

## STATE OF MINNESOTA

## EIGHTY-FOURTH SESSION — 2005

## EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 21, 2005

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Bruce Talso, Wyanett Evangelical Free Church, Princeton, 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	Dempsey	Heidgerken	Lanning	Opatz	Sieben
Abrams	Dill	Hilstrom	Larson	Otremba	Simon
Anderson, B.	Dittrich	Hilty	Latz	Ozment	Simpson
Anderson, I.	Dorman	Holberg	Lenczewski	Paulsen	Slawik
Atkins	Dorn	Hoppe	Lesch	Paymar	Smith
Beard	Eastlund	Hornstein	Liebling	Pelowski	Soderstrom
Bernardy	Eken	Hortman	Lieder	Penas	Solberg
Blaine	Ellison	Hosch	Lillie	Peppin	Sykora
Bradley	Emmer	Howes	Loeffler	Peterson, A.	Thao
Brod	Entenza	Huntley	Magnus	Peterson, N.	Thissen
Buesgens	Erickson	Jaros	Mahoney	Peterson, S.	Tingelstad
Carlson	Finstad	Johnson, J.	Mariani	Poppe	Urdahl
Charron	Fritz	Johnson, R.	Marquart	Powell	Vandever
Clark	Garofalo	Johnson, S.	Meslow	Rukavina	Wagenius
Cornish	Gazelka	Juhnke	Moe	Ruth	Walker
Cox	Goodwin	Kahn	Mullery	Ruud	Wardlow
Cybart	Greiling	Kelliher	Murphy	Sailer	Welti
Davids	Gunther	Klinzing	Nelson, M.	Samuelson	Westerberg
Davnie	Hackbarth	Knoblach	Nelson, P.	Scalze	Westrom
Dean	Hamilton	Koenen	Newman	Seifert	Wilkin
DeLaForest	Hansen	Kohls	Nornes	Sertich	Zellers
Demmer	Hausman	Krinkie	Olson	Severson	Spk. Sviggum

A quorum was present.

Erhardt and McNamara were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Scalze moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

**REPORTS OF CHIEF CLERK**

S. F. No. 633 and H. F. No. 577, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

**SUSPENSION OF RULES**

Holberg moved that the rules be so far suspended that S. F. No. 633 be substituted for H. F. No. 577 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 685 and H. F. No. 254, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heidgerken moved that S. F. No. 685 be substituted for H. F. No. 254 and that the House File be indefinitely postponed. The motion prevailed.

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

February 15, 2005

The Honorable Steve Sviggum  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Sviggum:

On behalf of the people of Minnesota, I am honored to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 57, relating to state government; providing deficiency funding for certain state agencies; appropriating money.

Sincerely,

TIM PAWLENTY  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2005 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2005</i>	<i>Date Filed 2005</i>
	57	2	1:00 p.m. February 15	February 15

Sincerely,

MARY KIFFMEYER  
Secretary of State

### REPORTS OF STANDING COMMITTEES

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

H. F. No. 3, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; making adjustments to previous bond authorizations; establishing new programs and modifying existing programs; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, sections 16A.671, subdivision 3; 85.019, subdivision 2; 116.182, subdivision 2; 116J.571; 116J.572, subdivision 2; 116J.573, subdivisions 1, 2, 4, 5; 116J.575, subdivision 1; 134.45; 136F.60, by adding a subdivision; 174.52, by adding a subdivision; Laws 1998, chapter 404, section 23, subdivision 17, as amended; Laws 2003, First Special Session chapter 20, article 1, section 11; proposing coding for new law in Minnesota Statutes, chapters 16A; 446A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### APPROPRIATIONS AND RELATED LANGUAGE

##### Section 1. [CAPITAL IMPROVEMENT APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire

and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, the appropriations in this act are available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642.

## SUMMARY

UNIVERSITY OF MINNESOTA	\$89,373,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	154,762,000
PERPICH CENTER FOR ARTS EDUCATION	1,083,000
EDUCATION	3,054,000
MINNESOTA STATE ACADEMIES	4,255,000
NATURAL RESOURCES	72,900,000
POLLUTION CONTROL AGENCY	14,000,000
OFFICE OF ENVIRONMENTAL ASSISTANCE	4,000,000
BOARD OF WATER AND SOIL RESOURCES	27,362,000
AGRICULTURE	5,570,000
ZOOLOGICAL GARDEN	15,000,000
ADMINISTRATION	8,500,000
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	1,870,000
MILITARY AFFAIRS	5,000,000
VETERANS AFFAIRS	670,000
TRANSPORTATION	81,500,000
METROPOLITAN COUNCIL	20,850,000
HUMAN SERVICES	25,873,000
VETERANS HOMES BOARD	5,406,000
CORRECTIONS	106,394,000
EMPLOYMENT AND ECONOMIC DEVELOPMENT	113,280,000
HOUSING FINANCE AGENCY	10,000,000

MINNESOTA HISTORICAL SOCIETY	6,000,000
GRANTS TO POLITICAL SUBDIVISIONS	39,324,000
BOND SALE EXPENSES	785,000
TOTAL	\$816,811,000
Bond Proceeds Fund (General Fund Debt Service)	730,300,000
Bond Proceeds Fund (User Financed Debt Service)	36,511,000
State Transportation Fund Bond Proceeds Account	50,000,000

## APPROPRIATIONS

\$

## Sec. 2. UNIVERSITY OF MINNESOTA

Subdivision 1. To the Board of Regents of the University of Minnesota for the purposes specified in this section 89,373,000

Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR) 38,000,000

To be spent in accordance with Minnesota Statutes, section 135A.046.

Subd. 3. Duluth Campus Life Science Building 9,300,000

To design, renovate, furnish, and equip the Life Science Building for the pharmacy program and other academic programs on the Duluth campus. The renovation may include, but is not limited to, improvements to correct air quality problems, life safety and accessibility code deficiencies, asbestos, and fireproofing of the facility.

Subd. 4. Morris Campus District Heating Facilities 2,890,000

To design, construct, furnish, and equip an addition to the heating plant to provide the capacity to generate steam by burning biomass.

This appropriation is not available until the commissioner of finance has determined that the chancellor of the University of Minnesota, Morris and the station head of the West Central Research and Outreach Center have a written operations plan, that provides the West Central Research and Outreach Center adequate access to the facility for research purposes.

## APPROPRIATIONS

\$

Of this amount, \$100,000 is to construct a football stadium to be shared with the Morris School District.

This appropriation is not available until the commissioner of finance has determined that the Board of Regents and the Morris School District have entered into an agreement governing the use and operation of the stadium by both entities.

## Subd. 5. Twin Cities Campus

(a) Kolthoff Hall 16,000,000

To design, renovate, furnish, and equip Kolthoff Hall on the Minneapolis Campus, including the correction of air quality problems in the facility that may include, but is not limited to, repair or replacement of the mechanical, electrical, and HVAC systems.

(b) Education Sciences 13,300,000

To design, renovate, furnish, and equip the Education Sciences Building on the Minneapolis Campus.

(c) Academic Health Center 9,600,000

To design, renovate, furnish, and equip classrooms in the academic health care facility on the Minneapolis Campus to provide flexible space, including computer-based testing facilities, computer labs, and simulation facilities for health professional education.

Subd. 6. North Central Research and Outreach Center 283,000

To construct a building at the North Central Outreach Center at Grand Rapids to accommodate the farm machinery repair, maintenance, and carpentry shops.

## Subd. 7. University Funding

The Board of Regents shall provide nonstate funding for remaining costs associated with projects authorized by subdivisions 3 to 6. The state appropriations for subdivisions 3 to 6 are intended to cover two-thirds of the cost of each project.

## Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. To the Board of Trustees of the Minnesota State Colleges and Universities for the purposes specified in this section 154,762,000

## APPROPRIATIONS

\$

Subd. 2. Higher Education Asset Preservation and Replacement 46,440,000

This appropriation is for the purposes specified in Minnesota Statutes, section 135A.046, including safety and statutory compliance, envelope integrity, mechanical systems, and space restoration.

Subd. 3. Anoka Ramsey Community College - Cambridge 9,650,000

To design, construct, furnish, and equip an addition to the main campus building, and to remodel the main campus building for a science laboratory and academic support center.

Subd. 4. Central Lakes College 4,480,000

To design, construct, furnish, and equip heavy equipment shop space at the Staples West Campus.

Subd. 5. Century Community and Technical College 4,500,000

To remodel, furnish, and equip recently purchased space into a technology center, offices, and smart classrooms.

Subd. 6. Dakota Technical College 1,200,000

To remodel, furnish, and equip an information technology and telecommunications center of excellence, as well as improve and expand the library and academic support center.

Subd. 7. Inver Hills Community College 4,500,000

To construct, furnish, and equip an addition to and remodel space in the College Center Building with a focus on classrooms.

Subd. 8. Lake Superior College 8,300,000

To construct an addition for high-tech classrooms and open computer labs. The project may also include space for work force development, offices, and student life programs.

Subd. 9. Minnesota State Community and Technical College-Fergus Falls 7,000,000

To design, construct, furnish, and equip an addition for fine arts, technology, and student services, and to design, remodel, furnish, and equip general and interactive television classrooms.

## APPROPRIATIONS

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Subd. 10. Minnesota State Community and Technical College-Moorhead

6,500,000

To construct, furnish, and equip an addition for allied health and construction trades and renovate space for student services. The project includes boiler replacement, upgrades to storage, mechanical and electrical needs, correction of life safety and building code violations, demolition of temporary buildings, and construction of additional parking spaces.

Subd. 11. Minnesota State University - Mankato

2,560,000

To design an addition to and partial remodeling of Trafton Science Center.

Subd. 12. Minnesota State University - Moorhead

9,645,000

To renovate, furnish, and equip Hagen Hall for classrooms, science laboratories, and related offices.

Subd. 13. Riverland Community and Technical College

5,100,000

To design, remodel, furnish, and equip existing space into labs and classrooms at the Austin and Albert Lea Campuses.

Subd. 14. Rochester Community and Technical College

10,945,000

To design, renovate, furnish, and equip the vacant Rockenbach gymnasium, part of the Heintz Center, and part of the main campus buildings into a health science center to colocate nursing programs, expand the dental clinic, and create a community primary care clinic.

Subd. 15. St. Cloud State University

3,800,000

(a) \$2,900,000 is to remodel, furnish, and equip Centennial Hall to convert it from a library to classroom and office space. This appropriation is added to the appropriation in Laws 2003, First Special Session chapter 20, article 1, section 3, subdivision 16.

(b) \$900,000 is to design, through construction documents, renovation of and an addition to Brown Hall, and Math and Science Hall, for science and health care instruction.



## APPROPRIATIONS

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Subd. 16. St. Cloud Technical College 12,960,000

To design, construct, furnish, and equip a building addition and to renovate, furnish, and equip classroom space into science space for allied health programs and the colocation of a workforce center.

Subd. 17. South Central Technical College 4,747,000

To remodel, furnish, and equip teaching laboratories at the North Mankato Campus and for asset preservation at the Faribault Campus.

Subd. 18. Winona State University 10,235,000

To design, renovate, furnish, and equip Pasteur Hall for classrooms, science laboratories, and related offices.

Subd. 19. Systemwide Renovations

(a) Science Lab 900,000

To design, renovate, furnish, and equip science laboratories at campuses statewide.

(b) Technology Updated Classrooms 1,000,000

To renovate and equip classrooms with learning technology at campuses statewide.

(c) Land Acquisition 300,000

To acquire real property near state college and university campuses.

Subd. 20. Debt Service

(a) The board shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section, except for higher education asset preservation and replacement in subdivision 2. After each sale of general obligation bonds, the commissioner of finance shall notify the board of the amounts assessed for each year for the life of the bonds.

(b) The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of

## APPROPRIATIONS

\$

finance by December 1 each year. If the board fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of finance shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

## Sec. 4. PERPICH CENTER FOR ARTS EDUCATION

Subdivision 1. To the commissioner of administration for the purposes specified in this section 1,083,000

Subd. 2. Campus Asset Preservation 558,000

For asset preservation capital improvements on the campus including, but not limited to, bathroom renovation, construction or repair of perimeter fencing, sidewalks, roads, sewers, the addition of an air conditioning chiller, and mold abatement.

Subd. 3. Beta Building Demolition 525,000

To demolish the Beta Building on the Perpich Center Campus, dispose of any hazardous materials, and fill the site.

## Sec. 5. EDUCATION

Subdivision 1. To the commissioner of education for the amounts specified in this section 3,054,000

Subd. 2. East Metro Integration District 1,054,000

To the commissioner of education for a grant to Joint Powers District No. 6067, East Metro Integration District, to repay a loan from Independent School District No. 625, St. Paul, that was used to complete acquiring land for the site of Crosswinds Arts and Science Middle School. This appropriation is added to the appropriations in Laws 1998, chapter 404, section 5, subdivision 5; Laws 1999, chapter 240, article 1, section 3; Laws 2000, chapter 492, article 1, section 5, subdivision 2; and Laws 2001, First Special Session chapter 12, section 2, subdivision 2, for the same project.

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Subd. 3. Library Capital Improvement Grants 2,000,000

For library capital improvement grants under Minnesota Statutes, section 134.45.

Sec. 6. MINNESOTA STATE ACADEMIES 4,255,000

To the commissioner of administration for asset preservation capital improvements on both campuses of the Minnesota State Academies for the Deaf and the Blind.

Sec. 7. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section 72,900,000

Subd. 2. Flood Hazard Mitigation Grants 21,000,000

For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161.

Of this amount, \$2,000,000 is for the Austin flood. For identified capital improvement projects, and any other authorized federal or state flood mitigation projects providing all or part of the 100-year flood protection for the cities in the area designated under Presidential Declaration of Major Disaster, DR-1569, whether included in the original declaration or added later by federal government action. The area currently included in DR-1569 includes territory within the counties of Dodge, Faribault, Freeborn, Martin, Mower, Olmsted, and Steele.

\$175,000 of this amount is for the state share of a grant to the city of Cannon Falls for predesign and design of capital improvements to alleviate flooding caused by runoff from the bluffs and the flooding of the Little Cannon River and the Cannon River.

For grants for the Roseau River Wildlife Management Area, Palmville, and Malung, the state share must be \$3 for each \$1 of nonstate contribution.

To the extent that the cost of the projects in Montevideo, Breckenridge, East Grand Forks, Ada, Roseau, Warren, Oakport Township, Granite Falls, and Dawson exceed two percent of the median household income in the municipality multiplied by the number of households in the municipality, this appropriation is also for the local share of the project.

There is no local share required for the Canisteo Mine project.

## APPROPRIATIONS

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## Subd. 3. Dam Renovation and Removal

1,400,000

To renovate or remove publicly owned dams. The commissioner shall determine project priorities as appropriate under Minnesota Statutes, sections 103G.511 and 103G.515.

\$200,000 of this amount is to remove the dam on Rush Creek in Chisago County, restore the river channel and floodplain, and construct off-channel ponds for storm water retention and recreation.

\$500,000 of this amount is for a grant to Blue Earth County for repair of the bridge deck at Rapidan dam, and which is exempt from the local match requirement under Minnesota Statutes, section 103G.511.

\$50,000 of this amount is to repair the Vermillion River dam in St. Louis County.

Of this amount, \$400,000 is for a grant to the Shellrock River Watershed District to replace the dam on the Shellrock River.

## Subd. 4. RIM - Critical Habitat Match

3,000,000

To provide the state match for the critical habitat private sector matching account under Minnesota Statutes, section 84.943, for the acquisition or improvements of a capital nature for critical fish, wildlife, and native plant habitats.

## Subd. 5. RIM - Wildlife Area Land Acquisition

12,000,000

To acquire land for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8.

## Subd. 6. Fisheries Acquisition and Improvement

1,050,000

To acquire land and interests in land for aquatic management areas and to make public improvements and betterments of a capital nature to aquatic management areas established under Minnesota Statutes, section 86A.05, subdivision 14.

## Subd. 7. Water Access Acquisition, Betterment, and Fishing Piers

2,500,000

For public water access acquisition, construction, and renovation to capital projects on lakes and rivers, including water access through the provision of fishing piers and shoreline access under Minnesota Statutes, section 86A.05, subdivision 9.

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Subd. 8. Stream Protection and Restoration 500,000

For the design and construction of trout stream restoration projects.

Subd. 9. Reforestation 1,000,000

As authorized under the Minnesota Constitution, article XI, section 5, clause (f), to increase reforestation activities to meet the reforestation requirements of Minnesota Statutes, section 89.002, subdivision 2, including planting, seeding, site preparation, and purchasing tree seeds and seedlings.

Subd. 10. Metro Greenways and Natural Areas 1,000,000

To provide grants to local units of government for acquisition or betterment of greenways and natural areas in the metro region and to acquire greenways and natural areas in the metro region through the purchase of conservation easements or fee titles. The commissioner shall determine the project priorities and shall consult with representatives of local units of government, nonprofit organizations, and other interested parties.

Subd. 11. Native Prairie Bank Easements and Development 1,000,000

For acquisition of native prairie bank easements under Minnesota Statutes, section 84.96, and for betterment of prairie bank lands.

Subd. 12. Scientific and Natural Area Acquisition and Development 300,000

To acquire land for scientific and natural areas and for development, protection, or improvements of a capital nature to scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5.

Subd. 13. State and Local Trail Rehabilitation, Development and Acquisition 8,500,000

To acquire land for and develop and rehabilitate state trails as specified in Minnesota Statutes, section 85.015.

Of this amount:

\$1,500,000 for the Blazing Star Trail;

\$200,000 is for a grant under Minnesota Statutes, section 85.019, subdivision 4c, to the city of Bloomington to remove the old Cedar Avenue bridge in preparation for a hiking and bicycling trail connection.

## APPROPRIATIONS

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\$500,000 is for a grant to Hennepin County for the Cedar Lake Trail.

\$500,000 for the Glacial Lakes Trail from New London to Paynesville.

\$200,000 is for acquisition and development of the Goodhue Pioneer Trail.

\$300,000 for the Heartland Trail.

\$150,000 is for a grant to Stearns County for the Lake Koronis Recreational Trail.

\$700,000 is for a grant to the St. Louis and Lake Counties Regional Railroad Authority to complete construction of Mesabi Station along the 132-mile recreational trail known as Mesabi Trail and located in St. Louis County near marked U.S. Highway 53. This appropriation is dependent upon a matching contribution of \$800,000 from other sources, public or private.

\$500,000 for work on a link of the Mill Towns State Trail between the Cannon Valley Trail and the Sakatah Singing Hills State Trail.

\$115,000 for necessary modifications and upgrades on the North Shore Trail.

\$1,500,000 is for extension across Excelsior Road to connect with the Oberstar Tunnel on the Paul Bunyan Trail.

\$435,000 is for development of the Preston-Forestville segment of the Blufflands Trail system.

\$450,000 is for design, acquisition, and construction of the segment of the Shooting Star Trail from Leroy to Rose Creek.

\$500,000 is for a grant to the city of St. Louis Park to design and construct a grade-separated pedestrian and trail crossing over Hennepin County State-Aid Highway (CSAH) 25 near Belt Line Boulevard in St. Louis Park. The grant is under the program in Minnesota Statutes, section 85.019, subdivision 4c.

\$220,000 is for a matching grant to Stearns County Trail to link the Lake Wobegon Trail to the Central Lakes State Trail.

## APPROPRIATIONS

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\$340,000 for design and construction of the continuous ATV and OHV trail authorized under Laws 2003, chapter 128, article 1, section 169. The debt service costs on the bonds sold to finance this project must be paid to the commissioner of finance as required under Minnesota Statutes, section 16A.643, as follows: ten percent from the dedicated off-highway motorcycle account in the natural resources fund under Minnesota Statutes, section 84.794, and 90 percent from the dedicated all-terrain vehicle account in the natural resources fund under Minnesota Statutes, section 84.927.

Subd. 14. Fish Hatchery Improvements 1,700,000

For improvements of a capital nature to renovate fish culture facilities.

Subd. 15. RIM - Wildlife Management Area Development 600,000

For improvements of a capital nature to develop, protect, or improve habitat and facilities on wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8.

Subd. 16. State Forest Land Acquisition 850,000

To acquire, in fee and easement, private lands from willing sellers within established boundaries of state forests established under Minnesota Statutes, section 89.021, and within Forest Legacy areas established under United States Code, title 16, section 2103c.

Subd. 17. Forest Road and Bridge Projects 300,000

For reconstruction, resurfacing, replacement, and construction of state forest roads and bridges throughout the state under Minnesota Statutes, section 89.002.

Subd. 18. State Park and Recreation Area Acquisition 3,000,000

For acquisition of land under Minnesota Statutes, section 86A.05, subdivisions 2 and 3, from willing sellers of private lands within state park and recreation area boundaries established by law.

Subd. 19. State Park and Recreation Area Building Development and Rehabilitation and Infrastructure Improvements 2,750,000

For construction, rehabilitation, and infrastructure improvements within Minnesota state parks and state recreation areas according to the management plan required in Minnesota Statutes, chapter 86A.

## APPROPRIATIONS

\$

## Subd. 20. Lake Superior Safe Harbor

1,800,000

For design, construction, and capital improvements to public accesses and small craft harbors on Lake Superior in cooperation with the United States Army Corps of Engineers, and to purchase buildings, piers, and capital equipment from Lake County.

## Subd. 21. Statewide Asset Preservation

2,000,000

For asset preservation improvements and betterments at Department of Natural Resources buildings statewide, including removal of life safety hazards and structural defects; elimination or containment of hazardous materials; code compliance improvements; accessibility improvements; replacement or renovation of roofs, windows, tuckpointing, and structural members; and improvements necessary to preserve the interior and exterior of buildings and other infrastructure.

## Subd. 22. Field Office Renovation and Improvement

300,000

To design, acquire, renovate, construct, furnish, and equip field offices.

## Subd. 23. Lake Superior Zoo

400,000

For a grant to the city of Duluth to design and construct facility improvements at the Lake Superior Zoo. This appropriation is available when matched by \$1 of money secured or provided by the city of Duluth for each \$1 of state money.

## Subd. 24. Local Initiative Grants

1,100,000

For local parks and natural and scenic areas grants under Minnesota Statutes, section 85.019, subdivisions 2 and 4a. Projects related to replacement of urban forests are eligible for funding under this subdivision.

## Subd. 25. Nonmetro Regional Parks

4,850,000

For acquisition and betterment of regional parks located outside the seven-county metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2. At least \$900,000 of this amount must be allocated to the central Minnesota Regional Parks and Trails Coordination Board under Minnesota Statutes, sections 85.50 to 85.52.

For grants made under this subdivision, each \$3 of state grants must be matched by \$2 of nonstate funds.



## APPROPRIATIONS

\$

## Sec. 8. POLLUTION CONTROL AGENCY

14,000,000

To the Pollution Control Agency to design and construct remedial systems and acquire land at landfills throughout the state in accordance with the closed landfill program under Minnesota Statutes, section 115B.39.

## Sec. 9. OFFICE OF ENVIRONMENTAL ASSISTANCE

4,000,000

To the Office of Environmental Assistance for the solid waste capital assistance grants program under Minnesota Statutes, section 115A.54.

\$2,000,000 is for a grant to the city of Red Wing.

\$2,000,000 is for a grant to Olmsted County.

## Sec. 10. BOARD OF WATER AND SOIL RESOURCES

Subdivision 1. To the Board of Water and Soil Resources for the purposes specified in this section

27,362,000

## Subd. 2. RIM and CREP Conservation Easements

23,000,000

This appropriation is to acquire conservation easements from landowners on marginal lands to protect soil and water quality and to support fish and wildlife habitat as provided in Minnesota Statutes, section 103F.515.

\$3,000,000 of this amount is to implement the program.

## Subd. 3. Wetland Replacement Due to Public Road Projects

4,362,000

To acquire land for wetlands or restore wetlands to be used to replace wetlands drained or filled as a result of the repair, maintenance, or rehabilitation of existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (k) and (l).

The purchase price paid for acquisition of land, fee, or perpetual easement must be the fair market value as determined by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, and nonprofit organizations or fee owners to acquire land and restore and create wetlands and to acquire existing wetland banking credits with money provided by this appropriation. Acquisition of or the conveyance of land may be in the name of the political subdivision.

## APPROPRIATIONS

\$

## Sec. 11. AGRICULTURE

Subdivision 1. To the commissioner of agriculture or other named agencies for the purposes specified in this section 5,570,000

Subd. 2. Agriculture Water Management Research Partnership 570,000

For a grant to the Board of Regents of the University of Minnesota to establish or expand agricultural water management projects at the Crookston, Morris, Lamberton, and Waseca Research and Outreach Centers in partnership with the Department of Agriculture.

Subd. 3. Joint Plant Pathology Research Facility 4,900,000

For a grant to the Board of Regents of the University of Minnesota to design, construct, furnish, and equip a level 3 plant pathogen containment research facility on the University of Minnesota St. Paul Campus. Of this amount, \$100,000 is to complete the level 2 containment facility.

Subd. 4. Rural Finance Authority Loan Participation 100,000

For purposes as set forth in the Minnesota Constitution, article XI, section 5, clause (h). To the Rural Finance Authority to purchase participation interests in or to make direct agricultural loans to farmers under Minnesota Statutes, chapter 41B.

## Sec. 12. MINNESOTA ZOOLOGICAL GARDEN

Subdivision 1. To the Minnesota Zoological Garden for the purposes specified in this section 15,000,000

Subd. 2. Phase 1 of Master Plan 9,000,000

To design, construct, furnish, and equip zoo facilities consistent with the current Master Plan for the Gateway to the North exhibit.

Subd. 3. Asset Preservation 6,000,000

For capital asset preservation improvements and betterments to roofs, mechanical and utility systems, roads and pathways, building envelopes, storm water systems, exhibits, and safety and code compliance upgrades.

## APPROPRIATIONS

\$

## Sec. 13. ADMINISTRATION

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

8,500,000

## Subd. 2. Exterior repair of Transportation Building

3,000,000

To repair and renovate the exterior of the Department of Transportation Building at 395 John Ireland Boulevard in St. Paul.

Subd. 3. Capital Asset Preservation and Replacement Account (CAPRA)

3,000,000

To be spent in accordance with Minnesota Statutes, section 16A.632.

Of this amount, \$350,000 is to design and construct a vault outside of the State Office Building to house the building's electrical transformers and to relocate the transformers to the exterior vault.

## Subd. 4. Asset Preservation

2,500,000

## Sec. 14. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

1,870,000

To the commissioner of administration, for repair and restoration of the public corridors, walls, and ceilings of the third floor and the dome of the Capitol Building in St. Paul.

## Sec. 15. MILITARY AFFAIRS

Subdivision 1. To the adjutant general for the purposes specified in this section

5,000,000

## Subd. 2. Asset Preservation

4,000,000

For asset preservation improvements, Americans With Disabilities Act upgrades, and betterments of a capital nature at military affairs facilities statewide.

## Subd. 3. Facility Life-Safety Improvements

1,000,000

For life-safety improvements and correcting code deficiencies at military affairs facilities statewide.

## APPROPRIATIONS

\$

## Sec. 16. VETERANS AFFAIRS

670,000

To the commissioner of administration to complete construction of the World War II veterans' memorial on the Capitol mall. This is the final state appropriation for the project and is contingent on sufficient nonstate funds being received and deposited into a segregated account for perpetual maintenance of the memorial.

## Sec. 17. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section

81,500,000

## Subd. 2. Local Bridge Replacement and Rehabilitation

50,000,000

This appropriation is from the bond proceeds account in the state transportation fund.

The commissioner shall spend this appropriation as grants to political subdivisions for the replacement, rehabilitation, and repair of key bridges on the state transportation system. The commissioner shall make these grants in accordance with and for the purposes of Minnesota Statutes, section 174.50.

## Subd. 3. Local Road Improvement Program

18,500,000

The commissioner shall deposit this amount in the local road improvement fund for allocation as follows:

(1) \$12,500,000 is for deposit in the local road account for routes of regional significance to be spent as grants for the purposes of Minnesota Statutes, section 174.52, subdivision 4.

Of this amount, \$2,500,000 is for grants to counties to assist in paying the costs of capital improvement projects that are intended primarily to reduce traffic crashes, deaths, injuries, and property damage on county state-aid highways, under new Minnesota Statutes, section 174.52, subdivision 4a.

(2) \$6,000,000 is for deposit in the trunk highway corridor projects account to be spent as grants for the purposes of Minnesota Statutes, section 174.52, subdivision 2.

## Subd. 4. Port Development Assistance

1,000,000

For the purposes of the port development program under Minnesota Statutes, chapter 457A.

## APPROPRIATIONS

\$

## Subd. 5. Northstar Commuter Rail

10,000,000

For final design and project management of a commuter rail line serving Big Lake to downtown Minneapolis; to acquire land for stations, maintenance facilities, and park and ride lots; and for final design and project management of an extension of the Hiawatha Light Rail Transit Line from its terminus in downtown Minneapolis to a new terminus near Fifth Avenue North adjacent to the proposed downtown Minneapolis commuter rail station.

This appropriation is not available until \$2,000,000 has been committed by local governments and approval to proceed to final design has been authorized by the Federal Transit Administration.

Up to \$2,000,000 of this appropriation may be used for final design and project management. The final design must include an examination of the feasibility of using bio-diesel fuel in commuter rail locomotives.

After a full-funding grant agreement has been executed with the Federal Transit Administration for the Northstar Commuter Rail Project, the remaining balance of this appropriation not committed for final design and project management or committed to acquire land shall be available to construct, furnish, and equip the Northstar Commuter Rail Line and to construct, furnish, and equip the extension of the light rail transit line.

If the Northstar commuter rail line is extended from Big Lake to the St. Cloud area, regional rail authority members of the Northstar Corridor Development Authority, who did not fund a portion of the share of capital costs from Minneapolis to Big Lake, shall contribute an amount for the extension equal to the amount they would have contributed for their proportional share of the entire line from Minneapolis to the St. Cloud area.

## Subd. 6. Rail Service Improvement

2,000,000

For transfer to the rail service improvement account under Minnesota Statutes, section 222.49.

## Sec. 18. METROPOLITAN COUNCIL

Subdivision 1. To the Metropolitan Council for the purposes specified in this section

20,850,000

## APPROPRIATIONS

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## Subd. 2. Cedar Avenue Bus Rapid Transit (BRT)

10,000,000

For environmental studies, preliminary engineering, bus lane improvements, and transit station construction and improvements for Cedar Avenue bus rapid transit between the Mall of America in Bloomington and the cities of Eagan, Apple Valley, and Lakeville.

## Subd. 3. Rush Line Corridor Bus Way

500,000

To match federal money for right-of-way acquisition and engineering for the Rush Line Corridor Bus Way between St. Paul and Hinckley and for related construction of park-and-pool and park-and-ride facilities for the bus way.

## Subd. 4. Central Corridor Transit Way

1,000,000

For design, final environmental impact statement, and preliminary engineering of the Central Corridor Transit Way between St. Paul and the city of Minneapolis.

## Subd. 5. Red Rock Corridor Transit Way

500,000

For preliminary engineering and environmental review of the Red Rock corridor transit way between Hastings through St. Paul to Minneapolis.

## Subd. 6. Metropolitan Regional Parks Capital Improvements

8,850,000

This appropriation must be used to pay the cost of improvements and betterments of a capital nature and acquisition by the council and local government units of regional recreational open-space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.147. Priority should be given to park rehabilitation and land acquisition projects.

Of this amount:

(1) \$50,000 is for a grant to the Minneapolis Park and Recreation Board to predesign completion of the Grand Rounds National Scenic Byway by providing a link between northeast Minneapolis on Stinson Boulevard and southeast Minneapolis at East River Road.

(2) \$300,000 is for a grant to the city of St. Paul to predesign and design renovation of the Como Park Zoo.

## APPROPRIATIONS

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(3) \$3,000,000 is for a grant to the city of St. Paul to design and construct river's edge improvements and redevelop a public park on Raspberry Island.

(4) \$500,000 is for a grant to the city of South St. Paul for the closure, capping, and remediation of approximately 80 acres of the Port Crosby construction and demolition debris landfill in South St. Paul, as the fourth phase of converting the land into parkland, and to restore approximately 80 acres of riverfront land along the Mississippi River.

## Sec. 19. HUMAN SERVICES

Subdivision 1. To the commissioner of administration for the purposes specified in this section 25,873,000

Subd. 2. St. Peter Regional Treatment Center Sex Offender Facility 3,259,000

To design new facilities for up to 150 beds for the treatment of sex offenders in the Minnesota sexual offender program at the St. Peter Regional Treatment Center.

Subd. 3. Forensic Nursing Facility 12,600,000

The forensic nursing facility must be located at the Ah Gwah Ching state-owned nursing home site, and it must be operated by a public entity. The state must not enter into a lease or management agreement with a private entity to operate the facility.

Subd. 4. Systemwide - Campus Redevelopment/Reuse/Demolition 6,000,000

To demolish or improve surplus, nonfunctional, or deteriorated facilities and infrastructure at Department of Human Services campuses statewide.

Of this amount \$900,000 is to: demolish buildings; predesign, design, renovate, construct, furnish, and equip buildings at the Willmar Regional Treatment Center for reuse; and renovate campus support buildings and campus infrastructure, including tunnels. These projects are to develop the Willmar Regional Treatment Center campus for health care, mental health care, chemical dependency treatment, housing, and other public purposes and must be implemented consistent with the recommendations in the final Willmar Regional Treatment Center Master Plan and Reuse Study prepared and approved under Laws 2003, First Special Session chapter 14, article 6, section 64, subdivision 2, unless expressly provided otherwise.

## APPROPRIATIONS

\$

Up to \$100,000 of this appropriation is for grants to cities, towns, and counties for grave markers or memorial monuments for unmarked graves at the cemeteries of former or current state hospitals or regional treatment centers. The grants are to purchase and place individual cemetery grave markers, or memorial monuments when burial locations are unknown, that include the available names of individuals, at the cemeteries of former or current regional treatment centers or state hospitals and within the boundaries of the city, county, or town awarded the grant. An individual monument must not be placed if the family of the deceased resident objects to the placement of the monument. A grantee must consult with members of local service or charitable organizations, members of the local business community, persons with mental illness or developmental disabilities or their representatives; and, to the extent possible, with former residents of the regional treatment center or state hospital, family members of deceased residents of the regional treatment center or state hospital, and current or former employees of the regional treatment center or state hospital. Appropriations for grave markers must be matched by nonstate funds.

Subd. 5. Systemwide Roof Renovation and Replacement 1,014,000

For renovation and replacement of roofs at Department of Human Services facilities statewide.

Subd. 6. Systemwide Asset Preservation 3,000,000

Sec. 20. VETERANS HOMES BOARD

Subdivision 1. To the commissioner of administration for the purposes specified in this section 5,406,000

Subd. 2. Asset Preservation 5,000,000

For asset preservation improvements and betterments of a capital nature at veterans homes statewide.

Subd. 3. Luverne Dementia Wander Area 306,000

For a structural addition to the Luverne Veterans Home to be used as an Alzheimers wander area.

Subd. 4. Willmar Veterans Nursing Home 100,000

For predesign of a Veterans Nursing Home on the Willmar Regional Treatment Center Campus, that may include a veterans geriatric behavioral program.



## APPROPRIATIONS

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## Sec. 21. CORRECTIONS

Subdivision 1. To the commissioner of administration for the purposes specified in this section

106,394,000

## Subd. 2. Minnesota Correctional Facility - Faribault Expansion

84,844,000

To design, construct, furnish, and equip an expansion at the Minnesota Correctional Facility - Faribault, to include, but not be limited to, three new 416-bed, double-bunked wet cell lockable living units, a new kitchen and dining area, an expanded health services area, additional programming space, an upgrade to the existing heating plant, and demolition of several buildings and a utility tunnel.

## Subd. 3. Minnesota Correctional Facility - Stillwater

10,000,000

To design, construct, furnish, and equip a new 150-bed high security segregation unit to improve staff safety and accommodate increased inmate population, including the remodeling of the discipline and psychology/psychiatry unit, the demolition of the former health services building, and the removal of walls dividing Cell Hall A/West and Cell Hall A/Segregation.

## Subd. 4. Asset Preservation

11,000,000

For improvements and betterments of a capital nature at Minnesota correctional facilities statewide, including, but not limited to, emergency lighting projects, roof and window replacement, tuckpointing, and asbestos abatement.

## Subd. 5. Minnesota Correctional Facility - Willow River

350,000

To purchase, furnish, equip, and prepare foundation and utilities for a new 24-bed prefabricated building. The commissioner may use this funding and any other state or federal funding that may be available to accommodate up to 75 beds.

## Subd. 6. St. Croix Boys and Girls Camp

200,000

To acquire approximately 81 acres, including any improvements, located in Wilma Township in Pine County, as provided in Laws 1981, chapter 354, section 1, as amended by Laws 1988, chapter 407, sections 1 and 2. The property acquired is for use as a challenge incarceration program.

## APPROPRIATIONS

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## Sec. 22. EMPLOYMENT AND ECONOMIC DEVELOPMENT

Subdivision 1. To the commissioner of employment and economic development or other named agency for the purposes specified in this section

113,280,000

## Subd. 2. State Match for Federal Grants

14,380,000

(a) To the public facilities authority:

(1) to match federal grants to the water pollution control revolving fund under Minnesota Statutes, section 446A.07; and

(2) to match federal grants to the drinking water revolving fund under Minnesota Statutes, section 446A.081.

(b) The expenditure and allocation of state matching money between funds described in paragraph (a), clauses (1) and (2), must be based on the amount of federal money appropriated to the funds.

(c) This appropriation must be used for qualified capital projects.

## Subd. 3. Minnesota Redevelopment Account

20,000,000

For transfer to the Minnesota redevelopment account created in Minnesota Statutes, section 116J.571. This appropriation may be used for grants for eligible projects within the biotechnology and health science zone designated under Minnesota Statutes, section 469.334.

\$5,000,000 of the amount available for grants for projects in the metropolitan area is for a grant to the city of Minneapolis to design, acquire, renovate, equip public spaces, and construct public infrastructure at the Midtown Exchange project, formerly the Sears store near Chicago and Lake streets.

\$100,000 of the amount available for grants for projects in the metropolitan area is for a grant to the city of Golden Valley to reconstruct the Canadian Pacific Railroad bridge crossing, including associated storm sewer work.

\$100,000 of the amount available for grants for projects in the metropolitan area is for a grant to the city of New Brighton to construct a wye in the city of New Brighton.

## APPROPRIATIONS

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Any unencumbered balance remaining on December 31, 2004, in the appropriation made by Laws 2000, chapter 492, article 1, section 22, subdivision 10, for a grant to the city of Minneapolis, may be used by the city for improvements to the Heritage Park project.

\$600,000 of the amount available for grants for projects outside the metropolitan area is for a grant to the city of Rushford for the Institute of Technology.

\$300,000 of the amount available for grants for projects outside the metropolitan area is for a grant to the city of Worthington for projects to replace infrastructure and repair damage caused by a storm.

\$500,000 of the amount available for grants for projects outside the metropolitan area is for a grant to the Canadian National Railroad for the Western Mesabi Mine planning project, including the Canisteo railroad project.

\$400,000 of the amount available for grants for projects outside the metropolitan area is for a grant to the Minnesota Valley Regional Rail Authority to rehabilitate the Minnesota Prairie line from Norwood Young America to Hanley Falls.

## Subd. 4. Wastewater Infrastructure Funding Program

29,000,000

(a) To the Public Facilities Authority for grants and loans to eligible municipalities under the wastewater infrastructure program established in Minnesota Statutes, section 446A.072.

To the greatest practical extent, the authority must use the funds for projects on the 2005 project priority list in priority order to qualified applicants that submit plans and specifications to the Pollution Control Agency or receive a funding commitment from USDA rural development before December 1, 2006.

(b) The grants listed in this paragraph are not subject to the 2005 project priority list nor to the limitations on grant amounts in Minnesota Statutes, section 446A.072, subdivision 5a.

\$1,500,000 is for a grant to the city of Aurora to reconstruct its wastewater treatment plant, damaged in a May 5, 2004, explosion;

\$4,950,000 is for a grant to the city of Duluth for design and construction of sanitary sewer overflow storage facilities at selected locations in the city of Duluth. This appropriation is available when matched by \$1 of money secured or provided by the city of Duluth for each \$1 of state money.

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\$1,500,000 is for a grant to the city of Two Harbors to retire loans, whether interfund or otherwise, incurred to acquire land for, design, construct, furnish, and equip a 2,500,000 gallon equalization basin and a chlorine-contact tank of at least 100,000 gallon capacity, adjacent to the city's wastewater treatment plant. The equalization basin is required under the city's National Pollution Discharge Elimination System permit. This appropriation is not available until the commissioner of finance determines that \$325,000 has been committed to the project from nonstate sources.

\$1,550,000 for a grant to the city of Bayport for the Middle St. Croix River Watershed Management Organization to complete the sewer system extending from Minnesota Department of Natural Resources pond 82-310P (the prison pond) in Bayport through the Stillwater prison grounds to the St. Croix River.

\$2,500,000 is for a grant to the city of Burnsville to design, construct, furnish, and equip a water treatment facility to provide an additional potable water source for the city of Burnsville using water from the Burnsville quarry. This appropriation is not available until the commissioner of finance has determined that at least \$6,000,000 is available in matching money from nonstate sources. Amounts spent since January 1, 2002, to plan, design, and construct this project may be counted as part of the nonstate match.

\$2,000,000 is to the commissioner of employment and economic development for a grant to the city of New Brighton to relocate a sanitary sewer interceptor in the Northwest Quadrant to allow for redevelopment of that area.

\$5,000,000 is for grants to the cities of Dunnell, Dumont, Henriette, Lewisville, McGrath, and Ostrander to undertake corrective action on systems built since 2001 with federal money from USDA Rural Economic and Community Development. A grant must not exceed the amount of federal money used in the construction of systems that incorporated sand filter treatment, fixed activated sludge treatment, or mechanical package plant treatment technologies.

## Subd. 5. Bioscience Development

17,900,000

To predesign, design, construct, furnish, and equip transportation, development, and redevelopment infrastructure required to support bioscience development in Minnesota. To the extent that completed applications received within one year after the effective date of this act permit, \$5,000,000 shall be used in St. Paul, \$5,000,000 in Minneapolis; \$5,000,000 in Rochester; and

## APPROPRIATIONS

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\$2,900,000 in greater Minnesota, not including Rochester. If insufficient completed applications are received within the year from any city or region, the commissioner shall reallocate the balance of such city's or region's remaining funds to support bioscience development in any other Minnesota city or region.

## Subd. 6. Austin Flood Relief

2,000,000

For grants to assist with the cost of rehabilitation and replacement of publicly owned infrastructure, including storm sewers, wastewater and municipal utility service, drinking water systems, and other infrastructure damaged by flooding in the area designated under Presidential Declaration of Major Disaster, DR-1569, whether included in the original declaration or added later by federal government action.

This appropriation may also be used to acquire real property substantially damaged by flooding in the area included in DR-1569.

For the purposes of this appropriation, criteria, limitations, and repayment requirements in Minnesota Statutes, sections 446A.07, 446A.072, and 446A.081, are waived.

Of this amount, \$800,000 is for a grant to the city of Austin, \$600,000 is for a grant to the city of Albert Lea, \$400,000 is for a grant to Freeborn County for work in the Turtle Creek Watershed, and \$200,000 is for a grant to the city of Blooming Prairie.

## Subd. 7. University of Minnesota - Mayo Clinic Biotechnology Research Facility

20,000,000

To the Board of Regents of the University of Minnesota to purchase three floors in the Stabile Building on the Mayo Clinic Campus in Rochester. The floors are to be used for scientific research beneficial to collaborative research efforts between the University of Minnesota and the Mayo Clinic. The three floors will be owned by the University of Minnesota and operated by the Mayo Clinic through a use agreement approved by the commissioner of finance subject to Minnesota Statutes, section 16A.695.

## Subd. 8. Total Maximum Daily Load Grants

10,000,000

To the public facilities authority for total maximum daily load grants under new Minnesota Statutes, section 446A.073.

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## Sec. 23. HOUSING FINANCE AGENCY

10,000,000

To the commissioner of the Housing Finance Agency for loans and grants for publicly owned permanent rental housing under Minnesota Statutes, section 462A.202, subdivision 3a, for persons who have been without a permanent residence for at least 12 months or on at least four occasions in the last three years or are at significant risk of lacking a permanent residence for at least 12 months or on at least four occasions in the last three years. The housing must provide or coordinate with linkages to services necessary for residents to maintain housing stability and maximize opportunities for education and employment. Notwithstanding Minnesota Statutes, section 462A.202, subdivision 3a, the commissioner shall give equal consideration to proposals for projects serving individuals and those serving families with children. Preference among comparable proposals shall be given to proposals for the acquisition and rehabilitation of property.

## Sec. 24. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. To the Minnesota Historical Society for the purposes specified in this section

6,000,000

## Subd. 2. Historic Sites Asset Preservation

4,000,000

For capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments. The society shall determine project priorities as appropriate based on need.

## Subd. 3. County and Local Preservation Grants

2,000,000

To be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature. Grant recipients must be public entities and must match state funds on at least an equal basis. The facilities must be publicly owned.

## Sec. 25. GRANTS TO POLITICAL SUBDIVISIONS

Subdivision 1. To the commissioner of employment and economic development or other named agency for the purposes specified in this section

39,324,000

## Subd. 2. Big Island

3,000,000

For a grant to the city of Orono to acquire the Big Island Veterans Camp in Lake Minnetonka. Minnesota Statutes, section 197.133, applies to this appropriation.

## APPROPRIATIONS

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The appropriation is not available until the commissioner of finance determines that an equal amount has been committed to the project from nonstate sources.

Subd. 3. Blue Earth Police and Fire Station 642,000

To the commissioner of public safety for a grant to the city of Blue Earth to acquire land for and to predesign, design, construct, furnish, and equip a fire and police station. This appropriation is not available until the commissioner of finance has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 4. Buffalo Lake Maintenance Garage and Street Repair 635,000

For a grant to the city of Buffalo Lake to design, construct, furnish, and equip a municipal maintenance garage and reconstruct city streets damaged by a tornado.

Subd. 5. Colin Powell Center 2,000,000

For a grant to Hennepin County to acquire land for and to design, construct, furnish, and equip the Colin Powell Youth Leadership Center in Minneapolis, subject to Minnesota Statutes, section 16A.695. The center may include a National Guard drill area, an education wing, including a computer lab, a multipurpose arts facility, a community education space, a nutrition education and cooking skills work-preparation area, and new basketball courts.

This appropriation is not available until the commissioner has determined that all funds necessary to complete the project are committed from nonstate sources.

Subd. 6. Crookston and Red Lake Falls Riverbank Protection 1,000,000

\$800,000 is for the Public Facilities Authority to make a grant to the city of Crookston to predesign, design, and construct emergency riverbank protection and erosion control measures along the Red Lake River in the vicinity of U.S. 2. For the purposes of this appropriation, the criteria, limitations, and repayment requirements in Minnesota Statutes, sections 446A.07, 446A.072, and 446A.081, are waived.

\$200,000 is for the Public Facilities Authority to make a grant to the city of Red Lake Falls to predesign, design, and construct emergency riverbank protection and erosion control measures along the Red Lake River. For the purposes of this appropriation, the criteria, limitations, and repayment requirements in Minnesota Statutes, sections 446A.07, 446A.072, and 446A.081, are waived.

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## Subd. 7. Lewis and Clark Rural Water System

2,000,000

(a) To the public facilities authority for grants to counties, rural water systems, or municipalities served by the Lewis and Clark Rural Water System to acquire land, predesign, design, construct, furnish, and equip one or more rural water facilities that serve southwestern Minnesota. The grants must be awarded to projects approved by the Lewis and Clark Joint Powers Board.

(b) This appropriation is only available when matched by:

(1) \$8 of federal money; and

(2) at least \$1 of local money to the system for each \$1 of state money to the grant projects under paragraph (a).

## Subd. 8. Lowry Corridor

1,200,000

For a grant to Hennepin County for Phase I capital improvements to the Lowry Avenue corridor from Girard Avenue North to the I-94 bridge in Minneapolis.

## Subd. 9. Minnesota Planetarium

6,000,000

For a grant to the city of Minneapolis to complete design and to construct, furnish, and equip a new Minnesota Planetarium and Space Discovery Center location in conjunction with the Minneapolis downtown library.

## Subd. 10. Phalen Corridor, St. Paul

3,000,000

For a grant to the city of St. Paul to acquire land for right-of-way and to complete contamination remediation and construct Phalen Boulevard between Interstate Highway I-35E and Johnson Parkway.

## Subd. 11. Rochester Regional Public Safety Training Center

627,000

To the commissioner of administration for Phase I of the Rochester Regional Public Safety Training Center to develop a live burn training simulator adjacent to the existing National Guard facility in Rochester.

The appropriation is not available until the commissioner determines that an equal amount has been committed to the project from nonstate sources.



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Subd. 12. Roseau Infrastructure Repair and Municipal Complex Relocation

13,220,000

(a)(1) \$4,941,000 to the public facilities authority for a grant to the city of Roseau to assist with the cost of rehabilitation and replacement of publicly owned infrastructure, including storm sewers, wastewater and municipal utility service, drinking water systems, and other infrastructure damaged by flooding in the area included in DR-1419. For the purposes of this appropriation, criteria, limitations, and repayment requirements in Minnesota Statutes, sections 446A.07, 446A.072, and 446A.081, are waived.

(2) \$8,279,000 is for a grant to the city of Roseau to relocate the flood damaged city hall, auditorium, library, museum, and police department out of the Roseau River floodway as a result of flooding as declared in DR-1419, and in accordance with Minnesota Statutes, section 16A.86.

(b) Capital costs for the projects in paragraph (a) incurred after the effective date of this act are eligible for reimbursement from the grants authorized in paragraph (a).

Subd. 13. Rural Infrastructure

5,000,000

For grants under the greater Minnesota business development public infrastructure grant program under Minnesota Statutes, section 116J.431.

Subd. 14. Shubert Theater

1,000,000

To the commissioner of administration for a grant to the city of Minneapolis to construct, furnish, and equip an atrium to create the Minnesota Shubert Center. The city of Minneapolis may enter into a lease or management agreement to operate the center, subject to Minnesota Statutes, section 16A.695.

Sec. 26. BOND SALE EXPENSES

785,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

Sec. 27. BOND SALE SCHEDULE

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2007, no more than \$778,319,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general

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obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

## Sec. 28. [BOND SALE AUTHORIZATION.]

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this act from the bond proceeds fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$766,811,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. [TRANSPORTATION FUND BOND PROCEEDS ACCOUNT.] To provide the money appropriated in this act from the state transportation fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$50,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

## Sec. 29. [16A.502] [NONSTATE COMMITMENTS TO CAPITAL PROJECTS.]

(a) A state appropriation or grant for a capital project or project phase may require a commitment from nonstate sources.

(1) The commitment must be in the amount that when added to the appropriation or grant is sufficient to complete the project;

(2) the appropriation or grant is not available until the commitment is determined to be sufficient; and

(3) the commissioner must determine the sufficiency of the commitment.

(b) In making the determination, the commissioner must apply generally accepted governmental accounting standards and principles, including those that are particularly applicable to capital projects.

## Sec. 30. Minnesota Statutes 2004, section 16A.671, subdivision 3, is amended to read:

Subd. 3. [DEFINITIONS.] As used in this section, the terms defined in this subdivision have the meanings given them:

(a) "General fund" means all cash and investments from time to time received and held in the treasury, except proceeds of state bonds and amounts received and held in special or dedicated funds created by the Constitution, or by or pursuant to federal laws or regulations, or by bond or trust instruments, pension contracts, or other agreements of the state or its agencies with private persons, entered into under state law.

(b) "Maximum current cash flow requirement" means the commissioner's written estimate of the largest of the amounts by which, on a particular designated date in each month of the term for which certificates are to be issued, the sum of (1) the warrants then outstanding against the general fund plus (2) ~~those that must be drawn on the fund before the same date in the following month, in payment of claims due for expenditure under all appropriations and allotments, will exceed the amount of cash or cash equivalent assets held in the general fund on the first of these dates~~ an amount equal to five percent of the actual working capital expenditures from the general fund in the preceding fiscal year, will exceed the amount of cash or cash equivalent assets held in the general fund, excluding the proceeds of the certificates to be issued.

Sec. 31. Minnesota Statutes 2004, section 85.019, subdivision 2, is amended to read:

Subd. 2. [PARKS AND OUTDOOR RECREATION AREAS.] The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for parks and other outdoor recreation areas and facilities, including costs to create veterans memorial gardens and parks.

Sec. 32. Minnesota Statutes 2004, section 116.182, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] This section governs the commissioner's certification of projects seeking financial assistance under section 103F.725, subdivision 1a; ~~446A.07; or; 446A.072; or 446A.073.~~

Sec. 33. Minnesota Statutes 2004, section 116J.571, is amended to read:

116J.571 [CREATION OF ACCOUNTS.]

Two ~~greater Minnesota~~ redevelopment accounts are created, one in the general fund and one in the bond proceeds fund. Money in the accounts may be used to make grants as provided in section 116J.575. Money in the bond proceeds fund may only be used for eligible costs for publicly owned property. Money in the general fund may be used to pay for the commissioner's costs in reviewing the applications.

Sec. 34. Minnesota Statutes 2004, section 116J.572, subdivision 2, is amended to read:

Subd. 2. [DEVELOPMENT AUTHORITY.] "Development authority" includes a statutory or home rule charter city, county, housing and redevelopment authority, economic development authority, or port authority ~~located outside the seven county metropolitan area, as defined in section 473.121, subdivision 2.~~

Sec. 35. Minnesota Statutes 2004, section 116J.573, subdivision 1, is amended to read:

Subdivision 1. [ACCOUNTS.] Criteria for use of the accounts created in section 116J.571 must be consistent with and promote the purposes of sections 116J.571 to 116J.575. They include, but are not limited to:

- (1) creating and preserving living wage jobs ~~in greater Minnesota~~;
- (2) creating incentives for communities to include a full range of housing opportunities;
- (3) creating incentives for all communities to implement compact, efficient, and mixed-use development; and
- (4) creating incentives to assist communities in maintaining a unique sense of place by preserving local, cultural assets.

Sec. 36. Minnesota Statutes 2004, section 116J.573, subdivision 2, is amended to read:

Subd. 2. [PROJECTS.] To be eligible for funding by the ~~greater Minnesota~~ redevelopment account, a project must:

(1) interrelate redevelopment with other public investments in transportation, housing, schools, energy, utilities information infrastructure, and other public services;

(2) interrelate affordable housing and employment growth areas;

(3) intensify land use that leads to more compact redevelopment;

(4) involve redevelopment that mixes incomes of residents in housing, including introducing or reintroducing higher value housing in lower income areas to achieve a mix of housing opportunities;

(5) involve participation from citizens and the business community in the planning and development of the proposed redevelopment plan;

(6) encourage public infrastructure investments which attract private sector redevelopment investment in commercial, industrial, and residential properties adjacent to public improvements, and provide project area residents with expanded opportunities for private sector employment; or

(7) be sustainable at the local level and reduce the probability of future requests for state development, maintenance, or replacement assistance.

Sec. 37. Minnesota Statutes 2004, section 116J.573, subdivision 5, is amended to read:

Subd. 5. [ANNUAL REPORT.] The commissioner shall prepare and submit to the legislature an annual report on the ~~greater Minnesota~~ redevelopment account. The report must include information on the amount of money in the account, the amount distributed, to whom the grants were distributed and for what purposes, and an evaluation of the effectiveness of the projects funded in meeting the policies and goals of the program.

Sec. 38. Minnesota Statutes 2004, section 116J.575, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER DISCRETION.] The commissioner may make a grant for up to 50 percent of the eligible costs of a project. The commissioner shall, in each grant cycle, make grants so that 50 percent of the dollar value of grants for that cycle are for projects located outside of the seven-county metropolitan area as defined in section 473.121, subdivision 2, and 50 percent are for projects located within the seven-county metropolitan area. This allocation of grant funds does not apply for any grant cycle in which the applications received by the application deadline are insufficient to permit the equal division of grants between metropolitan and nonmetropolitan projects. The determination of whether to make a grant for a site is within the discretion of the commissioner, subject to this section and sections 116J.571 to 116J.574 and available unencumbered money in the ~~greater Minnesota~~ redevelopment account. The commissioner's decisions and application of the priorities under this section are not subject to judicial review, except for abuse of discretion.

Sec. 39. Minnesota Statutes 2004, section 134.45, is amended to read:

134.45 [LIBRARY ACCESSIBILITY AND IMPROVEMENT GRANTS.]

Subdivision 1. [APPLICATION; DEFINITION.] Public library jurisdictions may apply to the commissioner of education for grants ~~to improve~~ for improvements and accessibility to their library facilities. For the purposes of this section, "public library jurisdictions" means regional public library systems, regional library districts, cities, and counties operating libraries under chapter 134.

Subd. 2. [APPROVAL BY COMMISSIONER.] The commissioner of education, in consultation with the state Council on Disability, may approve or disapprove applications under this section. The highest priority for use of grant money must be used only to remove architectural barriers from a building or site. Remaining grant money may be used to renovate or expand an existing building for use as a library, or to construct a new library building.

Subd. 3. [APPLICATION FORMS.] The commissioner of education shall prepare application forms and establish application dates.

Subd. 4. [MATCH.] A public library jurisdiction applying for a grant under this section must match the grant with local funds.

Subd. 5. [QUALIFICATION; ACCESSIBILITY GRANTS.] A public library jurisdiction may apply for a grant in an amount up to ~~\$150,000~~ \$200,000 or 50 percent of the approved costs of removing architectural barriers from a building or site, whichever is less. Grants may be made only for projects in existing buildings used as a library, or to prepare another existing building for use as a library. Renovation of an existing building may include an addition to the building if the additional space is necessary to provide accessibility or if relocating public spaces to the ground level provides improved overall accessibility. Grants must not be used to pay part of the cost of meeting accessibility requirements in a new building.

Subd. 5a. [PROHIBITION ON PORNOGRAPHIC USE OF INTERNET.] A public library jurisdiction is not eligible for a grant under this section unless it has adopted a policy to prohibit library users from using the library's Internet access to view, print, or distribute material that is obscene within the meaning of section 617.241.

Subd. 5b. [QUALIFICATION; IMPROVEMENT GRANTS.] A public library jurisdiction may apply for a grant in an amount up to \$1,000,000 or 50 percent, whichever is less, of the approved costs of renovating or expanding an existing library building, or to construct a new library building.

Subd. 6. [AWARD OF GRANTS.] The commissioner, in consultation with the state Council on Disability, shall examine and consider all applications for grants. If a public library jurisdiction is found not qualified, the commissioner shall promptly notify it. The commissioner shall prioritize grants on the following bases: the degree of collaboration with other public or private agencies, the public library jurisdiction's tax burden, the long-term feasibility of the project, the suitability of the project, and the need for the project. If the total amount of the applications exceeds the amount that is or can be made available, the commissioner shall award grants according to the commissioner's judgment and discretion and based upon a ranking of the projects according to the factors listed in this subdivision. The commissioner shall promptly certify to each public library jurisdiction the amount, if any, of the grant awarded to it.

Subd. 7. [PROJECT BUDGET.] A public library jurisdiction that receives a grant must provide the commissioner with the project budget and any other information the commissioner requests.

Sec. 40. Minnesota Statutes 2004, section 136F.60, is amended by adding a subdivision to read:

Subd. 5. [DISPOSITION OF SURPLUS PROPERTY.] (a) The board may declare state lands under its control that are no longer needed by the Minnesota State Colleges and Universities system to be surplus and may offer them for public sale in a manner consistent with the procedures set forth in sections 16B.282 to 16B.286 for disposition of state lands by the commissioner of administration. The parcels must not be exchanged or transferred for no or nominal consideration.

(b) Proceeds from the sale or disposition of land under this subdivision, after paying all expenses incurred in selling or disposing of the land and then paying any amounts due under section 16A.695, shall be appropriated to the board for use for capital projects at the institution which was responsible for management of the land.

Sec. 41. Minnesota Statutes 2004, section 174.52, is amended by adding a subdivision to read:

Subd. 4a. [RURAL ROAD SAFETY ACCOUNT; APPROPRIATION.] (a) A rural road safety account is established in the local road improvement fund. Money in the account is annually appropriated to the commissioner of transportation for expenditure as specified in this subdivision. Money in the account must be used as grants to counties to assist in paying the costs of capital improvement projects on county state-aid highways that are intended primarily to reduce traffic crashes, deaths, injuries, and property damage.

(b) The commissioner shall establish procedures for counties to apply for grants from the rural road safety account and criteria to be used to select projects for funding. The commissioner shall establish these procedures and criteria in consultation with representatives appointed by the Association of Minnesota Counties. Eligibility for project selection must be based on the ability of each proposed project to reduce the frequency and severity of crashes.

(c) Money in the account must be allocated in each fiscal year as follows:

(1) one-third of money in the account must be used for projects in the counties of Anoka, Chisago, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington; and

(2) the remainder must be used for projects elsewhere in the state.

Sec. 42. [446A.073] [TOTAL MAXIMUM DAILY LOAD GRANTS.]

Subdivision 1. [PROGRAM ESTABLISHED.] The authority must make grants to municipalities to cover up to one-half the cost of wastewater treatment projects made necessary by wasteload reductions under total maximum daily load plans required by section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313(d).

Subd. 2. [GRANT APPLICATION.] Application for a grant must be made to the authority on forms prescribed by the authority for the total maximum daily load grant program, with additional information as required by the authority. In accordance with section 116.182, the Pollution Control Agency shall:

(1) calculate the essential project component percentage, which must be multiplied by the total project cost to determine the eligible project cost; and

(2) review and certify approved projects to the authority.

Subd. 3. [PROJECT PRIORITIES.] When money is appropriated for grants under this program, the authority shall reserve money for projects in the order that their total maximum daily load plan was approved by the United States Environmental Protection Agency and in an amount based on their most recent cost estimates submitted to the authority or the as-bid costs, whichever is less.

Subd. 4. [GRANT APPROVAL.] The authority must make a grant to a municipality, as defined in section 116.182, subdivision 1, only after:

(1) the commissioner of the Minnesota Pollution Control Agency has certified to the United States Environmental Protection Agency a total maximum daily load plan for identified waters of this state that includes a point source wasteload allocation;

(2) the Environmental Protection Agency has approved the plan;

(3) a municipality affected by the plan has estimated the cost to it of wastewater treatment projects necessary to comply with the point source wasteload allocation;

(4) the Pollution Control Agency has approved the cost estimate; and

(5) the authority has determined that the additional financing necessary to complete the project has been committed from other sources.

Subd. 5. [GRANT DISBURSEMENT.] Disbursement of a grant must be made for eligible project costs as incurred by the municipality and in accordance with a project financing agreement and applicable state and federal laws and rules governing the payments.

Sec. 43. Laws 1998, chapter 404, section 23, subdivision 17, as amended by Laws 1999, chapter 20, section 1, is amended to read:

Subd. 17. Paramount Arts District Regional Arts Center

750,000

(a) To the commissioner of administration for a grant to the city of St. Cloud ~~Housing and Redevelopment Authority~~ to construct, furnish, and equip the Paramount Arts District Regional Arts Center, subject to Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner has determined that the necessary additional financing to complete at least a \$5,400,000 project has been committed by nonstate sources.

(b) The Housing and Redevelopment Authority must effect the transfer as otherwise required or permitted by law. Once the transfer is effected, the city is the successor to the Housing and Redevelopment Authority for the purposes of the grant and Minnesota Statutes, section 16A.695.

Sec. 44. Laws 2003, First Special Session chapter 20, article 1, section 11, is amended to read:

Sec. 11. HEALTH

775,000

For transfer to the Board of Trustees of the Minnesota State Colleges and Universities to design ~~and~~, construct, ~~and~~ equip a community dental clinic at Lake Superior Community College in Duluth and design ~~and~~, renovate, ~~and~~ equip the ~~Northwest Technical College~~ Minnesota State Community and Technical Colleges dental hygiene clinic in Moorhead, subject to Minnesota Statutes, section 16A.695.

Sec. 45. [STILLWATER LEVEE FLOOD CONTROL PROJECT.]

Notwithstanding the grant expiration date of June 30, 2002, the commissioner of natural resources shall extend until June 30, 2006, the expiration date of a grant made to the city of Stillwater under Minnesota Statutes, section 103F.161, and matching certain federal appropriations for flood hazard mitigation.

## Sec. 46. [MINNESOTA ZOO MARINE CENTER DEBT SERVICE.]

Beginning in fiscal year 2006, the Minnesota Zoological Garden is not required to pay any of the debt service costs on bonds sold for the Marine Education Center authorized in Laws 1994, chapter 643, section 27, subdivision 2, as amended by Laws 1996, chapter 463, section 54.

## Sec. 47. [TRANSFER OF MHFA BONDING AUTHORITY TO HESO.]

Notwithstanding Minnesota Statutes, section 474A.03, subdivision 2a, paragraph (b), the Minnesota Housing Finance Agency may enter into an agreement with the Higher Education Services Office under which the Higher Education Services Office issues qualified student loan bonds, up to \$50,000,000 of which are issued pursuant to bonding authority allocated to the Minnesota Housing Finance Agency in 2005 under Minnesota Statutes, section 474A.03, subdivision 2a, paragraph (a). This amount is in addition to the bonding authority otherwise allocated to the Higher Education Services Office under Minnesota Statutes, chapter 474A. Notwithstanding Minnesota Statutes, section 474A.04, subdivision 1a, 474A.061, or 474A.091, subdivision 2, bonding authority carried forward by the Minnesota Housing Financing Agency from its allocation for 2004 under Minnesota Statutes, section 474A.03, subdivision 2a, paragraph (b), are exempt from the requirement that the bonding authority be permanently issued by December 31 of the next succeeding calendar year.

## Sec. 48. [SALE OF FUJI YA PROPERTY; USE OF PROCEEDS.]

Subdivision 1. [SALE.] After making the determinations required under Minnesota Statutes, section 16A.695 and meeting any other requirements of law, the Minneapolis Park and Recreation Board may sell the property known as the Fuji Ya Restaurant property, acquired with state bond funds appropriated in Laws 1987, chapter 400, section 8, subdivision 5, as amended. The sale amount must be at least the property's fair market value. The property may be sold to a private entity.

Subd. 2. [PROCEEDS USE FOR OTHER PUBLICLY OWNED CAPITAL PROJECTS FOR PUBLIC PURPOSES.] Notwithstanding the requirements in Minnesota Statutes, section 16A.695, subdivision 3, with respect to the distribution of the net sale proceeds, the proceeds must be distributed as provided in this subdivision. The Minneapolis Park and Recreation Board must certify to the commissioner of finance, in a form required by the commissioner, that any net proceeds from the sale under this section realized by the board are spent on capital improvements that meet the constitutional requirements for expenditure of state bond funds, and such capital improvements are state bond financed property under Minnesota Statutes, section 16A.695.

(a) Up to \$750,000 of the net proceeds of the sale may be retained by the Minneapolis Park and Recreation Board to make capital improvements to a public parking facility constructed on the Fuji Ya site if the board has entered into a 99-year lease agreement with the owner. This allocation is contingent on an equal amount committed from nonstate sources. The lease payments the board makes for the site may be used as nonstate match.

(b) After providing for the parking facility under paragraph (a), the remaining net proceeds, estimated to be \$1,750,000, must be split equally between the board and the state. At a minimum, the state must receive \$544,000.

(c) The board must use its share of the remaining net proceeds as follows: (1) at least \$25,000 for predesign and design of the East Phillips Cultural and Community Center; and (2) for acquisition and development of property in the metropolitan regional park system that is covered by the "Above the Falls" master plan. Property acquired or improved under this paragraph is state bond financed property, subject to Minnesota Statutes, section 16A.695. This allocation is contingent on an equal amount committed from nonstate sources.



## Sec. 49. [UNIVERSITY OF MINNESOTA; DULUTH PARKING.]

The Board of Regents of the University of Minnesota is encouraged to expand the parking facilities at the University of Minnesota, Duluth Campus through the purchase of land and property from willing sellers.

## Sec. 50. [DNR PLAN FOR FORT SNELLING OFFICERS ROW.]

The commissioner of natural resources, in consultation with appropriate federal agencies, other state agencies, and local governments, must develop a plan for the buildings in the officers row area of Fort Snelling that are in disrepair. The plan must include recommendations on which buildings should be demolished, renovated and reused, or sold. The commissioner must present the plan by January 1, 2006, to the chairs of the house and senate committees with jurisdiction over natural resources policy and finance, state historical sites, state capital investments, and ways and means or finance.

## Sec. 51. [MAXIMUM EFFORT CAPITAL LOAN FORGIVEN; EAST CENTRAL.]

Subdivision 1. [SALE REQUIREMENTS.] Independent School District No. 2580, East Central, may sell its middle school building in accordance with Minnesota Statutes, section 16A.695. The net proceeds from the sale of the property must be paid to the commissioner of finance and deposited in the state bond fund.

Subd. 2. [OUTSTANDING LOAN BALANCE FORGIVEN.] Any remaining outstanding balance on the maximum effort capital loan issued in January 1982 to former Independent School District No. 566, Askov, after the application of the sale proceeds according to subdivision 1, is forgiven.

## Sec. 52. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

## ARTICLE 2

## ADJUSTMENT OF GENERAL OBLIGATION BOND AUTHORIZATIONS

## Section 1. [TABLE OF ORIGINAL AND ADJUSTED AUTHORIZATIONS.]

Column A lists the citation to each law authorizing general obligation bonds since Laws 1983, chapter 323, section 6, to which a further adjustment is being made in this section.

The original authorization amount in each law is shown in column B opposite the citation of the law it appears in.

The original authorization amount in column B is hereby adjusted to the amount shown in column C. The adjustments resulting in the column C amount reflect specific changes to an authorization in law, executive vetoes sustained or not challenged, administrative action reflecting cancellation and abandonment of all or the unused balance from specific projects for which the proceeds of authorized bonds were intended to be used, and other action pursuant to law resulting in the adjusted authorizations shown in column C. The amounts shown in column C are validated as the lawful adjusted authorization for the cited law as of April 1, 2004, for all purposes for which the authorization is required or used.

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
<u>L 1983, c 323, s 6</u>	<u>\$30,000,000</u>	<u>\$29,935,000</u>
<u>L 1987, c 400, s 25, subd 1</u>	<u>370,972,200</u>	<u>369,560,500</u>
<u>L 1987, c 400, s 25, subd 5</u>	<u>66,747,000</u>	<u>66,740,000</u>

<u>L 1989, c 300, art 1, s 23, subd 1</u>	<u>142,585,000</u>	<u>135,060,000</u>
<u>L 1991, c 354, art 11, s 2, subd 1</u>	<u>12,000,000</u>	<u>11,360,000</u>
<u>L 1992, c 558, s 28, subd 1</u>	<u>231,695,000</u>	<u>219,085,000</u>
<u>L 1992, c 558, s 28, subd 3</u>	<u>17,500,000</u>	<u>17,368,000</u>
<u>L 1993, c 373, s 19, subd 1</u>	<u>54,640,000</u>	<u>53,355,000</u>
<u>L 1993, c 373, s 19, subd 2</u>	<u>9,900,000</u>	<u>9,480,000</u>
<u>L 1994, c 643, s 31, subd 1</u>	<u>573,385,000</u>	<u>564,650,523</u>
<u>L 1994, c 643, s 31, subd 2</u>	<u>45,000,000</u>	<u>34,820,000</u>
<u>L 1995, 1SS c 2, s 14, subd 1</u>	<u>5,630,000</u>	<u>5,590,000</u>
<u>L 1996, c 463, s 27, subd 1</u>	<u>597,110,000</u>	<u>549,244,560</u>
<u>L 1997, c 246, s 10, subd 1</u>	<u>86,625,000</u>	<u>86,192,000</u>
<u>L 1997, 2SS c 2, s 12</u>	<u>55,305,000</u>	<u>38,308,054</u>
<u>L 1998, c 404, s 27, subd 1</u>	<u>463,795,000</u>	<u>104,478,674</u>
<u>L 1999, c 240, art 1, s 13, subd 1</u>	<u>139,510,000</u>	<u>111,905,000</u>
<u>L 1999, c 240, art 1, s 13, subd 2</u>	<u>10,440,000</u>	<u>-0-</u>
<u>L 1999, c 240, art 2, s 16, subd 1</u>	<u>372,400,000</u>	<u>367,418,000</u>
<u>L 2000, c 492, art 1, s 26, subd 1</u>	<u>426,870,000</u>	<u>487,730,000</u>
<u>L 2001, 1SS c 12, s 11, subd 1</u>	<u>99,205,000</u>	<u>98,205,000</u>
<u>L 2002, c 393, s 30, subd 1</u>	<u>920,235,000</u>	<u>567,312,000</u>

Sec. 2. [EFFECTIVE DATE.]

This article is effective the day following final enactment."

Amend the title as follows:

Page 1, line 12, delete "4,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Westrom from the Committee on Regulated Industries to which was referred:

H. F. No. 184, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the geothermal system for a cooperative joint community learning center and health and wellness center in Onamia.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATION.]

\$300,000, or as much of this amount as is required, is appropriated in fiscal year 2006 from the energy and conservation account in the general fund under section 216B.241, subdivision 2a, to the commissioner of commerce for a grant to Independent School District No. 480, Onamia, for partial repayment of a loan to the city of Onamia for

a geothermal heating and ventilation system, including acquisition of the well field site, for a cooperative joint community learning center and health and wellness center. The city and school district shall offer the design and the facilities as a demonstration site for energy conservation and efficiency."

Amend the title as follows:

Page 1, lines 2 and 3, delete "capital improvements; authorizing the issuance of state bonds;" and insert "appropriations;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

The report was adopted.

Westrom from the Committee on Regulated Industries to which was referred:

H. F. No. 218, A bill for an act relating to energy; extending eligibility to receive the renewable energy production incentive under certain circumstances; amending Minnesota Statutes 2004, section 216C.41, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 216C.41, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Qualified hydroelectric facility" means a hydroelectric generating facility in this state that:

(1) is located at the site of a dam, if the dam was in existence as of March 31, 1994; and

(2) begins generating electricity after July 1, 1994, or generates electricity after substantial refurbishing of a facility that begins after July 1, 2001.

(c) "Qualified wind energy conversion facility" means a wind energy conversion system in this state that:

(1) produces two megawatts or less of electricity as measured by nameplate rating and begins generating electricity after December 31, 1996, and before July 1, 1999;

(2) begins generating electricity after June 30, 1999, produces two megawatts or less of electricity as measured by nameplate rating, and is:

(i) owned by a resident of Minnesota or an entity that is organized under the laws of this state, is not prohibited from owning agricultural land under section 500.24, and owns the land where the facility is sited;

(ii) owned by a Minnesota small business as defined in section 645.445;

(iii) owned by a Minnesota nonprofit organization;

(iv) owned by a tribal council if the facility is located within the boundaries of the reservation;

(v) owned by a Minnesota municipal utility or a Minnesota cooperative electric association and filed an application prior to January 1, 2005; or

(vi) owned by a Minnesota political subdivision or local government, including, but not limited to, a county, statutory or home rule charter city, town, school district, or any other local or regional governmental organization such as a board, commission, or association; or

(3) begins generating electricity after June 30, 1999, produces seven megawatts or less of electricity as measured by nameplate rating, and:

(i) is owned by a cooperative organized under chapter 308A other than a Minnesota cooperative electric association; and

(ii) all shares and membership in the cooperative are held by an entity that is not prohibited from owning agricultural land under section 500.24.

(d) "Qualified on-farm biogas recovery facility" means an anaerobic digester system that:

(1) is located at the site of an agricultural operation;

(2) is owned by an entity that is not prohibited from owning agricultural land under section 500.24 and that owns or rents the land where the facility is located; and

(3) begins generating electricity after July 1, 2001.

(e) "Anaerobic digester system" means a system of components that processes animal waste based on the absence of oxygen and produces gas used to generate electricity.

Sec. 2. Minnesota Statutes 2004, section 216C.41, subdivision 5, is amended to read:

Subd. 5. [AMOUNT OF PAYMENT; WIND FACILITIES LIMIT.] (a) An incentive payment is based on the number of kilowatt hours of electricity generated. The amount of the payment is:

(1) for a facility described under subdivision 2, paragraph (a), clause (4), 1.0 cent per kilowatt hour; ~~and~~

(2) for all other facilities, except as provided in clause (3), 1.5 cents per kilowatt hour; and

(3) for a facility that receives, after January 1, 2005, an extension or a letter of approval under subdivision 7, 1.0 cent per kilowatt hour.

For electricity generated by qualified wind energy conversion facilities, the incentive payment under this section is limited to no more than 100 megawatts of nameplate capacity.

(b) For wind energy conversion systems installed and contracted for after January 1, 2002, the total size of a wind energy conversion system under this section must be determined according to this paragraph. Unless the systems are interconnected with different distribution systems, the nameplate capacity of one wind energy conversion system must be combined with the nameplate capacity of any other wind energy conversion system that is:

(1) located within five miles of the wind energy conversion system;

- (2) constructed within the same calendar year as the wind energy conversion system; and
- (3) under common ownership.

In the case of a dispute, the commissioner of commerce shall determine the total size of the system, and shall draw all reasonable inferences in favor of combining the systems.

(c) In making a determination under paragraph (b), the commissioner of commerce may determine that two wind energy conversion systems are under common ownership when the underlying ownership structure contains similar persons or entities, even if the ownership shares differ between the two systems. Wind energy conversion systems are not under common ownership solely because the same person or entity provided equity financing for the systems.

Sec. 3. Minnesota Statutes 2004, section 216C.41, subdivision 7, is amended to read:

Subd. 7. [ELIGIBILITY PROCESS.] (a) A qualifying project is eligible for the incentive on the date the commissioner receives:

- (1) an application for payment of the incentive;
- (2) one of the following:
  - (i) a copy of a signed power purchase agreement;
  - (ii) a copy of a binding agreement other than a power purchase agreement to sell electricity generated by the project to a third person; or
  - (iii) if the project developer or owner will sell electricity to its own members or customers, a copy of the purchase order for equipment to construct the project with a delivery date and a copy of a signed receipt for a nonrefundable deposit; and
- (3) any other information the commissioner deems necessary to determine whether the proposed project qualifies for the incentive under this section.

(b) The commissioner shall determine whether a project qualifies for the incentive and respond in writing to the applicant approving or denying the application within 15 working days of receipt of the information required in paragraph (a). A project that is not operational within 18 months of receipt of a letter of approval is no longer approved for the incentive, except as provided in paragraphs (c) to (i). The commissioner shall notify an applicant of potential loss of approval not less than 60 days prior to the end of the 18-month period, and shall advise the applicant of the mechanism available to extend the eligibility period under paragraph (c), if applicable. Eligibility for a project that loses approval may be reestablished as of the date the commissioner receives a new completed application.

(c) If the federal production tax credit, as provided by United States Code, title 26, section 45, as amended through December 31, 2004, is unavailable during a portion of the 18-month eligibility period, an applicant may seek to extend the 18-month eligibility period by submitting to the commissioner the following:

- (1) evidence that all required interconnection and delivery studies for the qualifying project have been completed and an interconnection agreement signed by all the parties has been executed. If the interconnection agreement requires improvements to be made to the transmission system, the applicant must provide evidence that equity and debt financing sufficient to pay the cost of those improvements is secured and that construction of the improvements will be completed by the date the proposed extension will expire, as determined under paragraph (d); and

(2) documents demonstrating that the qualifying project has secured equity and debt financing sufficient to complete the project by the date the proposed extension will expire, as determined under paragraph (d).

(d) If the commissioner determines that the applicant has submitted the documents listed in paragraph (c), clauses (1) and (2), the commissioner shall, within 30 days of receiving the documents, notify the applicant that the 18-month period is extended by the length of time the credit was unavailable during the 18-month period, notwithstanding any provision making the credit retroactive. If the credit is not available when the commissioner determines whether the applicant has submitted the documents listed in paragraph (c), clauses (1) and (2), the commissioner shall extend the 18-month eligibility period for 12 months.

(e) If the commissioner determines that an applicant has failed to comply with paragraph (c), the commissioner shall notify the applicant that an extension of the 18-month eligibility period is denied.

(f) An applicant who filed an application prior to January 1, 2005, but who has not received a letter of approval may qualify to receive the incentive by submitting the documents described in paragraph (c), clauses (1) and (2), to the commissioner. If the commissioner determines that an applicant has submitted the documents listed in paragraph (c), clauses (1) and (2), the commissioner shall, within 30 days of receiving the documents, notify the applicant that the project qualifies to receive the incentive and shall provide the applicant with a letter of approval.

(g) An applicant receiving a letter of approval dated January 1, 2005, or later shall be required to demonstrate that the electricity generated by the project and associated renewable energy credits have first been offered for sale to the public utility transferring funds to the renewable development account under section 116C.779, subdivision 1. The parties shall negotiate a price within 120 days. The public utility transferring funds to the renewable development account shall provide its last best price offer to the applicant in writing, which is binding for no less than 120 days. The applicant may negotiate with any other utility and may accept a price higher than the binding price offered by the public utility transferring funds to the renewable development account. If another utility offers a price equal to or lower than the binding price offered by the public utility transferring funds to the renewable development account, the applicant must contract with the public utility transferring funds to the renewable development account at the binding price.

(h) If funds in the renewable development account, as provided in section 116C.779, subdivision 2, are insufficient to fully fund renewable energy production incentives under this subdivision, the amounts required to eliminate the deficiency must be paid for that purpose from the balance of the renewable development account, as provided in section 116C.779, subdivision 1.

(i) The commissioner shall not accept applications to receive a renewable energy production incentive after January 1, 2005.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy; extending eligibility to receive the renewable energy production incentive under certain circumstances; amending Minnesota Statutes 2004, section 216C.41, subdivisions 1, 5, 7."

With the recommendation that when so amended the bill pass.

The report was adopted.

Tingelstad from the Committee on Governmental Operations and Veterans Affairs to which was referred:

H. F. No. 417, A bill for an act relating to game and fish; authorizing the commissioner of natural resources to give preference in certain hunting and fishing license and permit lotteries to military service members and veterans; amending Minnesota Statutes 2004, section 97A.465, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 436, A bill for an act relating to natural resources; requiring commissioner's approval before vacating certain roads adjacent to public waters; creating right of intervention; amending Minnesota Statutes 2004, sections 164.07, subdivision 2; 412.851; 505.14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 164.07, subdivision 2, is amended to read:

Subd. 2. [HEARING; NOTICE.] (a) The petition shall be filed with the town clerk, who shall forthwith present it to the town board. The town board within 30 days thereafter shall make an order describing as nearly as practicable the road proposed to be established, altered, or vacated and the several tracts of land through which it passes, and fixing a time and place when and where it will meet and act upon the petition. The order must also contain a notice to affected landowners that a landowner is entitled to judicial review of damages, need, and purpose under subdivision 7 following a determination to establish or alter a road. The petitioners shall cause personal service of such order and a copy of the petition to be made upon each occupant of such land at least ten days before such meeting and cause ten days' posted notice thereof to be given.

(b) In addition, the petitioners shall serve notice of the order by certified mail upon the commissioner of natural resources at least ~~30~~ 60 days before ~~such~~ the meeting required under paragraph (a), if the road to be vacated terminates at ~~or~~, abuts upon, or is adjacent to any public water. ~~The notice under this paragraph is for notification purposes only and~~ does not create a right of intervention by the commissioner of natural resources. At least 15 days prior to convening the meeting required under paragraph (a), the town board or its designee must consult with a representative of the commissioner of natural resources to review the proposed vacation. The commissioner's representative must evaluate:

- (1) the proposed vacation and the public benefits to do so;
- (2) the present and potential use of the land for access to public waters; and
- (3) how the vacation would impact conservation of natural resources.

The commissioner's representative must advise the town board or its designee accordingly upon the evaluation.

Sec. 2. Minnesota Statutes 2004, section 412.851, is amended to read:

412.851 [VACATION OF STREETS.]

The council may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the council. No such vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The council shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street, alley, public grounds, public way, or any part thereof terminates at ~~or~~ abuts upon, or is adjacent to any public water, ~~no vacation shall be made unless~~ written notice of the petition or proposed resolution ~~is~~ must be served by certified mail upon the commissioner of natural resources at least ~~30~~ 60 days before the hearing on the matter. The notice to the commissioner of natural resources ~~is for notification purposes only and~~ does not create a right of intervention by the commissioner. At least 15 days prior to convening the hearing required under this section, the council or its designee must consult with a representative of the commissioner of natural resources to review the proposed vacation. The commissioner's representative must evaluate:

- (1) the proposed vacation and the public benefits to do so;
- (2) the present and potential use of the land for access to public waters; and
- (3) how the vacation would impact conservation of natural resources.

The commissioner's representative must advise the city council or its designee accordingly upon the evaluation. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof and a description of the real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the words "entered in the transfer record." The notice shall then be filed with the county recorder. Any failure to file the notice shall not invalidate any such vacation proceedings.

Sec. 3. Minnesota Statutes 2004, section 505.14, is amended to read:

505.14 [VACATION.]

Upon the application of the owner of land included in any plat, and upon proof that all taxes assessed against such land have been paid, and the notice hereinafter provided for given, the district court may vacate or alter all, or any part, of such plat, and adjudge the title to all streets, alleys, and public grounds to be in the persons entitled thereto; but streets or alleys connecting separate plats or lying between blocks or lots or providing access for the public to any public water, shall not be vacated between such lots, blocks, or plats as are not also vacated, unless it appears that the street or alley or part thereof sought to be vacated is useless for the purpose for which it was laid out. If any part of a street, alley, or public ground proposed for vacation terminates at ~~or~~ abuts upon, or is adjacent to any public water, the petitioner shall serve notice of the petition by certified mail upon the commissioner of natural resources at least ~~30~~ 60 days before the term at which it shall be heard. The notice under this subdivision ~~is for notification purposes only and does not create~~ creates a right of intervention by the commissioner of natural resources. The petitioner shall cause two weeks published and posted notice of such application to be given, the last publication to be at least ten days before the term at which it shall be heard; and the petitioner shall also serve personally, or cause to be served personally, notice of such application, at least ten days before the term at which the



application shall be heard, upon the mayor of the city, the president of the statutory city, or the chair of the town board of the town where such land is situated. The court shall hear all persons owning or occupying land that would be affected by the proposed vacation, and if, in the judgment of the court, the same would be damaged, the court may determine the amount of such damage and direct its payment by the applicant before the vacation or alteration shall take effect. A certified copy of the order of the court shall be filed with the county auditor, and recorded by the county recorder. The district court shall not vacate or alter any street, alley, or public ground dedicated to the public use in or by any such plat in any city or town organized under a charter or special law which provides a method of procedure for the vacation of streets and public grounds by the municipal authorities of such city or town."

Amend the title as follows:

Page 1, line 3, delete "approval" and insert "evaluation"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government.

The report was adopted.

Tingelstad from the Committee on Governmental Operations and Veterans Affairs to which was referred:

H. F. No. 674, A bill for an act relating to state government; classifying certain investment-related data of the State Board of Investment; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.635, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 11A.24, subdivision 6, is amended to read:

Subd. 6. [OTHER INVESTMENTS.] (a) In addition to the investments authorized in subdivisions 1 to 5, and subject to the provisions in paragraph (b), the state board may invest funds in:

(1) venture capital investment businesses through participation in limited partnerships, trusts, private placements, limited liability corporations, limited liability companies, limited liability partnerships, and corporations;

(2) real estate ownership interests or loans secured by mortgages or deeds of trust or shares of real estate investment trusts through investment in limited partnerships, bank sponsored collective funds, trusts, mortgage participation agreements, and insurance company commingled accounts, including separate accounts;

(3) regional and mutual funds through bank sponsored collective funds and open-end investment companies registered under the Federal Investment Company Act of 1940, and closed-end mutual funds listed on an exchange regulated by a governmental agency;

(4) resource investments through limited partnerships, trusts, private placements, limited liability corporations, limited liability companies, limited liability partnerships, and corporations; and

(5) international securities.

(b) The investments authorized in paragraph (a) must conform to the following provisions:

(1) the aggregate value of all investments made according to paragraph (a), clauses (1) to (4), may not exceed 35 percent of the market value of the fund for which the state board is investing;

(2) there must be at least four unrelated owners of the investment other than the state board for investments made under paragraph (a), clause (1), (2), (3), or (4);

(3) state board participation in an investment vehicle is limited to 20 percent thereof for investments made under paragraph (a), clause (1), (2), (3), or (4); and

(4) state board participation in a limited partnership does not include a general partnership interest or other interest involving general liability. The state board may not engage in any activity as a limited partner which creates general liability.

(c) All financial or proprietary data received, prepared, used, or retained by the state board in connection with investments authorized by paragraph (a), clause (1), (2), or (4), are nonpublic data under section 13.02, subdivision 9. As used in this paragraph, "financial or proprietary data" means information, as determined by the executive director, that is of a financial or proprietary nature; and the release of which could cause competitive harm to the state board, the legal entity in which the state board has invested or has considered an investment, the managing entity of an investment, or a portfolio company in which the legal entity holds an interest. Regardless of whether they could be considered financial or proprietary data, the following data received, prepared, used, or retained by the state board in connection with investments authorized by paragraph (a), clause (1), (2), or (4), are public at all times:

(1) the name and industry group classification of the legal entity in which the state board has invested or in which the state board has considered an investment;

(2) the state board commitment amount, if any;

(3) the funded amount of the state board's commitment to date, if any;

(4) the market value of the investment by the state board;

(5) the state board's internal rate of return; and

(6) the age of the investment in years.

Sec. 2. Minnesota Statutes 2004, section 13.635, is amended by adding a subdivision to read:

Subd. 1a. [STATE BOARD OF INVESTMENT.] Certain government data of the State Board of Investment related to investments are classified under section 11A.24, subdivision 6.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law and Elections.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 683, A bill for an act relating to natural resources; modifying acquisition and use provisions for scientific and natural areas; amending Minnesota Statutes 2004, sections 84.033, by adding a subdivision; 97A.093; repealing Minnesota Statutes 2004, section 84.033, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Tingelstad from the Committee on Governmental Operations and Veterans Affairs to which was referred:

H. F. No. 685, A bill for an act relating to veterans; eliminating a restriction on a veteran's preference provision; repealing Minnesota Statutes 2004, section 43A.11, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 7, delete "section" and insert "sections" and delete "is" and insert "and 197.455, subdivision 3, are"

Amend the title as follows:

Page 1, line 2, delete "a restriction on a" and insert "restrictions on"

Page 1, line 3, delete "provision" and insert "provisions"

Page 1, line 4, delete "section" and insert "sections" and after "2" insert "; 197.455, subdivision 3"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 776, A bill for an act relating to insurance; broadening an existing right to purchase Medicare supplement coverage under certain circumstances; amending Minnesota Statutes 2004, section 62A.31, subdivision 1h.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health Policy and Finance.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 787, A bill for an act relating to natural resources; requiring an application fee to obtain road easements across state lands; creating a land management account; appropriating money; amending Minnesota Statutes 2004, section 84.631; proposing coding for new law in Minnesota Statutes, chapter 92.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 823, A bill for an act relating to natural resources; modifying the State Timber Act; modifying standard measurements for wood; amending Minnesota Statutes 2004, sections 90.01, by adding subdivisions; 90.041, subdivision 5; 90.042; 90.101, subdivision 2; 90.121; 90.172; 90.173; 90.195; 90.211; 90.301, subdivision 4; 239.33; repealing Minnesota Statutes 2004, sections 90.01, subdivision 9; 90.041, subdivisions 3, 4.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 2004, section 89.71, subdivision 1, is amended to read:

Subdivision 1. [DESIGNATION, INVENTORY, RECORDING.] ~~Forest roads, bridges, and other improvements administered under section 89.002, subdivision 3, are designated as state forest roads to the width of the actual use including ditches, backslopes, fills, and maintained right of way, unless otherwise specified in a prior easement of record.~~ The commissioner may designate forest roads. Designations of forest roads shall be accomplished by written order of the commissioner published in the State Register. Designated forest roads, bridges, and other improvements administered under section 89.002, subdivision 3, are designated as state forest roads to the width of the actual use including ditches, backslopes, fills, and maintained right-of-way, unless otherwise specified in a prior easement of record. The commissioner may undesignate, by written order published in the State Register, all or part of a state forest road that is not needed to carry out forest resource management policy. Designations and undesignations are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner shall maintain and keep current an inventory listing and describing roads in which the state claims a right or property interest for state forest road purposes. The commissioner may file for record with a county recorder or registrar of titles appropriate documents setting forth the state's interest in all or part of any state forest road."

Page 8, after line 21, insert:

"Sec. 14. Minnesota Statutes 2004, section 282.04, subdivision 1, is amended to read:

Subdivision 1. [TIMBER SALES; LAND LEASES AND USES.] (a) The county auditor may sell timber upon any tract that may be approved by the natural resources commissioner. The sale of timber shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at the public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until the time as the county board may withdraw the timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources.

(b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales, the down payment shall be no less than 15 percent of the appraised value, and the balance shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a single sale with predetermined cutting blocks, the down payment shall be no less than 15 percent of the appraised price of the entire timber sale which may be held until the satisfactory completion of the sale or applied in whole or in part to the final cutting block. The value of each separate block must be paid in full before any cutting may begin in that block. With the permission of the county contract administrator the purchaser may enter unpaid blocks and cut necessary timber incidental to developing logging roads as may be needed to log other blocks provided that no timber may be removed from an unpaid block until separately scaled and paid for. If payment is provided as specified in this paragraph as security under paragraph (a) and no cutting has taken place on the contract, the county auditor may credit the security provided, less any down payment required for an auction sale under this paragraph, to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited, provided the request and transfer is made within the same calendar year as the security was received.

(c) The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale under paragraph (a), in which case the notice shall contain a description of the parcels, a statement of the estimated quantity of each species of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per piece, as the case may be. In those cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from the parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of the sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of the sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from the parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of a sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two of the sales, directly or indirectly to any individual shall be in effect at one time.

(d) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private sale, and at the prices and under the terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$12,000 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

(e) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations, or organized subdivisions of the state at public or private sale, at the prices and under the terms as the county board may prescribe, for the purpose of taking and removing for use for road construction and other purposes tax-forfeited stockpiled iron-bearing material. The county auditor must determine that the material is needed and suitable for use in the construction or maintenance of a road, tailings basin, settling basin, dike, dam, bank fill, or other works on public or private property, and that the use would be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile for these purposes must first be approved by the commissioner of natural resources. The request shall be deemed approved unless the requesting county is notified to the contrary by the commissioner of natural resources within six months after receipt of a request for approval for use of a stockpile. Once use of a stockpile has been approved, the county may continue to lease it for these purposes until approval is withdrawn by the commissioner of natural resources.

(f) The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon the conditions and for the consideration and for the period of time, not exceeding 15 years, as the county board may determine. The permits, licenses, or leases are subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon the terms and conditions as the county board may prescribe. Any lease for the removal of peat from tax-forfeited lands must first be reviewed and approved by the commissioner of natural resources if the lease covers 320 or more acres. No lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on the auditor's intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County auditor may, at the discretion of the county board, sell timber to the party who bids the highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

(j) In lieu of any payment or deposit required in paragraph (b), as directed by the county board and under terms set by the county board, the county auditor may accept an irrevocable bank letter of credit in the amount equal to the amount otherwise determined in paragraph (b), ~~exclusive of the down payment required for an auction sale in paragraph (b).~~ If an irrevocable bank letter of credit is provided under this paragraph, at the written request of the purchaser, the county may periodically allow the bank letter of credit to be reduced by an amount proportionate to the value of timber that has been harvested and for which the county has received payment. The remaining amount of the bank letter of credit after a reduction under this paragraph must not be less than 20 percent of the value of the timber purchased. If no cutting of timber has taken place on the contract for which a letter of credit has been provided, the county may allow the transfer of the letter of credit to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited, if an irrevocable bank letter of credit or cash deposit is provided for the down payment required in paragraph (b)."

Page 8, line 26, delete "13" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "modifying designations of forest roads; modifying terms of timber sales on tax-forfeited lands;"

Page 1, line 4, after "sections" insert "89.71, subdivision 1;"

Page 1, line 7, before "repealing" insert "282.04, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 898, A bill for an act relating to unemployment insurance; conforming various provisions to federal requirements; making technical and housekeeping changes; amending Minnesota Statutes 2004, sections 268.03, subdivision 1; 268.035, subdivisions 9, 13, 14, 20, 21, 26; 268.042, subdivision 1; 268.043; 268.044, subdivisions 2, 3; 268.051, subdivisions 1, 4, 6, 7, by adding a subdivision; 268.052, subdivision 2; 268.053, subdivision 1; 268.065, subdivision 2; 268.069, subdivision 1; 268.07, subdivision 3b; 268.085, subdivisions 1, 2, 3, 5, 12; 268.086, subdivisions 2, 3; 268.095, subdivisions 1, 4, 7, 8, 10, 11; 268.101, subdivisions 1, 3a; 268.103, subdivision 2; 268.105; 268.145, subdivision 1; 268.18, subdivisions 1, 2, 2b; 268.182, subdivision 2; 268.184, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 2004, sections 268.045, subdivisions 2, 3, 4; 268.086, subdivision 4; Laws 1997, chapter 66, section 64, subdivision 1; Minnesota Rules, parts 3310.2926; 3310.5000; 3315.0910, subpart 9; 3315.1020; 3315.1301; 3315.1315, subparts 1, 2, 3; 3315.1650; 3315.2210; 3315.3210; 3315.3220.

Reported the same back with the following amendments:

Page 12, after line 21, insert:

"[EFFECTIVE DATE.] This section is effective August 1, 2005, and applies to crimes committed on or after that date."

Page 12, after line 25, insert:

"Sec. 13. [RELATION TO FEDERAL LAW.]

This article is enacted to meet the requirements of the Federal SUTA Dumping Prevention Act of 2004, Public Law 108-295, amending United States Code, title 42, section 503, and shall be construed, interpreted, and applied consistent with the requirements of that federal law, including its definitions."

Page 53, line 29, delete "38" and insert "31, 33 to 38,"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law and Elections.

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 925, A bill for an act relating to insurance; making federally conforming changes in Medicare-related coverage; providing financial solvency regulation for stand-alone Medicare Part D prescription drug plans; making related technical changes; amending Minnesota Statutes 2004, sections 62A.31, subdivisions 1f, 1k, 1n, 1s, 1t, 1u, 3, 4, 7; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62L.12, subdivision 2; 62Q.01, subdivision 6; 256.9657, subdivision 3; 295.53, subdivision 1; 297I.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the following amendments:

Page 2, line 13, delete the new language and before the comma, insert "If the suspended policy provided coverage for outpatient prescription drugs, reinstatement of the policy for Medicare Part D enrollees must be without coverage for outpatient prescription drugs and must otherwise provide coverage substantially equivalent to the coverage in effect before the date of suspension"

Page 2, lines 14 and 15, delete the new language

Page 9, line 22, delete "1395ss(v)(6)(d)" and insert "1395ss(v)(6)(D)"

Page 35, line 27, delete "use" and insert "issue"

Page 35, line 28, after "approved" insert "policy and certificate"

Page 36, line 3, after "paragraphs" insert "(f)," and after "(g)" insert a comma

Page 36, lines 10 and 17, delete "62A.4530" and insert "62A.4528"

Page 37, lines 9, 14, and 20, delete "62A.4530" and insert "62A.4528"

Page 39, lines 2 and 17, delete "62A.4530" and insert "62A.4528"

Page 39, line 12, after the semicolon, insert "and"

Page 39, delete lines 13 and 14

Page 39, line 15, delete "(14)" and insert "(13)"

Page 39, line 23, after the period, insert "The commissioner must approve or deny an application within 90 days after receipt of a substantially complete application, or the application is deemed approved."

Page 41, lines 30 and 34, delete "62A.4530" and insert "62A.4528"



Page 42, line 10, delete "62A.4530" and insert "62A.4528"

Page 42, delete lines 31 to 33

Page 42, line 34, delete "(d)" and insert "(c)"

Page 46, lines 28 and 32, delete "62A.4530" and insert "62A.4528"

Page 47, lines 5 and 35, delete "62A.4530" and insert "62A.4528"

Page 48, lines 23 and 27, delete "62A.4530" and insert "62A.4528"

Pages 53 to 55, delete sections 4 and 5

Amend the title as follows:

Page 1, line 10, delete "295.53,"

Page 1, line 11, delete everything before "proposing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health Policy and Finance.

The report was adopted.

Westrom from the Committee on Regulated Industries to which was referred:

H. F. No. 942, A bill for an act relating to natural gas rates; allowing for recovery of certain infrastructure replacement costs separately from a general rate case; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Page 3, after line 4, insert:

"Sec. 3. [SUNSET.]

Sections 1 and 2 shall expire on June 30, 2015."

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 3, 218, 417, 683, 685 and 942 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 633 and 685 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ruth; Nelson, P.; Erhardt; Larson and Lieder introduced:

H. F. No. 1152, A bill for an act relating to appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for general contingent accounts and tort claims; modifying provision for handling state mail; modifying vehicle registration tax and fee provisions; increasing fees for motor vehicle transfers and driver and vehicle services; establishing accounts; abolishing statewide bicycle registration program; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 16B.49; 115A.908, subdivision 1; 168.011, by adding a subdivision; 168.013, subdivision 8; 168.09, subdivision 7; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127, subdivision 6; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.27, subdivision 11; 168.33; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.29; 168A.31; 169.09, subdivision 13; 169A.60, subdivision 16; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.13, subdivision 6, by adding a subdivision; 171.20, subdivision 4; 171.26; 171.29, subdivision 2; 171.36; proposing coding for new law in Minnesota Statutes, chapters 168; 299A; repealing Minnesota Statutes 2004, sections 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.231; 168.345, subdivisions 3, 4; 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.10; 168C.11; 168C.12; 168C.13; 170.23; 171.12, subdivision 8; 171.185; Minnesota Rules, parts 7407.0100; 7407.0200; 7407.0300; 7407.0400; 7407.0500; 7407.0600; 7407.0700; 7407.0800; 7407.0900; 7407.1000; 7407.1100; 7407.1200; 7407.1300.

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

Hausman and Erhardt introduced:

H. F. No. 1153, A bill for an act relating to traffic regulations; establishing a crosswalk safety education account; appropriating money; amending Minnesota Statutes 2004, section 169.21, by adding a subdivision.

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

Emmer, Atkins and Johnson, J., introduced:

H. F. No. 1154, A bill for an act relating to environment; adopting the Uniform Environmental Covenants Act; amending Minnesota Statutes 2004, section 115B.17, subdivision 15; proposing coding for new law as Minnesota Statutes, chapter 114D.

The bill was read for the first time and referred to the Committee on Civil Law and Elections.

Davids introduced:

H. F. No. 1155, A bill for an act relating to taxation; tax increment financing; allowing a tax increment financing district in the city of Chatfield to capture the state general tax.

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

Powell; Moe; Hilstrom; Johnson, J., and Dorn introduced:

H. F. No. 1156, A bill for an act relating to public safety; appropriating money for purchase of automatic external defibrillators for State Patrol vehicles in greater Minnesota.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Finance.

Penas, Dill, Howes and Anderson, I., introduced:

H. F. No. 1157, A bill for an act relating to health; modifying requirements for the provision of medical assistance swing bed services; amending Minnesota Statutes 2004, section 256B.0625, subdivision 2.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Buesgens introduced:

H. F. No. 1158, A bill for an act relating to local government; municipal liquor stores; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 2004, sections 340A.601; 340A.602; 340A.603; 340A.604.

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

Emmer, Atkins and Johnson, J., introduced:

H. F. No. 1159, A bill for an act relating to dispute resolution; providing for mediation of disputes; adopting the Uniform Mediation Act; amending Minnesota Statutes 2004, sections 115B.414, subdivision 2; 469.1771, subdivision 2b; 572.40; 572.41, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 572C; repealing Minnesota Statutes 2004, sections 572.31; 572.33; 572.35, subdivision 1; 572.36; 572.37; 572.39.

The bill was read for the first time and referred to the Committee on Civil Law and Elections.

Otremba, Slawik, Kelliher, Huntley and Abeler introduced:

H. F. No. 1160, A bill for an act relating to agriculture; expanding access to pesticides application information; amending Minnesota Statutes 2004, section 18B.37, subdivisions 2, 5.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development.

Huntley, Abeler, Finstad, Otremba and Bradley introduced:

H. F. No. 1161, A bill for an act relating to health; establishing penalty fees for certain credentialed health occupations; amending Minnesota Statutes 2004, sections 148.5194, by adding a subdivision; 148.6445, by adding a subdivision; 148C.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 153A.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Finstad introduced:

H. F. No. 1162, A bill for an act relating to health; modifying hospital and clinic grant programs; eliminating community health center program; amending Minnesota Statutes 2004, sections 144.147, subdivision 2; 144.148, subdivision 1; 144.1483; 145.9268; repealing Minnesota Statutes 2004, section 144.1486.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Ruud and Paulsen introduced:

H. F. No. 1163, A bill for an act relating to liquor; authorizing the city of Eden Prairie to issue an on-sale intoxicating liquor license to a caterer for use in connection with city-owned premises.

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

Gazelka, Ruth, Sieben, Hornstein, Cox, Lillie, Simon and Peterson, N., introduced:

H. F. No. 1164, A bill for an act relating to traffic regulations; modifying provision governing the passing of a parked emergency vehicle; amending Minnesota Statutes 2004, section 169.18, subdivision 11.

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

Seifert, Hilty, Hoppe, Solberg and Holberg introduced:

H. F. No. 1165, A bill for an act relating to state government; preserving access to certain data for terminated state employees; creating a position for an ombudsman for state employee whistle-blower investigations; prohibiting public employers from retaliating against employees who report waste or mismanagement; providing access to a contested case hearing for employees who claim whistle-blower status; amending Minnesota Statutes 2004, sections 43A.33, subdivision 1; 181.932, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 15; 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs.

Erickson, Greiling, Sykora, Demmer and Dorn introduced:

H. F. No. 1166, A bill for an act relating to education; appropriating money for libraries and library programs.

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

Abeler, Dorman, Greiling, Davnie, Finstad and Davids introduced:

H. F. No. 1167, A bill for an act relating to education finance; modifying the adult basic education formula; awarding grants; appropriating money; amending Minnesota Statutes 2004, sections 124D.52, subdivision 3; 124D.531, subdivisions 1, 4.

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

Wilkin introduced:

H. F. No. 1168, A bill for an act relating to health; changing the governance structure of the Minnesota Comprehensive Health Association; increasing the cigarette tax; conforming to federal law on health savings accounts; repealing the assessment for the Minnesota Comprehensive Health Association; appropriating money; amending Minnesota Statutes 2004, sections 62A.02, by adding a subdivision; 62E.02, subdivision 23; 62E.091; 62E.10, subdivisions 1, 2, 3, 6, 7; 62E.11, subdivisions 9, 10; 62E.13, subdivisions 2, 3a, by adding a subdivision; 62E.14, subdivisions 1, 6; 290.01, subdivisions 19, 31; 297F.05, subdivision 1; 297F.10, subdivision 1; repealing Minnesota Statutes 2004, sections 62E.02, subdivision 23; 62E.11, subdivisions 5, 6, 13; 62E.13, subdivision 1.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Bradley, Huntley, Ruth, Demmer and Brod introduced:

H. F. No. 1169, A bill for an act relating to health; changing the governance structure of the Minnesota Comprehensive Health Association; increasing the cigarette tax; conforming to federal law on health savings accounts; providing a health insurance exemption from the insurance premiums tax; repealing the assessment for the Minnesota Comprehensive Health Association; appropriating money; amending Minnesota Statutes 2004, sections 62A.02, by adding a subdivision; 62E.02, subdivision 23; 62E.091; 62E.10, subdivisions 1, 2, 3, 6, 7; 62E.11, subdivisions 9, 10; 62E.13, subdivisions 2, 3a, by adding a subdivision; 62E.14, subdivisions 1, 6; 290.01, subdivisions 19, 31; 297F.05, subdivision 1; 297F.10, subdivision 1; 297I.15, subdivision 4; repealing Minnesota Statutes 2004, sections 62E.02, subdivision 23; 62E.11, subdivisions 5, 6, 13; 62E.13, subdivision 1; 297I.01, subdivision 10; 297I.05, subdivision 5.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Peterson, A., introduced:

H. F. No. 1170, A bill for an act relating to traffic regulations; authorizing issuance of annual permit for transportation of oversize load consisting of storage sheds; amending Minnesota Statutes 2004, sections 169.80, subdivision 2; 169.86, subdivision 5.

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

Hornstein; Cox; Sieben; Tingelstad; Ozment; Erhardt; Ellison; Lenczewski; Ruud; Dittrich; Larson; Opatz; Hortman; Brod; Davnie; Johnson, S.; Sailer; Nelson, M.; Hausman; Peterson, A.; Kahn; Paymar; Wagenius; Mariani; Kelliher; Scalze; Abeler; Cybart; Slawik; Thao; Simon; Atkins; Lillie; Clark and Entenza introduced:

H. F. No. 1171, A bill for an act relating to taxation; exempting certain hybrid vehicles from the motor vehicle sales tax; amending Minnesota Statutes 2004, sections 297B.01, by adding a subdivision; 297B.03.

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

Olson; Hosch; Marquart; Severson; Nelson, P.; Peterson, N.; Johnson, J.; Heidgerken; Urdahl; Wardlow; Otremba; Dill; Anderson, B.; Powell; Gazelka; Howes; Hoppe; DeLaForest; Rukavina; Cybart; Paulsen; Moe and Eken introduced:

H. F. No. 1172, A bill for an act relating to local government; providing for local governments to opt out of state mandates; proposing coding for new law as Minnesota Statutes, chapter 471B.

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

Olson, Hortman, Heidgerken, Wardlow, Murphy and Anderson, B., introduced:

H. F. No. 1173, A bill for an act relating to taxation; exempting public personal rapid transit systems from certain taxes; amending Minnesota Statutes 2004, sections 272.02, by adding a subdivision; 290.05, subdivision 1; 297A.61, by adding a subdivision; 297A.68, by adding a subdivision; 297A.71, by adding a subdivision.

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

Olson; Hortman; Wardlow; Huntley; Anderson, B.; Peterson, N., and Murphy introduced:

H. F. No. 1174, A bill for an act relating to local government; authorizing local bonding for personal rapid transit; amending Minnesota Statutes 2004, sections 429.021, subdivision 1; 475.52, subdivisions 1, 3, 4.

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

Zellers; Severson; Simpson; Solberg; Lesch; Johnson, J.; Hoppe; Finstad and Blaine introduced:

H. F. No. 1175, A bill for an act relating to taxation; providing a checkoff on the income tax return for donations to the veterans of the global war on terrorism fund; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Brod, Otremba and Abeler introduced:

H. F. No. 1176, A bill for an act relating to education; modifying teacher license variance for certain special education teachers; amending Minnesota Statutes 2004, section 122A.09, subdivision 10.

The bill was read for the first time and referred to the Committee on Education Policy and Reform.

Brod, Otremba and Abeler introduced:

H. F. No. 1177, A bill for an act relating to education; making the North Central Service Cooperative a contracting agency for the purpose of calculating special education revenue; amending Minnesota Statutes 2004, section 125A.76, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Policy and Reform.

Thissen and Johnson, R., introduced:

H. F. No. 1178, A bill for an act relating to health; requiring the disclosure of financial information and arrangements related to prescription drug purchasing; requiring rulemaking; providing civil penalties; amending Minnesota Statutes 2004, section 151.061, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 151A.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Westerberg, Atkins, Huntley, Hoppe and Zellers introduced:

H. F. No. 1179, A bill for an act relating to gambling; clarifying the powers and duties of the Racing Commission to card clubs; establishing a director of card clubs; authorizing rulemaking; amending Minnesota Statutes 2004, sections 240.03; 240.04, by adding a subdivision; 240.23; 240.30, subdivisions 2, 7.

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

Davnie, Sykora, Buesgens, Hornstein, Kahn, Ellison, Kelliher, Mullery, Walker, Clark, Wagenius, Thissen and Loeffler introduced:

H. F. No. 1180, A bill for an act relating to education; modifying teacher tenure in cities of the first class; authorizing negotiation of a plan for teacher layoffs; amending Minnesota Statutes 2004, section 122A.41, subdivision 14.

The bill was read for the first time and referred to the Committee on Education Policy and Reform.

Cox; Nelson, P.; Davids; Hansen and Peterson, A., introduced:

H. F. No. 1181, A bill for an act relating to natural resources; adding soil and water conservation districts to the definition of special taxing district; amending Minnesota Statutes 2004, sections 103C.331, subdivision 16; 275.066; proposing coding for new law in Minnesota Statutes, chapter 103C.

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

Severson introduced:

H. F. No. 1182, A bill for an act relating to local government aids; increasing the city aid base for certain cities; amending Minnesota Statutes 2004, section 477A.011, subdivision 36.

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

Meslow, Greiling, Dorman, Davnie and Abeler introduced:

H. F. No. 1183, A bill for an act relating to education finance; increasing the basic formula allowance; restoring the special education growth factors; amending Minnesota Statutes 2004, sections 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6; 126C.10, subdivision 2.

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

Vandevveer introduced:

H. F. No. 1184, A bill for an act relating to capital investment; appropriating money for construction of certain interchanges on marked Interstate Highway 35E; authorizing the issuance of state trunk highway bonds.

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

Cox; Hansen; Tingelstad; Peterson, A.; Hoppe; McNamara; Welti and Scalze introduced:

H. F. No. 1185, A bill for an act relating to the environment; providing specifications for review and waivers of 401 certification under the federal Clean Water Act; establishing fees; amending Minnesota Statutes 2004, section 115.03, subdivision 4a.

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

Clark, Slawik, Sieben, Sertich, Westerberg, Dorn, Moe, Gunther and Gazelka introduced:

H. F. No. 1186, A bill for an act relating to human services; appropriating money for food and nutrition assistance.

The bill was read for the first time and referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

Finstad and Svinggum introduced:

H. F. No. 1187, A bill for an act relating to taxation; exempting admissions to events sponsored by the state high school league from the sales tax; amending Minnesota Statutes 2004, section 297A.70, subdivision 11.

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

Moe, Eken, Cox, Cybart, Lieder and Olson introduced:

H. F. No. 1188, A bill for an act relating to traffic regulations; modifying provision governing use of recreational vehicle combination carrying equestrian equipment and supplies; amending Minnesota Statutes 2004, section 169.81, subdivision 3c.

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

Erhardt introduced:

H. F. No. 1189, A bill for an act relating to traffic regulations; exempting recycling and garbage trucks from certain weight restrictions; amending Minnesota Statutes 2004, section 169.87, subdivision 6.

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



Abeler, Wilkin and Otremba introduced:

H. F. No. 1190, A bill for an act relating to health occupations; clarifying the scope of practice of occupational therapists; authorizing approval for certain occupational therapists continuing education activities; amending Minnesota Statutes 2004, sections 148.6404; 148.6440, subdivision 7.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Eastlund; Nelson, P.; Gazelka; Otremba; Anderson, B.; Soderstrom; Westrom; Westerberg; Abeler and Wardlow introduced:

H. F. No. 1191, A bill for an act relating to family law; clarifying "the best interests of the child"; establishing a rebuttable presumption in favor of joint legal and physical custody; providing child support guidelines; making related technical changes; amending Minnesota Statutes 2004, sections 518.17, subdivisions 1, 2; 518.551, by adding a subdivision; 518.5513, subdivision 3; 518.64, subdivision 2; 611.20, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 2004, sections 518.17, subdivisions 1a, 3, 6; 518.551, subdivisions 5, 5f.

The bill was read for the first time and referred to the Committee on Civil Law and Elections.

Davnie introduced:

H. F. No. 1192, A bill for an act relating to early childhood education; providing for early learning guidelines and a quality rating system; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Policy and Reform.

Nelson, P., introduced:

H. F. No. 1193, A bill for an act relating to elections; campaign finance; providing that certain costs of a suggestion solicitation and postage are constituent services; amending Minnesota Statutes 2004, section 10A.01, subdivision 26.

The bill was read for the first time and referred to the Committee on Civil Law and Elections.

Fritz introduced:

H. F. No. 1194, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land bordering public waters in Rice County.

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

Lanning, Nornes, Otremba, Marquart, Simpson, Welti, Urdahl, Heidgerken and Gunther introduced:

H. F. No. 1195, A bill for an act relating to human services; modifying child care provider rates; amending Laws 2003, First Special Session chapter 14, article 9, section 34.

The bill was read for the first time and referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

Lanning, Nornes, Otremba, Marquart, Simpson, Welti, Urdahl, Heidgerken and Gunther introduced:

H. F. No. 1196, A bill for an act relating to human services; creating a child care assistance provider reimbursement rate grant program; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

Westerberg, Gunther, Sertich and Mahoney introduced:

H. F. No. 1197, A bill for an act relating to economic development; appropriating money for a grant to the Blandin Foundation.

The bill was read for the first time and referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

Slawik, Sertich and Clark introduced:

H. F. No. 1198, A bill for an act relating to families; appropriating money for emergency assistance and transitional housing.

The bill was read for the first time and referred to the Committee on Jobs and Economic Opportunity Policy and Finance.

Carlson; Peterson, S.; Mullery; Ruud; Nelson, M.; Sieben; Dittrich; Larson; Thissen; Hilty; Pelowski; Wagenius; Paymar; Greiling; Anderson, I.; Murphy and Solberg introduced:

H. F. No. 1199, A bill for an act relating to commerce; extending the motor vehicle lemon law to include motor boats; amending Minnesota Statutes 2004, section 325F.665.

The bill was read for the first time and referred to the Committee on Commerce and Financial Institutions.

Cybart; Smith; Zellers; Hornstein; Ellison; Moe; Demmer; Charron; Peterson, N.; Dean and Gazelka introduced:

H. F. No. 1200, A bill for an act relating to public safety; authorizing the court to conduct a search if a person applies for a name change; amending Minnesota Statutes 2004, section 259.11.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Finance.

Cybart; Smith; Zellers; Hornstein; Ellison; Moe; Demmer; Charron; Peterson, N.; Gazelka and Dean introduced:

H. F. No. 1201, A bill for an act relating to public safety; requiring courts to determine if a person has a criminal history when the person applies for a name change; amending Minnesota Statutes 2004, section 259.11.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Finance.

Dempsey introduced:

H. F. No. 1202, A bill for an act relating to crime prevention; expanding the fourth-degree assault law; amending Minnesota Statutes 2004, section 609.2231, subdivision 3.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Finance.

Abeler, Powell, Emmer and Huntley introduced:

H. F. No. 1203, A bill for an act relating to health; providing an exception to the moratorium on nursing home beds by allowing relicensure and recertification of beds placed on layaway; amending Minnesota Statutes 2004, section 144A.071, subdivision 4a.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.

Holberg introduced:

H. F. No. 1204, A bill for an act relating to government data practices; classifying certain data of the Department of Transportation; amending Minnesota Statutes 2004, sections 13.591, by adding a subdivision; 13.72, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Civil Law and Elections.

Urdahl; Davids; Blaine; Otremba; Juhnke; Rukavina; Finstad; Penas; Johnson, R.; Magnus; Koenen; Welti; Moe and Demmer introduced:

H. F. No. 1205, A bill for an act relating to agriculture; defining a term; requiring certain payments; establishing a base funding level for rural economic development including ethanol producer payments; amending Minnesota Statutes 2004, section 41A.09, subdivisions 2a, 3a.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development.

Rukavina and Sertich introduced:

H. F. No. 1206, A bill for an act relating to taxation; sales and use; exempting construction materials used to construct certain utility facilities; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2, 3.

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

Vandevveer introduced:

H. F. No. 1207, A bill for an act relating to state lands; authorizing the private sale of tax-forfeited land bordering public waters in Washington County.

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

Vandevveer introduced:

H. F. No. 1208, A bill for an act relating to gambling; prohibiting location of a state-operated or state-licensed gambling facility in a town or city unless the voters of the town or city have approved the facility in a referendum.

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

Blaine, Seifert, Hoppe, Peppin and Finstad introduced:

H. F. No. 1209, A bill for an act relating to finance; providing certain services to veterans; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs.

Ruud, Charron, Abeler, Dittrich and Greiling introduced:

H. F. No. 1210, A bill for an act relating to education; providing for a unified, Internet-based, student information and reporting system; directing the commissioner of education to contract with a single contractor; appropriating money.

The bill was read for the first time and referred to the Committee on Education Policy and Reform.

Urdahl; Anderson, B., and Olson introduced:

H. F. No. 1211, A bill for an act relating to agriculture; limiting the sale or lease of certain agricultural land for nonpublic use if the land was acquired by eminent domain within the previous five years; proposing coding for new law in Minnesota Statutes, chapter 40A.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development.

Davids introduced:

H. F. No. 1212, A bill for an act relating to traffic regulations; clarifying duty of driver when passing parked emergency vehicle; amending Minnesota Statutes 2004, section 169.18, subdivision 11.

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

### **CONSENT CALENDAR**

H. F. No. 598 was reported to the House.

Peppin moved that H. F. No. 598 be placed on the General Register. The motion prevailed.

H. F. No. 871, A bill for an act relating to state government; authorizing participation of day training and habilitation services providers in state cooperative purchasing agreements; including certain rehabilitation facilities, extended employment providers, and day training and habilitation services providers in the state agency acquisition process; amending Minnesota Statutes 2004, sections 16C.10, subdivision 5; 471.59, 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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilty	Latz	Ozment	Slawik
Abrams	Dittrich	Holberg	Lenczewski	Paulsen	Smith
Anderson, B.	Dorman	Hoppe	Lesch	Paymar	Soderstrom
Anderson, I.	Dorn	Hornstein	Liebling	Pelowski	Solberg
Atkins	Eastlund	Hortman	Lieder	Penas	Sykora
Beard	Eken	Hosch	Lillie	Peppin	Thao
Bernardy	Ellison	Howes	Loeffler	Peterson, A.	Thissen
Blaine	Emmer	Huntley	Magnus	Peterson, N.	Tingelstad
Bradley	Entenza	Jaros	Mahoney	Poppe	Urdahl
Brod	Erickson	Johnson, J.	Mariani	Powell	Vandever
Carlson	Finstad	Johnson, R.	Marquart	Rukavina	Wagenius
Charron	Fritz	Johnson, S.	Meslow	Ruth	Walker
Clark	Garofalo	Juhnke	Moe	Ruud	Wardlow
Cornish	Gazelka	Kahn	Mullery	Sailer	Welti
Cox	Greiling	Kelliher	Murphy	Samuelson	Westerberg
Cybart	Gunther	Klinzing	Nelson, M.	Scalze	Westrom
Davids	Hackbarth	Knoblach	Nelson, P.	Seifert	Wilkin
Davnie	Hamilton	Koenen	Newman	Sertich	Zellers
Dean	Hansen	Kohls	Nornes	Severson	Spk. Sviggum
DeLaForest	Hausman	Krinkie	Olson	Sieben	
Demmer	Heidgerken	Lanning	Opatz	Simon	
Dempsey	Hilstrom	Larson	Otremba	Simpson	

Those who voted in the negative were:

Buesgens                      Goodwin

The bill was passed and its title agreed to.

## MOTIONS AND RESOLUTIONS

Peppin moved that her name be stricken as an author on H. F. No. 3. The motion prevailed.

Rukavina moved that the names of Lillie and Liebling be added as authors on H. F. No. 48. The motion prevailed.

Otremba moved that the names of Davids and Poppe be added as authors on H. F. No. 66. The motion prevailed.

Dorman moved that the name of Poppe be added as an author on H. F. No. 212. The motion prevailed.

Dauids moved that the name of Poppe be added as an author on H. F. No. 223. The motion prevailed.

Dauids moved that the name of Poppe be added as an author on H. F. No. 280. The motion prevailed.

Mahoney moved that the name of Lillie be added as an author on H. F. No. 293. The motion prevailed.

Johnson, S., moved that the name of Lillie be added as an author on H. F. No. 297. The motion prevailed.

Johnson, S., moved that the name of Lillie be added as an author on H. F. No. 299. The motion prevailed.

Tingelstad moved that the name of Hortman be added as an author on H. F. No. 390. The motion prevailed.

Penas moved that the name of Poppe be added as an author on H. F. No. 426. The motion prevailed.

Opatz moved that the names of Samuelson and Lillie be added as authors on H. F. No. 487. The motion prevailed.

Mahoney moved that the name of Lillie be added as an author on H. F. No. 510. The motion prevailed.

Wardlow moved that the name of Samuelson be added as an author on H. F. No. 530. The motion prevailed.

Demmer moved that the name of Poppe be added as an author on H. F. No. 550. The motion prevailed.

Cox moved that the name of Hansen be added as an author on H. F. No. 566. The motion prevailed.

Abeler moved that the names of Poppe and Hortman be added as authors on H. F. No. 670. The motion prevailed.

Lenczewski moved that her name be stricken as an author on H. F. No. 680. The motion prevailed.

Severson moved that the name of Lillie be added as an author on H. F. No. 682. The motion prevailed.

Severson moved that the name of Samuelson be added as an author on H. F. No. 685. The motion prevailed.

Heidgerken moved that the name of Poppe be added as an author on H. F. No. 796. The motion prevailed.

Ozment moved that the names of Sykora and Erhardt be added as authors on H. F. No. 826. The motion prevailed.

Beard moved that the name of Smith be added as an author on H. F. No. 914. The motion prevailed.

Westerberg moved that the names of Samuelson, Blaine, Dittrich, Hortman and Lillie be added as authors on H. F. No. 950. The motion prevailed.

Wilkin moved that the name of Lenczewski be added as an author on H. F. No. 980. The motion prevailed.

Sieben moved that the name of Lenczewski be added as an author on H. F. No. 987. The motion prevailed.

Clark moved that the name of Sailer be added as an author on H. F. No. 1098. The motion prevailed.

Seifert moved that the names of Simpson and Sailer be added as authors on H. F. No. 1104. The motion prevailed.

Smith moved that the name of Powell be added as an author on H. F. No. 1109. The motion prevailed.

Wilkin moved that the names of Knoblach and Nelson, P., be added as authors on H. F. No. 1125. The motion prevailed.

Emmer moved that the name of Cybart be added as an author on H. F. No. 1131. The motion prevailed.

Goodwin moved that H. F. No. 535 be recalled from the Committee on State Government Finance and be referred to the Committee on Governmental Operations and Veterans Affairs. The motion prevailed.

#### FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Knoblach announced his intention to place H. F. No. 3 on the Fiscal Calendar for Tuesday, February 22, 2005.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, February 22, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, February 22, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

