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Minnesota House of Representatives

March 17, 2014

TO: Members of the House Committee on Civil Law

FROM: Matt Gehring, 651-296-5052

RE: Wednesday, March 19 Agenda

This memo is intended to provide general guidance on the application of House Rule 4.16 to the content of H.F. 2569, which appears on the committee's agenda for Wednesday, March 19, 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.

The House Rule provides an exception to this referral requirement, if the Committee on Civil Law “*already has approved the bill or the substance of the matter that otherwise would require referral under this rule.*”

H.F. 2569 (Sawatzky -- Educational Opportunity for Military Children; Interstate Compact)

H.F. 2569 (Sawatzky) proposes adoption of an interstate compact related to educational opportunity for military children.

An interstate compact has the effect of a law within any state that enacts it, and also constitutes a binding contract between all states that have enacted the compact. Changes to the compact may only be made according to the terms of the compact. If a bill enacting a compact is amended in a way that changes any terms in the compact, the state risks not being considered a party to the compact by other participating states.

Referral of H.F. 2569 under House Rule 4.16

H.F. 2569 has not been referred to the Civil Law committee, but does include language that would likely trigger a referral for data practices issues under the House Rule, if the substance of the matter that would require referral is not otherwise approved by the committee.

A full copy of the bill is included in the committee packet.

The following portions of H.F. 2569 could be interpreted to substantially affect government data practices statutes:

- **Lines 2.27-2.28**, providing that “uniform collection and sharing of information between and among member states, schools, and military families” is a primary purpose of the proposed interstate compact.
- **Lines 3.11-3.16**, defining the term “educational records.”
- **Lines 5.11-5.25**, establishing standards and procedures for transferring a student’s unofficial and official educational records from one state to another.
- **Lines 10.11-10.15**, requiring the Interstate Commission on Educational Opportunity for Military Children to establish bylaws and rules for making its official records open to the public for inspection and copying, with exceptions for records that would “adversely affect personal privacy rights or proprietary interests.”
- **Lines 10.16-10.31**, providing conditions under which a meeting of the Interstate Commission may be closed, based on the content of data that may be revealed at the meeting.
- **Lines 11.5-11.11**, requiring the Interstate Commission to collect standardized data concerning the educational transition of the children of military families, as directed by the commission’s own rules.
- **Lines 12.23-12.24 and 12.28-12.29**, granting the Interstate Commission the power to “establish uniform standards for the reporting, collecting, and exchanging of data” and to “provide for the uniform collection and sharing of information between and among member states, schools, and military families...”
- **Lines 19.18-19.19**, superseding any law of a member state that conflicts with the terms of the compact.
- **Lines 19.28-20.2**, requiring school districts to allow students to self-identify as “military-connected youth,” and classifying this data as private data.

MG/jv