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Minnesota House of Representatives

March 24, 2014

TO: Members of the House Committee on Civil Law
FROM: Matt Gehring, 651-296-5052
RE: Wednesday, March 26 Agenda

This memo is intended to provide general guidance on the application of House Rule 4.16 to the content of a proposed amendment to HF 2397 (H2397A33), which appears on the committee's agenda for Wednesday, March 26, 2014.

House Rule 4.16 – Data Practices Referral Requirement

House Rule 4.16 requires that a House or Senate bill that “*substantially affects either Minnesota Statutes, chapter 13, or other government data practices statutes*” be referred to the Committee on Civil Law for approval.

An exception to the referral rule applies, if the civil law committee “*already has approved the bill or the substance of the matter that otherwise would require referral under this rule.*”

H.F. 2397 (Mariani and others – Omnibus K-12 Education Policy), A33 Amendment

The proposed A33 amendment to HF 2397 would insert language related to disciplinary and discharge records of teachers, which are governed by section 13.41 of the data practices act. Section 13.41 regulates personnel data, including personnel data on teachers.

The entire amendment affects data practices issues.

If the committee chooses to do so, it can approve the “substance of the matter” contained in the A33 amendment. Upon that action by the committee, H.F. 2397, with the A33 amendment, would fall within the exception to House Rule 4.16 – meaning that a formal referral of the bill to civil law would not be required.

The committee could also choose to approve the “substance of the matter” on the condition that the language of the proposed amendment is modified to address any or all of the civil law committee’s concerns, and is adopted with those modifications in another policy committee.

A copy of the proposed A33 amendment is included in the committee packet.