

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2014

## EIGHTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 9, 2014

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	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	Uglen
Benson, J.	Faust	Huntley	Mariani	Persell	Urdahl
Benson, M.	Fischer	Isaacson	Marquart	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	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	Hackbarth	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)(1), 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)(1), 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; 298.297; Minnesota Statutes 2013 Supplement, sections 298.221; 298.227; 298.28, subdivision 9d; 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; 116.9405; 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.03, by adding a subdivision; 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, 2b, 3a, 3b, 3c, 6a, 8, 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; 256I.04, subdivision 2b; 256I.05, subdivision 2; 256J.49, subdivision 13; 256J.53, subdivisions 1, 2, 5; 256J.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; 611A.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 1, 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; 126C.48, 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; 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; 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; 116J.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.



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	Hausman	Liebling	Nelson	Selcer
Anderson, M.	Dorholt	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	Uglen
Benson, J.	Faust	Huntley	Mariani	Persell	Urdahl
Benson, M.	Fischer	Isaacson	Marquart	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	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	Hackbarth	Laine	Mullery	Sawatzky	
Dean, M.	Halverson	Leidiger	Murphy, E.	Schoen	

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:

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

Those who voted in the negative were:

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

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.

**CALENDAR FOR THE DAY, Continued**

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

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

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

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	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	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	Uglen
Benson, J.	Faust	Huntley	Mariani	Persell	Urdahl
Benson, M.	Fischer	Isaacson	Marquart	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	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	Hackbarth	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~~ advisors 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 ~~as defined under section 518B.01, sexual assault, or stalking. Domestic abuse must be shown as provided for 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 ~~may~~ 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~~ must 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.

(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.

(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.

(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.**

**Subdivision 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.

**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
Anzelc	Fabian	Hortman	Mack	O'Driscoll	Uglem
Atkins	Falk	Howe	Mahoney	Persell	Urdahl
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	Wills
Brynaert	Freiberg	Johnson, S.	McNamara	Runbeck	Winkler
Carlson	Fritz	Kahn	Melin	Sanders	Yarusso
Clark	Green	Kelly	Metsa	Savick	Zerwas
Cornish	Gruenhagen	Kiel	Moran	Sawatzky	Spk. Thissen
Davids	Gunther	Kresha	Morgan	Schoen	
Davnie	Halverson	Laine	Mullery	Schomacker	
Dean, M.	Hamilton	Lenzewski	Murphy, E.	Scott	
Dehn, R.	Hansen	Lesch	Murphy, M.	Simonson	



Those who voted in the negative were:

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

Those who voted in the negative were:

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	Norton	Ward, J.A.
Bly	Fischer	Johnson, S.	Masin	O'Neill	Ward, J.E.
Brynaert	Freiberg	Kahn	McNamar	Persell	Winkler
Carlson	Fritz	Laine	Melin	Poppe	Yarusso
Clark	Halverson	Lenczewski	Metsa	Radinovich	Spk. Thissen
Davnie	Hansen	Lesch	Moran	Savick	
Dehn, R.	Hausman	Liebling	Morgan	Sawatzky	
Dill	Hilstrom	Lien	Mullery	Schoen	

The motion did not prevail and the amendment, as amended, was not adopted.

H. F. No. 2536, as amended, was read for the third time.

#### CALL OF THE HOUSE

On the motion of Kresha and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Anderson, M.	Anzelc	Beard	Bernardy	Carlson
Albright	Anderson, P.	Atkins	Benson, J.	Bly	Clark
Allen	Anderson, S.	Barrett	Benson, M.	Brynaert	Cornish

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

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.	Dettmer	Green	Howe	Lenczewski	Masin
Bernardy	Dill	Gunther	Huntley	Lesch	McNamar
Bly	Dorholt	Halverson	Isaacson	Liebling	McNamara
Brynaert	Erhardt	Hamilton	Johnson, B.	Lien	Melin

Metsa	Newton	Pugh	Schoen	Theis	Winkler
Moran	Nornes	Quam	Schomacker	Uglen	Yarusso
Morgan	Norton	Radinovich	Selcer	Urdahl	Zellers
Mullery	O'Driscoll	Rosenthal	Simonson	Wagenius	Zerwas
Murphy, E.	Persell	Sanders	Slocum	Ward, J.A.	Spk. Thissen
Murphy, M.	Petersburg	Savick	Sundin	Ward, J.E.	
Nelson	Poppe	Sawatzky	Swedzinski	Wills	

Those who voted in the negative were:

Albright	Daudt	Franson	Hertaus	McDonald	Peppin
Anderson, M.	Drazkowski	Garofalo	Kieffer	Myhra	Runbeck
Beard	Erickson, S.	Gruenhagen	Leidiger	Newberger	Scott
Benson, M.	FitzSimmons	Hackbarth	Loon	O'Neill	Torkelson

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	Hertaus	Lohmer	Petersburg	Urdahl
Anderson, P.	Erickson, S.	Holberg	Loon	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	Urdahl
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'Neill	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	Dauids	Gruenhagen	Kieffer	Newberger	Schomacker
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
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	McNamar	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
Daudt	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:

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

Those who voted in the negative were:

Allen	Dorholt	Hilstrom	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	Wagenius
Brynaert	Freiberg	Kahn	McNamar	Poppe	Ward, J.A.
Carlson	Fritz	Laine	Melin	Radinovich	Ward, J.E.
Clark	Halverson	Lenczewski	Metsa	Rosenthal	Winkler
Davnie	Hamilton	Lesch	Moran	Savick	Yarusso
Dehn, R.	Hansen	Liebling	Morgan	Sawatzky	Spk. Thissen
Dill	Hausman	Lien	Mullery	Schoen	

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

Those who voted in the negative were:

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

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
Albright	Anderson, S.	Beard	Bly	Cornish	Dean, M.
Allen	Anzelc	Benson, J.	Brynaert	Daudt	Dehn, R.
Anderson, M.	Atkins	Benson, M.	Carlson	Davids	Dettmer

Dill	Halverson	Kresha	McNamara	Poppe	Theis
Dorholt	Hamilton	Laine	Melin	Pugh	Torkelson
Drazkowski	Hansen	Leidiger	Metsa	Quam	Uglen
Erhardt	Hausman	Lenczewski	Moran	Radinovich	Urdahl
Erickson, R.	Hertaus	Lesch	Morgan	Rosenthal	Wagenius
Erickson, S.	Hilstrom	Liebling	Mullery	Runbeck	Ward, J.A.
Fabian	Holberg	Lien	Murphy, E.	Sanders	Ward, J.E.
Falk	Hoppe	Lillie	Murphy, M.	Savick	Wills
Faust	Hortman	Loeffler	Myhra	Sawatzky	Winkler
Fischer	Howe	Lohmer	Nelson	Schoen	Yarusso
FitzSimmons	Huntley	Loon	Newberger	Schomacker	Zellers
Freiberg	Isaacson	Mack	Newton	Scott	Zerwas
Fritz	Johnson, B.	Mahoney	Nornes	Selcer	Spk. Thissen
Garofalo	Johnson, C.	Mariani	Norton	Simon	
Green	Johnson, S.	Marquart	O'Driscoll	Simonson	
Gruenhagen	Kahn	Masin	O'Neill	Slocum	
Gunther	Kelly	McDonald	Persell	Sundin	
Hackbarth	Kiel	McNamar	Petersburg	Swedzinski	

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	Brynaert	Drazkowski	Garofalo	Hoppe	Kresha
Anderson, M.	Carlson	Erhardt	Green	Hortman	Laine
Anderson, P.	Clark	Erickson, R.	Gruenhagen	Howe	Leidiger
Anderson, S.	Cornish	Erickson, S.	Gunther	Huntley	Lenczewski
Anzelc	Daudt	Fabian	Hackbarth	Isaacson	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

Loon	Metsa	Nornes	Radinovich	Simon	Ward, J.A.
Mack	Moran	Norton	Rosenthal	Simonson	Ward, J.E.
Mahoney	Morgan	O'Driscoll	Runbeck	Slocum	Wills
Mariani	Mullery	O'Neill	Sanders	Sundin	Winkler
Marquart	Murphy, E.	Peppin	Savick	Swedzinski	Yarusso
Masin	Murphy, M.	Persell	Sawatzky	Theis	Zellers
McDonald	Myhra	Petersburg	Schoen	Torkelson	Zerwas
McNamar	Nelson	Poppe	Schomacker	Uglen	Spk. Thissen
McNamara	Newberger	Pugh	Scott	Urdahl	
Melin	Newton	Quam	Selcer	Wagenius	

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 ~~May~~ 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 ~~April~~ 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 ~~June~~ 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~~ March 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~~ March 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	Anderson, M.	Atkins	Benson, J.	Bly	Clark
Albright	Anderson, P.	Barrett	Benson, M.	Brynaert	Cornish
Allen	Anzelc	Beard	Bernardy	Carlson	Daudt

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

Those who voted in the negative were:

Anderson, S.            Quam

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:

Abeler	Dehn, R.	Hamilton	Liebling	Murphy, M.	Selcer
Allen	Dettmer	Hansen	Lien	Nelson	Simon
Anderson, S.	Dill	Hausman	Lillie	Newton	Slocum
Anzelc	Dorholt	Hilstrom	Loeffler	Nornes	Sundin
Atkins	Erhardt	Hoppe	Mahoney	Norton	Swedzinski
Barrett	Erickson, R.	Hornstein	Mariani	O'Driscoll	Theis
Beard	Falk	Hortman	Marquart	Persell	Torkelson
Benson, J.	Faust	Howe	Masin	Petersburg	Urdahl
Bernardy	Fischer	Isaacson	McNamar	Poppe	Wagenius
Bly	FitzSimmons	Johnson, C.	McNamara	Radinovich	Ward, J.A.
Brynaert	Franson	Johnson, S.	Melin	Rosenthal	Ward, J.E.
Carlson	Freiberg	Kahn	Metsa	Runbeck	Wills
Clark	Fritz	Kresha	Moran	Savick	Winkler
Cornish	Green	Laine	Morgan	Sawatzky	Yarusso
Davids	Gunther	Lenczewski	Mullery	Schoen	Spk. Thissen
Davnie	Halverson	Lesch	Murphy, E.	Schomacker	

Those who voted in the negative were:

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

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	Newton	Swedzinski
Anderson, P.	Fabian	Hortman	Mack	Nornes	Theis
Anderson, S.	Falk	Howe	Mahoney	Norton	Torkelson
Anzenc	Faust	Huntley	Mariani	O'Driscoll	Uglen
Atkins	Fischer	Isaacson	Marquart	Persell	Urdahl
Benson, J.	FitzSimmons	Johnson, C.	Masin	Petersburg	Wagenius
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	Dettmer	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'Neill	Theis
Atkins	Erickson, S.	Hortman	Mahoney	Peppin	Torkelson
Barrett	Fabian	Howe	Mariani	Persell	Uglen
Beard	Falk	Isaacson	Marquart	Petersburg	Urdahl
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	McNamara	Radinovich	Wills
Brynaert	Freiberg	Kelly	Melin	Rosenthal	Winkler
Carlson	Fritz	Kieffer	Metsa	Runbeck	Yarusso
Clark	Garofalo	Kiel	Moran	Sanders	Zellers
Cornish	Green	Kresha	Morgan	Savick	Zerwas
Daudt	Gruenhagen	Laine	Mullery	Sawatzky	Spk. Thissen
Davids	Gunther	Leidiger	Murphy, E.	Schoen	
Davnie	Hackbarth	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.	Dettmer	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	Uglem	Zerwas
Marquart	Newberger	Radinovich	Scott	Urdahl	
McDonald	Nornes	Rosenthal	Selcer	Ward, J.A.	

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.

#### DECLARATION 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	Gruenhagen	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	Hornstein	McDonald	Rosenthal	Ward, J.E.
Bly	FitzSimmons	Hortman	McNamar	Runbeck	Wills
Carlson	Franson	Isaacson	McNamara	Sanders	Winkler
Clark	Freiberg	Johnson, B.	Morgan	Savick	Yarusso
Cornish	Fritz	Johnson, C.	Murphy, E.	Sawatzky	Zellers
Daudt	Garfalo	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

Erhardt	Hamilton	Kiel	McNamara	Radinovich	Uglen
Erickson, R.	Hansen	Kresha	Moran	Rosenthal	Urdahl
Erickson, S.	Hausman	Laine	Morgan	Runbeck	Wagenius
Fabian	Hertaus	Leidiger	Murphy, E.	Sanders	Ward, J.A.
Falk	Hilstrom	Lenczewski	Murphy, M.	Savick	Ward, J.E.
Faust	Holberg	Liebling	Myhra	Sawatzky	Wills
Fischer	Hoppe	Lien	Newberger	Schoen	Winkler
FitzSimmons	Hornstein	Lillie	Newton	Schomacker	Yarusso
Franson	Hortman	Loeffler	Nornes	Scott	Zellers
Freiberg	Howe	Lohmer	O'Driscoll	Selcer	Zerwas
Fritz	Isaacson	Loon	O'Neill	Simon	Spk. Thissen
Garofalo	Johnson, B.	Mack	Peppin	Simonson	
Green	Johnson, C.	Marquart	Persell	Slocum	
Gruenhagen	Johnson, S.	Masin	Petersburg	Swedzinski	
Gunther	Kelly	McDonald	Pugh	Theis	
Halverson	Kieffer	McNamar	Quam	Torkelson	

Those who voted in the negative were:

Beard	Hackbarth	Mahoney	Metsa	Sundin
Brynaert	Kahn	Mariani	Nelson	
Dill	Lesch	Melin	Poppe	

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. MATHIOWETZ, Chief Clerk, House of Representatives