allen       Anzelc       Atkins       Benson, J.       Bernardy       Bly          Brynaert      Carlson       Clark         Cornish       Davids       Davnie
Dehn, R.     Dill         Dorholt       Erhardt       Erickson, R.    Falk          Fischer      Freiberg      Fritz         Halverson     Hansen       Hausman      Diehlstrom    Hortman       Huntley       Mahoney       Marquart      Martin         McAdam        McNamara      Melin          Metsa         McGovern      Lien         Lillie
Hilstrom     Huntman      Isaacson      Isachsen       Johnson, C.     Johnson, S.    Kahn         Kieffer       Laine         Lenczewski    Lesch         Liebling     Lien
Lioeffler     Loeffler      Mariani       Mariani        Marquart       Marquart      McNamar       McNamar       Melin          Metcalf       Moran         Morgan       Mullery       Mullery       Murphy, E.    Murphy, M.    Nelson       Nelson
Schoen
Selcer       Simon       Simonson     Slocum        Sundin        Persell       Poppe         Radinovich    Rosenthal     Runbeck       Savick        Sawatzky     Spk. Thissen

Those who voted in the negative were:

Gruenhagen   Gunther      Hackbarth    Hertaus       Holberg       Hoppe         Howe          Kelly         Johnson, B.  Quinto       Quam          Myhra
Kiel         Kresha       Leidiger      Lohmer        Looon         Mack          McDonald     Myhrta         Newberger     Newberger

The bill was passed and its title agreed to.

S. F. No. 1762, A bill for an act relating to cosmetology; making changes to the Board of Cosmetologist Examiners; authorizing exempt rulemaking; revises requirements for professional associations offering continuing education; revises requirements for cosmetology postsecondary schools; amending Minnesota Statutes 2012, sections 155A.23, subdivision 6; 155A.275, subdivision 1; 155A.29, subdivisions 1, 3, by adding a subdivision; 155A.30, subdivision 1, by adding a subdivision; 155A.32; 155A.33, subdivision 4; Minnesota Statutes 2013 Supplement, sections 155A.20; 155A.25, subdivision 4; 155A.27, subdivision 10; 155A.271, subdivision 2; repealing Minnesota Statutes 2012, sections 155A.24, subdivisions 3, 4; 155A.27, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler       Anderson, P.  Barrett       Bernardy       Clark         Davnie
Allen       Anderson, S.  Beard         Bly            Cornish       Dean, M.
Anzelc       Benson, J.    Brynaert      Daudt          Dehn, R.
Anderson, M. Atkins        Benson, M.    Carlson       Davids       Dettmer
Those who voted in the negative were:

Franson    Peppin

The bill was passed and its title agreed to.

H. F. No. 859 was reported to the House.

Simon moved to amend H. F. No. 859, the second engrossment, as follows:

Page 2, line 28, after "violence" insert "from a person as indicated in a qualifying document"

Page 2, line 29, delete "from a person"

Page 2, line 30, delete everything before the semicolon

Page 5, line 19, after "paragraph (k)" insert ", who has had in-person contact with.................... (name of victim(s))"

Page 5, line 26, delete everything before "the" and insert "I attest that"

The motion prevailed and the amendment was adopted.

Clark moved to amend H. F. No. 859, the second engrossment, as amended, as follows:

Page 6, after line 15, insert:

"Sec. 4. HOUSING OPPORTUNITIES MADE EQUITABLE (HOME) PILOT PROJECT.

(a) The Housing Opportunities Made Equitable (HOME) pilot project is established to support closing the disparity gap in affordable homeownership for all communities of color and American Indians in Minnesota and increase housing opportunities for specific groups while closing the disparity gap that exists in Minnesota. The pilot
project may also support the redevelopment and rebuilding of challenged neighborhoods affected by the foreclosure crisis. The Minnesota Housing Finance Agency shall collaborate with the Chicano Latino Affairs Council, Council on Asian-Pacific Minnesotans, Council on Black Minnesotans, and Minnesota Indian Affairs Council in designing the implementation of the pilot project.

(b) If funds are available to the Minnesota Housing Finance Agency, the commissioner may use the available funds to: support the capacity of several local community nonprofit housing and service providers to administer the HOME pilot project under this section, to support providers that assist families to attain sustainable, affordable homeownership as described in paragraph (c) and to make first mortgage loans as described in paragraph (d).

(c) Assistance to attain sustainable affordable homeownership may include long-term financial education, training, case management, credit mending, homebuyer education, and foreclosure prevention mitigation services. The Minnesota Housing Finance Agency shall choose providers of the assistance described in this paragraph that have proven track records of assisting culturally diverse groups of people with long-term education services and that have historically resulted in sustainable affordable housing opportunities for culturally diverse groups.

(d) Funds may be used to make first mortgage financing to homebuyers who have the financial resources to pay a mortgage but are unable to access a mortgage that meets their needs. The mortgage loans will be originated by qualified providers. A qualified provider is a provider that has a proven track record of assisting culturally diverse groups of people in attaining sustainable affordable homeownership and that, at a minimum, is in good standing with the Minnesota Department of Commerce, is licensed to originate mortgage loans, and has demonstrated an ability to underwrite to FHA or conventional underwriting guidelines. Qualified providers may be paid an origination fee, service release premium and a standard fee set in order to expand capacity to assist more families with purchasing a home.

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 859. A bill for an act relating to housing; landlord and tenant; establishing remedies for victims of violence; establishing a housing opportunities made equitable pilot project; amending Minnesota Statutes 2012, sections 504B.171, subdivision 1; 504B.206; 504B.285, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler      Bernardy      Dill      Freiberg      Hilstrom      Kieffer
Albright    Bly           Dorholt    Fritz        Holberg       Kiel
Allen       Brynacrt     Drazkowski  Garofalo     Hoppe         Kresha
Anderson, M. Carlson       Erhardt    Green        Hortman       Laine
Anderson, P. Clark        Erickson, R. Gruenhagen Gruenhagen Gruenhagen
Anderson, S. Cornish      Erickson, S. Gunther     Gunther       Gunther
Anzelc      Davdt         Fabian      Hackath     Isaacsom       Lesch
Atkins      Davids        Falk       Halverson    Johnson, B.   Liebling
Barrett     Davnie        Faust       Hamilton    Johnson, C.   Lien
Beard       Dean, M.      Fischer     Hansen      Johnson, S.   Lillie
Benson, J.  Dehn, R.      FitzSimmons Hausman      Kahn          Loeffler
Benson, M.  Dettmer       Franson     Hertaus      Kelly         Lohmer
The bill was passed, as amended, and its title agreed to.

**MOTIONS AND RESOLUTIONS**

Schoen moved that the name of Johnson, C., be added as an author on H. F. No. 435. The motion prevailed.

Hansen moved that the names of Falk, Bly, McNamar, Savick and Johnson, C., be added as authors on H. F. No. 1926. The motion prevailed.

Freiberg moved that the name of Winkler be added as chief author on H. F. No. 2091. The motion prevailed.

Erhardt moved that the name of Rosenthal be added as an author on H. F. No. 2149. The motion prevailed.

Lenczewski moved that the name of Davids be added as an author on H. F. No. 2207. The motion prevailed.

Selcer moved that the name of Clark be added as an author on H. F. No. 2480. The motion prevailed.

Mariani moved that the name of Lillie be added as an author on H. F. No. 2493. The motion prevailed.

Melin moved that the names of Bernardy and Schoen be added as authors on H. F. No. 2536. The motion prevailed.

Melin moved that the names of Moran, Clark and Murphy, M., be added as authors on H. F. No. 2576. The motion prevailed.

Huntley moved that the name of Loeffler be added as an author on H. F. No. 2656. The motion prevailed.

Norton moved that the names of Laine and Bernardy be added as authors on H. F. No. 2672. The motion prevailed.

Hansen moved that the name of Ward, J.A., be added as an author on H. F. No. 2798. The motion prevailed.

Isaacson moved that the name of Fischer be added as an author on H. F. No. 2861. The motion prevailed.

Liebling moved that the name of Loeffler be added as an author on H. F. No. 2950. The motion prevailed.

Hausman moved that the name of Bernardy be added as an author on H. F. No. 3250. The motion prevailed.
Persell moved that H. F. No. 2949, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

TAKEN FROM TABLE

Simon moved that H. F. No. 2096 be taken from the table. The motion prevailed.

H. F. No. 2096 was reported to the House.

Hansen moved to amend H. F. No. 2096, the first engrossment, as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2012, section 10A.01, subdivision 26, is amended to read:

Subd. 26. Noncampaign disbursement. "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

(1) payment for accounting and legal services;
(2) return of a contribution to the source;
(3) repayment of a loan made to the principal campaign committee by that committee;
(4) return of a public subsidy;
(5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;
(6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch, including the costs of preparing and distributing a suggestion or idea solicitation to constituents, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held, and half the cost of services for a constituent by a member of the legislature or a constitutional officer in the executive branch performed from adjournment sine die to 60 days after adjournment sine die;
(7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;
(8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;
(9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;
(10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;
(11) costs of child care for the candidate's children when campaigning;

(12) fees paid to attend a campaign school;

(13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(14) interest on loans paid by a principal campaign committee on outstanding loans;

(15) filing fees;

(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;

(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(18) contributions to a party unit;

(19) payments for funeral gifts or memorials;

(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;

(21) costs associated with a candidate attending a political party state or national convention in this state;

(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question; and

(23) costs paid to a third party for processing contributions made by a credit card, debit card, or electronic check.

The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sanders moved to amend H. F. No. 2096, the first engrossment, as amended, as follows:

Page 9, after line 2, insert:

"Sec. 10. Minnesota Statutes 2012, section 204B.14, subdivision 2, is amended to read:
Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than March 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for contiguous precincts in the same municipality;

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

(4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than February 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 11. Minnesota Statutes 2012, section 204B.14, subdivision 4, is amended to read:

Subd. 4. **Boundary change procedure.** Any change in the boundary of an election precinct must be adopted at least ten weeks before the date of the next election and, for the state primary and general election, no later than April 1 in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 56 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days before the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.
Sec. 12. Minnesota Statutes 2012, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. Appointment lists; duties of political parties and secretary of state. On May March 1 in a year in which there is an election for a partisan political office, each major political party shall prepare a list of eligible voters to act as election judges in each election precinct. The political parties shall furnish the lists electronically to the secretary of state, in a format specified by the secretary of state. The secretary of state must combine the data received from each political party under this subdivision and must process the data to locate the precinct in which the address provided for each potential election judge is located. If the data submitted by a political party is insufficient for the secretary of state to locate the proper precinct, the associated name must not appear in any list forwarded to an appointing authority under this subdivision. The secretary of state shall notify political parties of any proposed election judges with addresses that could not be located in a precinct.

By May March 15, the secretary of state shall furnish electronically to the county auditor a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority, noting the political party affiliation of each individual on the list. The county auditor must promptly forward the appropriate names to the appropriate municipal clerk.

Sec. 13. Minnesota Statutes 2012, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. State primary. The state primary shall be held on the second first Tuesday after the third Monday in August June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 14. Minnesota Statutes 2012, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. Example ballot. (a) No later than May March 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year.

(b) The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 15. Minnesota Statutes 2012, section 204D.28, subdivision 5, is amended to read:

Subd. 5. Regular state primary. "Regular state primary" means:

(a) the state primary at which candidates are nominated for offices elected at the state general election; or

(b) a primary held on the second first Tuesday after the third Monday in August June of odd-numbered years.

Sec. 16. Minnesota Statutes 2012, section 205.065, subdivision 1, is amended to read:

Subdivision 1. Establishing primary. A municipal primary for the purpose of nominating elective officers may be held in any city on the second first Tuesday after the third Monday in August June of any year in which a municipal general election is to be held for the purpose of electing officers. The date of a municipal primary held in an odd-numbered year may be postponed for inclement weather as provided in section 205.105.
Sec. 17. Minnesota Statutes 2012, section 205.065, subdivision 2, is amended to read:

Subd. 2. Resolution or ordinance. The governing body of a city may, by ordinance or resolution adopted by April January 15 in the year when a municipal general election is held, elect to choose nominees for municipal offices by a primary as provided in this section. The resolution or ordinance, when adopted, is effective for all ensuing municipal elections until it is revoked. The municipal clerk shall notify the secretary of state and the county auditor within 30 days after the adoption of the resolution or ordinance.

Sec. 18. Minnesota Statutes 2012, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. Resolution requiring primary in certain circumstances. The school board of a school district may, by resolution adopted by April January 15 of any year, decide to choose nominees for school board by a primary as provided in this section. The resolution, when adopted, is effective for all ensuing elections of board members in that school district until it is revoked. If the board decides to choose nominees by primary and if there are more than two candidates for a specified school board position or more than twice as many school board candidates as there are at-large school board positions available, the school district must hold a primary.

Sec. 19. Minnesota Statutes 2012, section 205A.03, subdivision 2, is amended to read:

Subd. 2. Date. The school district primary must be held on the second first Tuesday after the third Monday in August June in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07. The date of a school district primary held in an odd-numbered year may be postponed for inclement weather as provided in section 205A.055.

Sec. 20. Minnesota Statutes 2012, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. Filing period. In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the 84th day and no later than the 70th day before the second first Tuesday after the third Monday in August June in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 98th day and no later than the 84th day before the school district general election.

Sec. 21. Minnesota Statutes 2012, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. Notice of special elections. The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election that is held on the second first Tuesday after the third Monday in August June, the Tuesday following the first Monday in November, or for a special election conducted entirely by mail. In addition, the mailed notice is not required for voters residing in a township if the school district special election is held on the second Tuesday in March and the town general election is held on that day. A notice that is returned as undeliverable must be forwarded immediately to the county auditor.

Sec. 22. Minnesota Statutes 2012, section 206.61, subdivision 5, is amended to read:

Subd. 5. Alternation. The provisions of the election laws requiring the alternation of names of candidates must be observed as far as practicable by changing the order of the names on an electronic voting system in the various precincts so that each name appears on the machines or marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong.
However, the arrangement of candidates' names must be the same on all voting systems used in the same precinct. If the number of names to be alternated exceeds the number of precincts, the election official responsible for providing the ballots, in accordance with subdivision 1, shall determine by lot the alternation of names.

If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot card, the manner of alternation of candidate names on the paper ballot must be as prescribed for optical scan ballots in this subdivision.

The rules adopted by the secretary of state for the rotation of candidate names must use the number of registered voters in each precinct as of 8:00 a.m. on May 1 of the year when the rotation will be made as the basis for determining the rotation of names.

Sec. 23. Minnesota Statutes 2013 Supplement, section 206.82, subdivision 2, is amended to read:

Subd. 2. Plan. The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. Before May 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Office of MN.IT Services or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section."

Page 9, line 4, after the period, insert "Sections 10 to 23 are effective January 1, 2015, and apply to elections conducted on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

H. F. No. 2096, A bill for an act relating to elections; modifying campaign finance definition; providing for submission of voter registration and absentee ballot applications online; amending Minnesota Statutes 2012, sections 10A.01, subdivision 26; 201.061, subdivision 1, by adding a subdivision; 201.071, subdivisions 1, 3; 201.081; 203B.04, by adding a subdivision; 203B.17; Minnesota Statutes 2013 Supplement, sections 201.275; 203B.04, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler  Abelson  Atkins  Benson, J.  Bly  Clark
Albright  Anderson, M.  Anderson, P.  Barrett  Benson, M.  Brynaert  Cornish
Allen  Anzelc  Beard  Bernady  Carlson  Daudt
The bill was passed, as amended, and its title agreed to.

TAKEN FROM TABLE

Hansen moved that H. F. No. 1926 be taken from the table. The motion prevailed.

H. F. No. 1926 was reported to the House.

Hackbarth moved to amend H. F. No. 1926, the third engrossment, as follows:

Page 9, line 10, after "acquisitions" insert ", including maps."

Hackbarth moved to amend his amendment to H. F. No. 1926, the third engrossment, as follows:

Page 1, after line 2, insert:

"Page 9, delete lines 4 to 11 and insert:

"$2,800,000 in the second year is to the commissioner of natural resources to acquire land in fee and restore and enhance land within the Fond du Lac Reservation 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. The commissioner may enter into
an agreement with the Fond du Lac Band of Lake Superior Chippewa to manage the wildlife management area, including the taking of wildlife, without compensation."

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

Hackbarth moved to amend his amendment to H. F. No. 1926, the third engrossment, as follows:

Page 1, after line 2, insert:

"Page 9, line 11, after the period, insert "Notwithstanding Minnesota Statutes, section 16C.05, subdivision 7, or any other law to the contrary, the commissioner must require the band to waive its sovereignty as a requirement or condition of the contract."

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

Hackbarth withdrew his amendment to H. F. No. 1926, the third engrossment.

Isaacson was excused between the hours of 8:15 p.m. and 8:30 p.m.

H. F. No. 1926, A bill for an act relating to natural resources; appropriating money from outdoor heritage fund; modifying restoration evaluation requirements; modifying requirements for acquisition of real property with money from legacy funds; modifying previous parks and trails fund appropriation; amending Minnesota Statutes 2012, sections 84.0272, subdivisions 1, 3; 97A.056, subdivision 10, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

<table>
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<tr>
<th>Albright</th>
<th>Erickson, S.</th>
<th>Huntley</th>
<th>Loon</th>
<th>Pugh</th>
<th>Zerwas</th>
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<td>Anderson, M.</td>
<td>Fabian</td>
<td>Johnson, B.</td>
<td>Mack</td>
<td>Quam</td>
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<td>Anderson, P.</td>
<td>Garofalo</td>
<td>Kelly</td>
<td>McDonald</td>
<td>Sanders</td>
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<tr>
<td>Benson, M.</td>
<td>Gruenhagen</td>
<td>Kieffer</td>
<td>Myhra</td>
<td>Scott</td>
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<tr>
<td>Daudt</td>
<td>Hackbarth</td>
<td>Kiel</td>
<td>Newberger</td>
<td>Simonson</td>
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<tr>
<td>Dean, M.</td>
<td>Hertaus</td>
<td>Leidiger</td>
<td>O'Neill</td>
<td>Uglem</td>
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<tr>
<td>Drazkowski</td>
<td>Holberg</td>
<td>Lohmer</td>
<td>Peppin</td>
<td>Zellers</td>
<td></td>
</tr>
</tbody>
</table>

The bill was passed and its title agreed to.

TAKEN FROM TABLE

Persell moved that H. F. No. 1874 be taken from the table. The motion prevailed.

H. F. No. 1874 was reported to the House.

Dill moved to amend H. F. No. 1874, the second engrossment, as follows:

Page 19, line 22, delete "18" and insert "11" and delete "between"

Page 19, line 23, delete "Soudan and" and insert "east of Soudan towards"

The motion prevailed and the amendment was adopted.

Torkelson moved to amend H. F. No. 1874, the second engrossment, as amended, as follows:

Page 18, line 8, after "Acquisition" insert a comma and delete "for"

Page 20, line 24, delete "acquire 31 acres for" and insert "transform a municipal parcel from a compost site into"

Page 20, line 25, delete "canoe"

The motion prevailed and the amendment was adopted.

H. F. No. 1874, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2013 Supplement, section 116P.17; repealing Minnesota Statutes 2012, section 116P.05, subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 100 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorholt  Holberg  Lien  Myhra  Slocum
Allen     Erhardt  Hoppe   Lillie  Nelson  Sundin
Anderson, M. Erickson, R. Hornstein Loeffler Newtont Swedzinski
Anderson, P. Fabian    Hortman  Mack   Nornes  Theis
Anderson, S. Falk       Howe    Mahoney Norton Torkelson
Anzelc    Faust      Huntley  Mariani  O’Driscoll Uglem
Atkins    Fischer    Isaacson Marquart Persell  Udahl
Benson, J. FitzSimmons Johnson, C. Masin  Petersburg Wagensius
Bernardy  Franson   Johnson, S. McNamar Poppe  Ward, J.A.
Bly       Freiberg  Kahn     McNamara Radinovich Ward, J.E.
Brynaert  Fritz     Kelly    Melin   Rosenthal Wills
Carlson   Gunther   Kiel     Metsa   Savick  Winkler
Clark     Halverson Kresha   Moran   Sawatzky Yarusso
Cornish   Hamilton  Laine    Morgan Schoen  Zellers
Davnie    Hansen   Lenczewski Mullery Selcer  Spk. Thissen
Dehn, R.  Hausman  Lesch    Murphy, E. Simon
Dill      Hilstrom  Liebling Murphy, M. Simonson

Those who voted in the negative were:

Albright  Dean, M. Gruenhagen Lohmer  Pugh  Zerwas
Barrett   Dettmer  Hackbarth Loon   Quam
Beard     Drazkowski Hertaus  McDonald Runbeck
Benson, M. Erickson, S. Johnson, B. Newberger Sanders
Daudt     Garofalo  Kieffer  O’Neill  Schomacker
Davids    Green    Leidiger Peppin  Scott

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

TAKEN FROM TABLE

Barrett moved that S. F. No. 2060 be taken from the table. The motion prevailed.

S. F. No. 2060 was reported to the House.

Laine moved to amend S. F. No. 2060, the second engrossment, as follows:

Page 1, line 13, delete the first "public"

Page 3, delete section 3

Amend the title as follows:

Page 1, line 3, delete "providing"

Page 1, line 4, delete everything before "amending"

Correct the title numbers accordingly
Radinovich moved to amend the Laine amendment to S. F. No. 2060, the second engrossment, as follows:

Page 1, delete line 3 and insert:

"Page 3, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2012, section 157.22, is amended to read:

**157.22 EXEMPTIONS.**

This chapter does not apply to:

1. interstate carriers under the supervision of the United States Department of Health and Human Services;
2. weddings, fellowship meals, or funerals conducted by a faith-based organization using any building constructed and primarily used for religious worship or education;
3. any building owned, operated, and used by a college or university in accordance with health regulations promulgated by the college or university under chapter 14;
4. any person, firm, or corporation whose principal mode of business is licensed under sections 28A.04 and 28A.05, is exempt at that premises from licensure as a food or beverage establishment; provided that the holding of any license pursuant to sections 28A.04 and 28A.05 shall not exempt any person, firm, or corporation from the applicable provisions of this chapter or the rules of the state commissioner of health relating to food and beverage service establishments;
5. family day care homes and group family day care homes governed by sections 245A.01 to 245A.16;
6. nonprofit senior citizen centers for the sale of home-baked goods;
7. fraternal, sportsman, or patriotic organizations that are tax exempt under section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(10), or 501(c)(19) of the Internal Revenue Code of 1986, or organizations related to, affiliated with, or supported by such fraternal, sportsman, or patriotic organizations for events held in the building or on the grounds of the organization and at which home-prepared food is donated by organization members for sale at the events, provided:
   i. the event is not a circus, carnival, or fair;
   ii. the organization controls the admission of persons to the event, the event agenda, or both; and
   iii. the organization's licensed kitchen is not used in any manner for the event;
8. food not prepared at an establishment and brought in by individuals attending a potluck event for consumption at the potluck event. An organization sponsoring a potluck event under this clause may advertise the potluck event to the public through any means. Individuals who are not members of an organization sponsoring a potluck event under this clause may attend the potluck event and consume the food at the event. Licensed food establishments other than schools cannot be sponsors of potluck events. A school may sponsor and hold potluck events in areas of the school other than the school's kitchen, provided that the school's kitchen is not used in any manner for the potluck event. For purposes of this clause, "school" means a public school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or a nonpublic school, church, or religious organization at which a child is provided with instruction in compliance with sections 120A.22 and 120A.24. Potluck event food shall not be brought into a licensed food establishment kitchen;
(9) a home school in which a child is provided instruction at home;

(10) school concession stands serving commercially prepared, nonpotentially hazardous foods, as defined in Minnesota Rules, chapter 4626;

(11) group residential facilities of ten or fewer beds licensed by the commissioner of human services under Minnesota Rules, chapter 2960, provided the facility employs or contracts with a certified food manager under Minnesota Rules, part 4626.2015;

(12) food served at fund-raisers or community events conducted in the building or on the grounds of a faith-based organization, provided that a certified food manager, or a volunteer trained in a food safety course, trains the food preparation workers in safe food handling practices. This exemption does not apply to faith-based organizations at the state agricultural society or county fairs or to faith-based organizations that choose to apply for a license; and

(13) food service events conducted following a disaster for purposes of feeding disaster relief staff and volunteers serving commercially prepared, nonpotentially hazardous foods, as defined in Minnesota Rules, chapter 4626; and

(14) chili or soup served at a chili or soup cook-off fund-raiser conducted by a community-based nonprofit organization, provided:

(i) the municipality where the event is located approves the event;

(ii) the sponsoring organization must develop food safety rules and ensure that participants follow these rules; and

(iii) if the food is not prepared in a kitchen that is licensed or inspected, a visible sign or placard must be posted that states: "These products are homemade and not subject to state inspection."

Foods exempt under this clause must be labeled to accurately reflect the name and address of the person preparing the foods."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Laine amendment, as amended, to S. F. No. 2060, the second engrossment. The motion prevailed and the amendment, as amended, was adopted.

Huntley was excused for the remainder of today's session.

S. F. No. 2060, A bill for an act relating to food safety; providing a definition of farmers' market; permitting food product sampling and demonstration in certain circumstances; providing a licensing exemption for a chili or soup cook-off event; amending Minnesota Statutes 2012, sections 157.15, subdivision 13; 157.22; proposing coding for new law in Minnesota Statutes, chapter 28A.

The bill was read for the third time, as amended, and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dehn, R.  Hansen  Liebling  Nelson  Selcer  
Albright  Detmer  Hausman  Lien  Newberger  Simon  
Allen  Dill  Hertaus  Lillie  Newton  Simonson  
Anderson, M.  Dorholt  Hilstrom  Loeffler  Nornes  Slocum  
Anderson, P.  Drazkowski  Holberg  Lohmer  Norton  Sundin  
Anderson, S.  Erhardt  Hoppe  Loon  O'Driscoll  Swedzinski  
Anzelc  Erickson, R.  Hornstein  Mack  O'Neil  Theis  
Atkins  Erickson, S.  Hortman  Mahoney  Peppin  Torkelson  
Barrett  Fabian  Howe  Mariani  Persell  Uglen  
Beard  Falk  Isaacson  Marquart  Petersburg  Urda  
Benson, J.  Faust  Johnson, B.  Masin  Poppe  Wagenius  
Benson, M.  Fischer  Johnson, C.  McDonald  Pugh  Ward, J.A.  
Bernardy  FitzSimmons  Johnson, S.  McNamar  Quam  Ward, J.E.  
Bly  Franson  Kahn  McNamar  Radinovich  Wills  
Brynaert  Freiberg  Kelly  Melin  Rosenthal  Winkler  
Carlson  Fritz  Kieffer  Metsa  Runbeck  Yarus  
Clark  Garofalo  Kiel  Morgan  Sanders  Zellers  
Cornish  Green  Kresha  Morgan  Savick  Zerwas  
Daudt  Gruenhagen  Laine  Mullery  Sawatzky  Spk. Thissen  
Davies  Gunther  Leidiger  Murphy, E.  Schoen  
Davnie  Hackbart  Lenczewski  Murphy, M.  Schomacker  
Dean, M.  Hamilton  Lesch  Myhra  Scott  

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

SUSPENSION OF RULES

Zellers moved that the rules of the House be so far suspended that H. F. No. 2281 be recalled from the Committee on Rules and Legislative Administration, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Zellers motion and the roll was called. There were 100 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler  Benson, J.  Dehn, R.  Faust  Gunther  Hortman  
Albright  Benson, M.  Detmer  Fischer  Halverson  Howe  
Allen  Bernardy  Dorholt  FitzSimmons  Hamilton  Isaacson  
Anderson, M.  Bly  Drazkowski  Franson  Hansen  Johnson, B.  
Anderson, P.  Carlson  Erhardt  Freiberg  Hertaus  Johnson, C.  
Anderson, S.  Clark  Erickson, R.  Fritz  Hilstrom  Kelly  
Anzelc  Cornish  Erickson, S.  Garofalo  Holberg  Kiel  
Atkins  Daudt  Fabian  Green  Hoppe  Kresha  
Barrett  Dean, M.  Falk  Gruenhagen  Hornstein  Leidiger  


Lenczewski  McNamar  O'Driscoll  Runbeck  Simon  Ward, J.E.
Lien  McNamara  O’Neill  Sanders  Simonson  Wills
Lillie  Morgan  Peppin  Savick  Swedzinski  Winkler
Lohmer  Murphy, E.  Petersburg  Sawatzky  Theis  Yarusso
Loon  Murphy, M.  Pugh  Schoen  Torkelson  Zellers
Mack  Myhra  Quam  Schomacker  Urgdal  Zerwas
Marquart  Newberger  Radinovich  Scott  Selcer  Ward, J.A.
McDonald  Nornes  Rosenthal  

Those who voted in the negative were:

Beard  Hackbarth  Liebling  Melin  Newton  Sundin
Brynaert  Johnson, S.  Loeffler  Metsa  Norton  Wagenius
Davids  Kahn  Mahoney  Moran  Persell  Spk. Thissen
Davnie  Laine  Mariani  Mullery  Poppe  
Dill  Lesch  Masin  Nelson  Slocum  

The motion prevailed.

DECESSION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Zellers moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2281 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Zellers motion and the roll was called. There were 96 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeler  Dean, M.  Green  Kiel  Myhra  Scott
Albright  Dettmer  Grunhagen  Kresha  Newberger  Selcer
Allen  Dorholt  Gunther  Leidiger  Nornes  Simon
Anderson, P.  Drazkowski  Halverson  Lenczewski  O’Driscoll  Simonson
Anderson, S.  Erhardt  Hamilton  Lien  O’Neill  Swedzinski
Anzelc  Erickson, R.  Hansen  Lillie  Peppin  Theis
Atkins  Erickson, S.  Hertaus  Lohmer  Petersburg  Torkelson
Barrett  Fabian  Hilstrom  Loon  Pugh  Uglem
Benson, J.  Falk  Holberg  Mack  Quam  Urdahl
Benson, M.  Faust  Hoppe  Marquart  Radinovich  Ward, J.A.
Bernardy  Fischer  Horstein  McDonald  Rosenthal  Ward, J.E.
Bly  FitzSimmons  Hortman  McNamald  Runbeck  Wills
Carlson  Franson  Isacson  McNamara  Sanders  Winkler
Clark  Freiberg  Johnson, B.  Morgan  Savick  Yarusso
Cornish  Fritz  Johnson, C.  Murphy, E.  Sawatzky  Zellers
Daudt  Garofalo  Kelly  Murphy, M.  Schomacker  Zerwas
Those who voted in the negative were:

Anderson, M.  Dill  Laine  Masin  Newton  Sundin
Beard  Hackbarth  Lesch  Melin  Norton  Wagenius
Brynaert  Hausman  Liebling  Metsa  Persell  Spk. Thissen
Davids  Howe  Loeffler  Moran  Poppe
Davnie  Johnson, S.  Mahoney  Mullery  Schoen
Dehn, R.  Kahn  Mariani  Nelson  Slocum

The motion prevailed.

H. F. No. 2281 was read for the second time.

H. F. No. 2281 was reported to the House.

Winkler and Zellers moved to amend H. F. No. 2281, the first engrossment, as follows:

Page 2, line 8, delete "A violation of sections 169A.20 to 169A.27" and insert "A crime, including a felony, gross misdemeanor, or misdemeanor"

The motion prevailed and the amendment was adopted.

Loeffler moved to amend H. F. No. 2281, the first engrossment, as amended, as follows:

Page 1, line 9, after "language" insert "as a footnote"

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

H. F. No. 2281, A bill for an act relating to public safety; clarifying legislators' privilege from arrest; specifying that driving while impaired constitutes a breach of the peace for purposes of the Constitution; amending Minnesota Statutes 2012, section 3.151; proposing coding for new law in Minnesota Statutes, chapters 3; 169A.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, P.  Barrett  Bly  Daudt  Dehn, R.
Albright  Anderson, S.  Benson, J.  Carlson  Davids  Dettmer
Allen  Anzelc  Benson, M.  Clark  Davnie  Dorholt
Anderson, M.  Atkins  Bernardy  Cornish  Dean, M.  Drazkowski
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Beard</th>
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<th>Mahoney</th>
<th>Metsa</th>
<th>Sundin</th>
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<td>Brynaert</td>
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<td>Dill</td>
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The bill was passed, as amended, and its title agreed to.

**ADJOURNMENT**

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, April 10, 2014. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, April 10, 2014.

ALBIN A. MATHOWETZ, Chief Clerk, House of Representatives