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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 1592**

March 1, 2007

Authored by Anzelc, Atkins, Rukavina and Solberg

The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act  
1.2 relating to workers' compensation; changing the appointing authorities for  
1.3 members of the Advisory Council on Workers' Compensation; amending  
1.4 Minnesota Statutes 2006, section 175.007, subdivisions 1, 2, 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 175.007, subdivision 1, is amended to read:

1.7 Subdivision 1. **Creation; composition.** (a) There is created a permanent Council on  
1.8 Workers' Compensation consisting of ~~12~~ 14 voting members as follows: the presidents of  
1.9 the largest statewide Minnesota business and organized labor organizations as measured by  
1.10 the number of employees of its business members and in its affiliated labor organizations  
1.11 in Minnesota on July 1, 1992, and every five years thereafter; five additional members  
1.12 representing business, and five additional members representing organized labor. The  
1.13 president of the Minnesota AFL-CIO shall appoint to the council five labor representatives  
1.14 from its affiliated membership. The president of the Minnesota Chamber of Commerce  
1.15 shall appoint five business representatives, at least two of whom must represent small  
1.16 employers as defined under section 177.24, subdivision 1, paragraph (a), clause (2). The  
1.17 speaker of the house of representatives and the majority leader of the senate shall each  
1.18 appoint a caucus member as a voting member of the council. The commissioner of  
1.19 labor and industry shall serve as chair of the council and shall be a nonvoting member.  
1.20 Notwithstanding section 15.059, this council does not expire unless the council no longer  
1.21 fulfills the purpose for which the council was established, the council has not met in the  
1.22 last 18 months, or the council does not comply with the registration requirements of  
1.23 section 15.0599, subdivision 3.

2.1 ~~(b) The governor, the majority leader of the senate, the speaker of the house of~~  
 2.2 ~~representatives, the minority leader of the senate, and the minority leader of the house~~  
 2.3 ~~of representatives shall each select a business and a labor representative. At least four~~  
 2.4 ~~of the labor representatives shall be chosen from the affiliated membership of the~~  
 2.5 ~~Minnesota AFL-CIO. At least two of the business representatives shall be representatives~~  
 2.6 ~~of small employers as defined in section 177.24, subdivision 1, paragraph (a), clause (2).~~  
 2.7 None of the council members shall represent attorneys, health care providers, qualified  
 2.8 rehabilitation consultants, or insurance companies. ~~If the appointing officials cannot~~  
 2.9 ~~agree on a method of appointing the required number of Minnesota AFL-CIO and small~~  
 2.10 ~~business representatives by the second Monday in June of the year in which appointments~~  
 2.11 ~~are made, they shall notify the secretary of state. The distribution of appointments shall~~  
 2.12 ~~then be determined publicly by lot by the secretary of state or a designee in the presence of~~  
 2.13 ~~the appointing officials or their designees on the third Monday in June.~~

2.14 (c) Each council member shall appoint an alternate. Alternates shall serve in the  
 2.15 absence of the member they replace.

2.16 (d) The ~~ten~~ 12 appointed voting members shall serve for terms of five years and  
 2.17 may be reappointed.

2.18 (e) The council shall designate liaisons to the council representing workers'  
 2.19 compensation insurers; medical, hospital, and rehabilitation providers; and the legal  
 2.20 profession. ~~The speaker and minority leader of the house of representatives shall each~~  
 2.21 ~~appoint a caucus member as a liaison to the council. The majority and minority leaders of~~  
 2.22 ~~the senate shall each appoint a caucus member to serve as a liaison to the council.~~

2.23 (f) The compensation and removal of members shall be as provided in section  
 2.24 15.059.

2.25 Sec. 2. Minnesota Statutes 2006, section 175.007, subdivision 2, is amended to read:

2.26 Subd. 2. **Duties; recommendations.** The advisory council shall advise the  
 2.27 department in carrying out the purposes of chapter 176. The council shall submit its  
 2.28 recommendations with respect to amendments to chapter 176 by February 1 of each year  
 2.29 to each regular session of the legislature and shall report its views upon any pending  
 2.30 bill relating to chapter 176 to the proper legislative committee. A recommendation  
 2.31 may not be made by the council unless it is supported by a majority of ~~the employer~~  
 2.32 ~~members and a majority of the labor members.~~ A tie vote shall send a bill to the legislative  
 2.33 committee without recommendation. At the request of the chairs of the senate and house  
 2.34 of representatives committees that hear workers' compensation matters, the department

3.1 shall schedule a meeting of the council with the members of the committees to discuss  
3.2 matters of legislative concern arising under chapter 176.

3.3 Sec. 3. Minnesota Statutes 2006, section 175.007, subdivision 3, is amended to read:

3.4 Subd. 3. **Meetings; voting.** (a) The council shall meet as frequently as necessary to  
3.5 carry out its duties and responsibilities. The council may also conduct public hearings  
3.6 throughout the state as may be necessary to give interested persons an opportunity to  
3.7 comment and make suggestions on the operation of the state's workers' compensation law.

3.8 (b) The meetings of the council are subject to the state's Open Meeting Law, chapter  
3.9 13D; except that the six ~~employer~~ business voting members and the six labor voting  
3.10 members may meet in separate closed caucuses for the purpose of deliberating on matters  
3.11 before the council. All votes of the council must be public and recorded.