

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

 THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 6, 2005

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Huntley and Thissen were excused.

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

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 31, 2005

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

Dear Speaker Sviggum:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1036, relating to state government; the Office of Administrative Hearings; providing state copies of Minnesota Rules to the office; regulating hearings and cases; providing rulemaking; assessing costs.

H. F. No. 925, 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.

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 Acts of the 2005 Session of the State Legislature have been received from the Office of the Governor and are 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>
1031		15	3:20 p.m. March 31	March 31
	1036	16	3:30 p.m. March 31	March 31
	925	17	3:45 p.m. March 31	March 31

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Krinkie from the Committee on Taxes to which was referred:

H. F. No. 241, A bill for an act relating to public employment; providing that a public employer may not forbid an employee from wearing an American flag patch or pin; proposing coding for new law in Minnesota Statutes, chapter 15.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [15.60] [PUBLIC SAFETY OFFICERS; AMERICAN FLAG.]

(a) A public employer may not forbid a peace officer or firefighter from wearing a patch or pin depicting the flag of the United States of America on the employee's uniform, according to customary and standard flag etiquette. However, a public employer may limit the size of a flag patch worn on a uniform to no more than three inches by five inches.

(b) For purposes of this section:

(1) "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c) or (f);

(2) "firefighter" means a person as defined in section 299A.41, subdivision 4, clause (3) or (4); and

(3) "public employer" has the meaning given in section 179A.03, subdivision 15, and also includes a municipal fire department and an independent nonprofit firefighting corporation.

(c) A peace officer or firefighter who believes a public employer is violating this section may request the attorney general to issue an opinion on the issue. Upon such a request, the attorney general must issue a written opinion, which is binding, unless a court makes a contrary decision. If after issuing an opinion, the attorney general determines that a public employer continues to violate this section, the attorney general may bring an action in district court to compel compliance."

Delete the title and insert:

"A bill for an act relating to public employment; providing that a public employer may not forbid a police officer or firefighter from wearing an American flag patch or pin on a uniform; proposing coding for new law in Minnesota Statutes, chapter 15."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Nornes from the Committee on Higher Education Finance to which was referred:

H. F. No. 263, A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 340A.404, subdivision 4a; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the following amendments:

Page 2, line 31, delete everything after the period

Page 2, delete line 32

Pages 2 and 3, delete section 4

Pages 3 and 4, delete section 8

Page 4, line 34, delete "9" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 6 and 7, delete "340A.404, subdivision 4a;"

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

The report was adopted.

Gunther from the Committee on Jobs and Economic Opportunity Policy and Finance to which was referred:

H. F. No. 358, A bill for an act relating to counties; providing for fees and standards for the recording of certain documents; amending Minnesota Statutes 2004, sections 357.18; 386.30; 505.08, subdivision 2; 507.093; 508.82; 508A.82; 515B.1-116; proposing coding for new law in Minnesota Statutes, chapter 357.

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

The report was adopted.

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

H. F. No. 455, A bill for an act relating to the military; extending the time period for adjutant general of the Minnesota National Guard to make tuition reimbursement grants to members who have served in active military service; amending Minnesota Statutes 2004, section 192.501, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 10, delete "(g)" and insert "(h)"

Page 2, line 16, delete "(g)" and insert "(h)"

Page 2, after line 16, insert:

"(d) Notwithstanding paragraph (b), clause (1), a member or former member of the Minnesota National Guard who is eligible for tuition and textbook reimbursement grant benefits under this section and has eligibility remaining under the credit hours limit in paragraph (h), and who has a service-connected disability rating of 30 percent or more as certified by the United States Department of Veterans Affairs, may transfer the person's remaining eligibility to the person's spouse for use in place of the member or former member, subject to the credit hours limit in paragraph (h) for the member and spouse combined, and subject to any time limits applicable to the member or former member. Notwithstanding any such transfer of grant benefits by the member or former member to the person's spouse, the person may revoke that transfer at any time; however, any such revocation does not restore the credit hours of eligibility already used by the spouse."

Page 2, line 17, delete "(d)" and insert "(e)"

Page 2, line 24, delete "(g)" and insert "(h)"

Page 2, line 25, delete "(e)" and insert "(f)"

Page 2, line 26, delete "(d)" and insert "(e)"

Page 2, line 30, delete "(f)" and insert "(g)"

Page 3, line 12, delete "(g)" and insert "(h)" and delete "(e)" and insert "(f)"

Page 3, line 17, delete "(h)" and insert "(i)"

Page 3, line 23, delete "(i)" and insert "(j)"

Page 3, line 30, delete "(j)" and insert "(k)"

Page 4, line 13, delete "dependent" and insert "dependents as well"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 572, A bill for an act relating to public safety; scheduling ephedrine and pseudoephedrine products as Schedule V controlled substances; regulating the sale of methamphetamine precursor drugs; authorizing reporting of suspicious transactions involving these drugs and providing civil immunity for so doing; further regulating while recodifying activities involving anhydrous ammonia; requiring courts to order restitution in certain situations involving controlled substances; imposing property restrictions in certain situations involving controlled substances; increasing the criminal penalties for possessing certain substances with the intent to manufacture methamphetamine and recodifying this crime; establishing new methamphetamine-related crimes; clarifying the definition of "narcotic drug"; expanding the definition of "violent crime" for mandatory sentencing purposes; requiring that vehicles and other property used to manufacture methamphetamine indicate this in the title or by an affidavit; requiring notice to schools when children are taken into protective custody after being found at a methamphetamine laboratory; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine cleanup; imposing criminal penalties; providing for ten new Bureau of Criminal Apprehension agents dedicated to methamphetamine enforcement; appropriating money; amending Minnesota Statutes 2004, sections 152.01, subdivision 10; 152.02, subdivision 6; 152.021, subdivisions 2a, 3; 152.027, subdivisions 1, 2; 152.135, subdivision 2; 168A.05, subdivision 3; 260B.171, by adding a subdivision; 609.1095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 152; 446A; repealing Minnesota Statutes 2004, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5.

Reported the same back with the following amendments:

Page 14, after line 1, insert:

"Sec. 8. [152.0976] [PRECURSOR SUBSTANCES; RETAIL ESTABLISHMENTS.]

Subdivision 1. [PERMITTED SALES.] A retail establishment is exempt from the precursor substances sale limitations established in section 152.02, subdivision 6, if products containing ephedrine or pseudoephedrine are:

(1) sold in packages containing four or less pills containing no more than 240 milligrams of pseudoephedrine;

(2) limited to no more than two packages per transaction;

(3) displayed behind the checkout counter where the public is not permitted; and

(4) sold by employees who receive annual training on state laws regarding ephedrine or pseudoephedrine, product recognition, and information on methamphetamine manufacture.

Subd. 2. [PRODUCT EXEMPTION.] Products containing ephedrine or pseudoephedrine in gel capsule or liquid form are exempt from the requirements of this section and section 152.02, subdivision 6.

Subd. 3. [PHOTO IDENTIFICATION; LOG.] A person making a sale under this chapter must comply with the photograph identification and log requirements established in section 152.02, subdivision 6, paragraph (e), clauses (1) and (2).

Subd. 4. [AGE RESTRICTION.] No person may sell in an over-the-counter sale a methamphetamine precursor drug to a person under the age of 18 years.

[EFFECTIVE DATE.] This section is effective July 1, 2005."

Page 20, lines 3 and 12, delete "FUND" and insert "ACCOUNT"

Page 20, line 13, delete "fund" and insert "account in the public facility authority fund"

Page 20, lines 15 and 17, delete "fund" and insert "account"

Page 21, line 29, delete "fund" and insert "account"

Page 22, line 6, delete "fund" and insert "account"

Page 24, line 44, delete "fund" and insert "account"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 587, A bill for an act relating to elections; providing for periodic election days for state and local elections, other than special elections to fill a vacancy and elections conducted by mail; amending Minnesota Statutes 2004, sections 123B.63, subdivision 3; 126C.17, subdivision 11; 204C.05, by adding a subdivision; 205.10, subdivision 3; 205A.05, subdivision 1; 373.40, subdivision 2; 375.20; 458.40; 465.82, subdivision 2; 465.84; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.521, subdivision 2; 475.58, subdivisions 1, 1a; 475.59; proposing coding for new law in Minnesota Statutes, chapters 204D; 205; 205A; repealing Minnesota Statutes 2004, sections 204C.05, subdivisions 1a, 1b; 205.175; 205A.09.

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

The report was adopted.

Ozment from the Committee on Agriculture, Environment and Natural Resources Finance to which was referred:

H. F. No. 813, A bill for an act relating to natural resources; providing for evaluation of construction aggregate located on school trust lands; appropriating money; amending Minnesota Statutes 2004, section 16A.125, subdivision 5, by adding a subdivision.

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

The report was adopted.

Ozment from the Committee on Agriculture, Environment and Natural Resources Finance to which was referred:

H. F. No. 814, A bill for an act relating to public lands; modifying acquisition, use, and designation provisions for scientific and natural areas; authorizing public and private sales and conveyances of certain state lands; allowing Itasca County to acquire land for a public access with money from the Itasca County environmental trust fund; deleting land from Mississippi River Recreational Land Use Districts; 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 recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 822, A bill for an act relating to school district elections; providing for an alley system or at-large election of school board members; proposing coding for new law in Minnesota Statutes, chapter 205A.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 892, A bill for an act relating to elections; prohibiting unauthorized removal of campaign material; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 204B.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 936, A bill for an act relating to elections; increasing news media access to polling places; amending Minnesota Statutes 2004, section 204C.06, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 204C.06, subdivision 8, is amended to read:

Subd. 8. [ACCESS FOR NEWS MEDIA.] ~~The county auditor or municipal or school district clerk, or their designee, may, by written authorization, permit~~ A news media representative to representative may enter a polling places for up to 15 minutes place for up to 60 minutes during voting hours to observe the voting process. The time

limit may be extended by the head election judge. A media representative must ~~obtain prior authorization and~~ present photo identification to the head election judge upon arrival at the polling place ~~and, along with either a~~ recognized media credential or written acknowledgment from a local election official of the media representative's credentials. A media representative must not ~~otherwise:~~

- (1) approach within six feet of ~~an election judge or a~~ voter;
- (2) converse with a voter while in the polling place;
- (3) make a list of persons voting or not voting; or
- (4) ~~interview a voter within the polling place~~ interfere with the voting process.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 945, A bill for an act relating to transportation; authorizing billing for highway sign program and establishing special account; modifying eligibility criteria for certain business signs; modifying provisions relating to state-aid highways and streets, traffic signals, and railroads in quiet zones; removing expiration for commuter rail corridor coordinating committee; appropriating money; amending Minnesota Statutes 2004, sections 160.80, subdivision 1a; 162.02, subdivisions 2, 3a; 162.06, subdivision 2; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 169.06, subdivisions 5, 6; 169.28, subdivision 2; 174.86, subdivision 5; 219.166; 219.567; proposing coding for new law in Minnesota Statutes, chapters 160; 162.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

DEPARTMENT OF TRANSPORTATION

Section 1. Minnesota Statutes 2004, section 160.80, subdivision 1a, is amended to read:

Subd. 1a. [ELIGIBILITY CRITERIA FOR BUSINESS PANELS.] (a) To be eligible for a business panel on a logo sign panel, a business establishment must:

- (1) be open for business;
- (2) have a sign on site that both identifies the business and is visible to motorists;

(3) be open to everyone, regardless of race, religion, color, age, sex, national origin, creed, marital status, sexual orientation, or disability;

(4) not impose a cover charge or otherwise require customers to purchase additional products or services; and

(5) meet the appropriate criteria in paragraphs (b) to (e).

(b) Gas businesses must provide vehicle services including fuel and oil; restroom facilities and drinking water; continuous, staffed operation at least 12 hours a day, seven days a week; and public access to a telephone.

(c) Food businesses must serve at least two meals a day during normal mealtimes of breakfast, lunch, and dinner; provide a continuous, staffed food service operation at least ten hours a day, seven days a week except holidays as defined in section 645.44, subdivision 5, and except as provided for seasonal food service businesses; provide seating capacity for at least 20 people; ~~serve meals prepared on the premises;~~ and possess any required state or local licensing or approval. ~~Reheated, prepackaged, ready-to-eat food is not "food prepared on the premises."~~ Seasonal food service businesses must provide a continuous, staffed food service operation at least ten hours a day, seven days a week, during their months of operation.

(d) Lodging businesses must include sleeping accommodations, provide public access to a telephone, and possess any required state or local licensing or approval.

(e) Camping businesses must include sites for camping, include parking accommodations for each campsite, provide sanitary facilities and drinking water, and possess any required state or local licensing or approval.

(f) Businesses that do not meet the appropriate criteria in paragraphs (b) to (e) but that have a signed lease as of January 1, 1998, may retain the business panel until December 31, 2005, or until they withdraw from the program, whichever occurs first, provided they continue to meet the criteria in effect in the department's contract with the logo sign vendor on August 1, 1995. After December 31, 2005, or after withdrawing from the program, a business must meet the appropriate criteria in paragraphs (a) to (e) to qualify for a business panel.

(g) Seasonal businesses must indicate to motorists when they are open for business by either putting the full months of operation directly on the business panel or by having a "closed" plaque applied to the business panel when the business is closed for the season.

(h) The maximum distance that an eligible business in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington county can be located from the interchange is: for gas businesses, one mile; for food businesses, two miles; for lodging businesses, three miles; and for camping businesses, ten miles.

(i) The maximum distance that an eligible business in any other county can be located from the interchange shall not exceed 15 miles in either direction.

(j) Logo sign panels must be erected so that motorists approaching an interchange view the panels in the following order: camping, lodging, food, gas.

(k) If there is insufficient space on a logo sign panel to display all eligible businesses for a specific type of service, the businesses closest to the interchange have priority over businesses farther away from the interchange.

Sec. 2. Minnesota Statutes 2004, section 162.02, subdivision 2, is amended to read:

Subd. 2. [RULES; ADVISORY COMMITTEE.] (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee ~~which shall be~~ selected by the several county boards acting through the officers of the statewide association of county commissioners. The committee shall be composed of

nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of the committee shall be county commissioners. The remaining members shall be county highway engineers. In the event that agreement cannot be reached on any rule, the commissioner's determination shall be final. The rules shall be printed and copies thereof shall be forwarded to the county engineers of the several counties. For the purposes of this section, the expedited process for adopting rules established in section 14.389 may be used.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Sec. 3. Minnesota Statutes 2004, section 162.02, subdivision 3a, is amended to read:

Subd. 3a. [VARIANCES FROM RULES AND ENGINEERING STANDARDS.] The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.021 or 162.07, subdivision 2. A political subdivision in which a county state-aid highway is located or is proposed to be located may submit a written request to the commissioner for a variance for that highway. The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within ~~20~~ seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing. For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 4. Minnesota Statutes 2004, section 162.09, subdivision 2, is amended to read:

Subd. 2. [RULES; ADVISORY COMMITTEE.] (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee ~~which shall be~~ selected by the governing bodies of such cities, acting through the officers of the statewide association of municipal officials. The committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of the committee shall be elected officials of the cities. The remaining members of the committee shall be city engineers. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies thereof shall be forwarded to the clerks and engineers of the cities. For the purposes of this section, the expedited process for adopting rules established in section 14.389 may be used.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Sec. 5. Minnesota Statutes 2004, section 162.09, subdivision 3a, is amended to read:

Subd. 3a. [VARIANCES FROM RULES AND ENGINEERING STANDARDS.] The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.13, subdivision 2. A political subdivision in which a municipal state-aid street is located or is proposed to be located may submit a written request to the commissioner for a variance for that street. The commissioner shall publish notice of the request in the State Register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within ~~20~~ seven days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing. For purposes of this subdivision, "political subdivision" includes (1) an agency of a political subdivision which has jurisdiction over parks, and (2) a regional park authority.

Sec. 6. Minnesota Statutes 2004, section 162.14, subdivision 6, is amended to read:

Subd. 6. [ADVANCES.] Any such city may make advances from any funds available to it for the purpose of expediting the construction, reconstruction, improvement, or maintenance of its municipal state-aid street system; ~~provided that such advances shall not exceed the city's total estimated apportionment for the three years following the year the advance is made.~~ Advances made by any such city shall be repaid out of subsequent apportionments made to such city in accordance with the commissioner's rules.

Sec. 7. [162.031] [CONSTRUCTION ACROSS ANOTHER COUNTY OR STATE.]

When a county state-aid highway route is so located that in order to achieve the designated objectives the commissioner determines that it is necessary to construct the highway across a portion of another county or state, the county initiating the construction is authorized to spend county state-aid highway funds for that purpose in the same manner as other expenditures for county state-aid highway purposes are made. No part of that highway may be constructed in another county until both counties approve the construction.

Sec. 8. [162.091] [CONSTRUCTION ACROSS ANOTHER MUNICIPALITY OR STATE.]

When a municipal state-aid street route is so located that in order to achieve the designated objectives the commissioner determines that it is necessary to construct the street across a portion of another municipality or state, the municipality initiating the construction is authorized to spend municipal state-aid street funds for that purpose in the same manner as other expenditures for municipal state-aid street purposes are made. No part of that street may be constructed in another municipality until both municipalities approve the construction.

Sec. 9. Minnesota Statutes 2004, section 169.06, subdivision 5, is amended to read:

Subd. 5. [TRAFFIC-CONTROL SIGNAL.] (a) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors Green, Red, and Yellow shall be used, except for special pedestrian signals carrying a word or legend, ~~and said.~~ The traffic-control signal lights shall or colored lighted arrows indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication:

(i) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either ~~such~~ turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time ~~such~~ this signal is exhibited.

(ii) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by ~~such~~ the arrow, or ~~such~~ other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(iii) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk. Every driver of a vehicle shall yield the right-of-way to such pedestrian, except that the pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that the green signal indication is first shown.

(2) Steady yellow indication:

(i) Vehicular traffic facing a circular yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic ~~shall~~ must not enter the intersection, except for the continued movement allowed by any green arrow indication simultaneously exhibited.

(ii) Pedestrians facing a circular yellow signal, unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(iii) Vehicular traffic facing a steady yellow arrow signal is thereby warned that the protected vehicular movement permitted by the corresponding prior green arrow indication is being terminated.

(3) Steady red indication:

(i) Vehicular traffic facing a circular red signal alone ~~shall~~ must stop at a clearly marked stop line, ~~but~~ if none, before entering the crosswalk on the near side of the intersection, ~~or~~ if none, then before entering the intersection and shall remain standing until a green indication is shown, except as follows: (A) the driver of a vehicle ~~which is~~ stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red or stop signal, and with the intention of making a right turn may make ~~such~~ the right turn, after stopping, unless an official sign has been erected prohibiting such movement, but shall yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at ~~said~~ that intersection; or (B) the driver of a vehicle on a one-way street ~~which intersects~~ intersecting another one-way street on which traffic moves to the left shall stop in obedience to a red or stop signal and may then make a left turn into ~~said~~ the one-way street, unless an official sign has been erected prohibiting the movement, but shall yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at ~~said~~ that intersection.

(ii) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

(iii) Vehicular traffic facing a steady red arrow signal, with the intention of making a movement indicated by the arrow, ~~shall~~ must stop at a clearly marked stop line, ~~but~~ if none, before entering the crosswalk on the near side of the intersection, ~~or~~ if none, then before entering the intersection and ~~shall~~ must remain standing until a permissive signal indication permitting the movement indicated by the red arrow is displayed, except as follows: when an official sign has been erected permitting a turn on a red arrow signal, the vehicular traffic facing a red arrow signal indication is permitted to enter the intersection to turn right, or to turn left from a one-way street into a one-way street on which traffic moves to the left, after stopping, but must yield the right-of-way to pedestrians and other traffic lawfully proceeding as directed by the signal at that intersection.

(b) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except those which can have no application. Any stop required ~~shall~~ must be made at a sign or marking on the pavement indicating where the stop ~~shall~~ must be made, but in the absence of any such sign or marking the stop ~~shall~~ must be made at the signal.

(c) When a traffic-control signal indication or indications placed to control a certain movement or lane are so identified by placing a sign near the indication or indications, no other traffic-control signal indication or indications within the intersection ~~shall control~~ controls vehicular traffic for ~~such~~ that movement or lane.

Sec. 10. Minnesota Statutes 2004, section 169.06, subdivision 6, is amended to read:

Subd. 6. [PEDESTRIAN CONTROL SIGNAL.] (a) Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" or symbols of a "walking person" or "upraised hand" are in place ~~such~~, the signals shall or symbols indicate as follows:

(1) ~~A steady "Walk," flashing or steady. Pedestrians~~ signal or the symbol of a "walking person" indicates that a pedestrian facing such either of these signals may proceed across the roadway in the direction of the signal, possibly in conflict with turning vehicles. Every driver of a vehicle shall yield the right-of-way to such pedestrian except that the pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that either signal indication is first shown.

(2) ~~A "Don't Walk,"~~ signal or the symbol of an "upraised hand," flashing or steady. ~~No,~~ indicates that a pedestrian shall not start to cross the roadway in the direction of such signals either signal, but any pedestrian who has partially crossed on the "Walk" or "walking person" signal indication shall proceed to a sidewalk or safety island while the "Don't Walk" signal is showing.

(b) A pedestrian crossing a roadway in conformity with this section is lawfully within the intersection and, when in a crosswalk, is lawfully within the crosswalk.

Sec. 11. Minnesota Statutes 2004, section 169.28, subdivision 2, is amended to read:

Subd. 2. [EXEMPT CROSSING.] (a) The commissioner may designate a crossing as an exempt crossing ~~if the crossing is:~~

(1) if the crossing is on a rail line on which service has been abandoned; or

(2) if the crossing is on a rail line that carries fewer than five trains each year, traveling at speeds of ten miles per hour or less; or

(3) as agreed to by the operating railroad and the Department of Transportation, following a diagnostic review of the crossing.

(b) The commissioner shall direct the railroad to erect at the crossing signs bearing the word "Exempt" that conform to section 169.06. The installation or presence of an exempt sign does not relieve a driver of the duty to use due care. A train must not proceed across an exempt crossing unless a police officer is present to direct traffic or a railroad employee is on the ground to warn traffic until the train enters the crossing.

(c) A vehicle that must stop at grade crossings under subdivision 1 is not required to stop at a marked exempt crossing unless directed otherwise by a police officer or a railroad employee.

Sec. 12. Minnesota Statutes 2004, section 174.86, subdivision 5, is amended to read:

Subd. 5. [COMMUTER RAIL CORRIDOR COORDINATING COMMITTEE.] (a) A Commuter Rail Corridor Coordinating Committee shall be established to advise the commissioner on issues relating to the alternatives analysis, environmental review, advanced corridor planning, preliminary engineering, final design, implementation method, construction of commuter rail, public involvement, land use, service, and safety. The Commuter Rail Corridor Coordinating Committee shall consist of:

(1) one member representing each significant funding partner in whose jurisdiction the line or lines are located;

- (2) one member appointed by each county in which the corridors are located;
- (3) one member appointed by each city in which advanced corridor plans indicate that a station may be located;
- (4) two members appointed by the commissioner, one of whom shall be designated by the commissioner as the chair of the committee;
- (5) one member appointed by each metropolitan planning organization through which the commuter rail line may pass; and
- (6) one member appointed by the president of the University of Minnesota, if a designated corridor provides direct service to the university.

(b) A joint powers board existing on April 1, 1999, consisting of local governments along a commuter rail corridor, shall perform the functions set forth in paragraph (a) in place of the committee.

(c) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

[EFFECTIVE DATE.] This section is effective retroactively from June 30, 2003. All actions taken in reliance on Minnesota Statutes, section 15.059 or 174.86, are ratified by the enactment of this section.

Sec. 13. Minnesota Statutes 2004, section 219.166, is amended to read:

219.166 [ESTABLISHMENT OF QUIET ZONES.]

A county, statutory or home rule charter city, or town may ~~by ordinance establish a defined~~ apply to the Federal Railroad Administration for the establishment of a "quiet zone" in which the sounding of horns, whistles, or other audible warnings by locomotives is regulated or prohibited. ~~A quiet zone established under this section must consist of at least one-half mile of railroad right-of-way.~~ All quiet zones, regulations, and ordinances adopted under this section must conform to federal law and the regulations of the Federal Railroad Administration under United States Code, title 49, section 20153.

Sec. 14. Minnesota Statutes 2004, section 219.567, is amended to read:

219.567 [FAILURE TO RING BELL.]

An engineer driving a locomotive on a railway who fails ~~(1) to ring the bell or sound the whistle on the locomotive, or have it rung or sounded, at least 80 rods from a place where the railway crosses a traveled road or street on the same level, except in cities, or (2) to continue ringing the bell or sounding the whistle at intervals until the locomotive and attached train have completely crossed the road or street,~~ in accordance with Federal Railroad Administration regulations under United States Code, title 49, section 20153, is guilty of a misdemeanor.

Sec. 15. [RULE CHANGE; INSTRUCTION TO REVISOR.]

The revisor of statutes shall change Minnesota Rules, part 8820.3300, subpart 2, to require that comments be directed to the commissioner of transportation in conformity with the same period allowed for written objections to be received by the commissioner under this act's amendments to Minnesota Statutes 2004, sections 162.02, subdivision 3a, and 162.09, subdivision 3a. The rule change is effective the same day as the effective date of this act's amendments to Minnesota Statutes 2004, sections 162.02, subdivision 3a, and 162.09, subdivision 3a.

ARTICLE 2

TRANSPORTATION POLICY

Section 1. Minnesota Statutes 2004, section 160.232, is amended to read:

160.232 [MOWING DITCHES OUTSIDE CITIES.]

(a) In order to provide enhanced roadside habitat for nesting birds and other small wildlife, road authorities may not mow or till the right-of-way of a highway located outside of a home rule charter or statutory city except as allowed in this section and section 160.23.

(b) On any highway, the first eight feet away from the road surface, or shoulder if one exists, may be mowed at any time.

(c) An entire right-of-way may be mowed after July 31. From August 31 to the following July 31, the entire right-of-way may only be mowed if necessary for safety reasons, and may not be mowed to a height of less than 12 inches.

(d) A right-of-way may be mowed as necessary to maintain sight distance for safety and may be mowed at other times under rules of the commissioner, or by ordinance of a local road authority not conflicting with the rules of the commissioner.

(e) A right-of-way may be mowed, burned, or tilled to prepare the right-of-way for the establishment of permanent vegetative cover or for prairie vegetation management.

(f) When feasible, road authorities are encouraged to utilize low maintenance, native vegetation that reduces the need to mow, provides wildlife habitat, and maintains public safety.

(g) The commissioner of natural resources shall cooperate with the commissioner of transportation to provide enhanced roadside habitat for nesting birds and other small wildlife.

Sec. 2. Minnesota Statutes 2004, section 161.14, subdivision 25, is amended to read:

Subd. 25. [PAUL BUNYAN EXPRESSWAY.] ~~That portion of Trunk Highway marked 371 from Little Falls to its intersection with Trunk Highway marked 2 in Cass Lake, except for that portion named in subdivision 45, and that portion of Trunk Highway marked 2 from its intersection with Trunk Highway marked 371 in Cass Lake to Bemidji, is named and designated the "Paul Bunyan Expressway."~~ The commissioner shall adopt a suitable marking design to mark this highway and shall erect the appropriate signs.

Sec. 3. Minnesota Statutes 2004, section 161.14, is amended by adding a subdivision to read:

Subd. 50. [PURPLE HEART MEMORIAL HIGHWAY.] (a) Except for that portion designated under subdivision 45, the route signed as Trunk Highway 371 on the effective date of this subdivision, from its intersection with U. S. Highway 10 near the city of Little Falls to its intersection with U. S. Highway 2 in the city of Cass Lake, is named and designated the "Purple Heart Memorial Highway."

(b) Subject to the provisions of section 161.139, the commissioner shall adopt a suitable marking design to mark the highway and shall erect the appropriate signs.

Sec. 4. Minnesota Statutes 2004, section 161.14, is amended by adding a subdivision to read:

Subd. 51. [VETERANS MEMORIAL BRIDGE.] The interstate bridge on marked Trunk Highway 10 connecting the city of Moorhead with the city of Fargo, North Dakota, is named and designated the Veterans Memorial Bridge. The commissioner of transportation shall adopt a suitable marking design to mark this bridge and erect appropriate signs, subject to section 161.139.

Sec. 5. Minnesota Statutes 2004, section 161.14, is amended by adding a subdivision to read:

Subd. 52. [BIAUSWAH BRIDGE.] The bridge over the St. Louis River that is part of Legislative Route No. 185, marked as Trunk Highway 23 on the effective date of this section, is named and designated "Biauswah Bridge In Honor of Native American Veterans." After consulting with the Fond du Lac Band of Lake Superior Chippewa, the commissioner of transportation shall adopt a suitable marking design to memorialize this bridge and shall erect the appropriate signs, subject to section 161.139.

Sec. 6. Minnesota Statutes 2004, section 169.01, subdivision 75, is amended to read:

Subd. 75. [COMMERCIAL MOTOR VEHICLE.] (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of more than 26,000 pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined gross vehicle weight of more than 26,000 pounds;

(3) is a bus;

(4) is of any size and is used in the transportation of hazardous materials, ~~except for those vehicles having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and liquid fertilizer that are required to be placarded under Code of Federal Regulations, title 49, parts 100-185;~~ or

(5) is outwardly equipped and identified as a school bus, except for type A-I and type III school buses as defined in subdivision 6.

(b) For purposes of chapter 169A:

(1) a commercial motor vehicle does not include a farm truck, fire-fighting equipment, or recreational equipment being operated by a person within the scope of section 171.02, subdivision 2, paragraph (b); and

(2) a commercial motor vehicle includes a vehicle capable of or designed to meet the standards described in paragraph (a), clause (2), whether or not the towed unit is attached to the truck-tractor at the time of the violation or stop.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2004, section 169.18, subdivision 4, is amended to read:

Subd. 4. [PASSING ON THE RIGHT.] The driver of a vehicle may overtake and pass upon the right of another vehicle only upon the following conditions:

- (1) when the vehicle overtaken is making or about to make a left turn;
- (2) upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;
- (3) upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles;
- (4) when the driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving onto the shoulder, whether paved or unpaved, or off the pavement or main-traveled portion of the roadway.

Sec. 8. Minnesota Statutes 2004, section 169.448, is amended by adding a subdivision to read:

Subd. 4. [DAY ACTIVITY CENTER BUSES.] Notwithstanding subdivision 1, a vehicle used to transport adults to and from a day activity center may be equipped with prewarning flashing amber signals and a stop-signal arm, and the operator of the vehicle may activate this equipment, under the following circumstances:

- (1) the operator possesses a commercial driver's license with a school bus endorsement;
- (2) the vehicle is engaged in picking up or dropping off adults at locations predesignated by the day activity center that owns or leases the bus;
- (3) the vehicle is identified as a "day activity center bus" in letters at least eight inches high on the front and rear top of the bus; and
- (4) the name, address, and telephone number of the owner and operator of the bus is identified on each front door of the bus in letters not less than three inches high.

The provisions of section 169.444 relating to duties of care of a motorist to a school bus, and violations thereof, apply to a vehicle described in this section when the vehicle is operated in conformity with this subdivision. The provisions of section 169.443 relating to bus driver's duties apply to a vehicle described in this section except those that by their nature have no application.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 9. Minnesota Statutes 2004, section 169.522, is amended to read:

169.522 [SLOW-MOVING VEHICLE, SIGN REQUIRED.]

Subdivision 1. [DISPLAYING EMBLEM; RULES.] (a) All animal-drawn vehicles, motorized golf carts when operated on designated roadways pursuant to section 169.045, implements of husbandry, and other machinery, including all road construction machinery, which are designed for operation at a speed of 30 miles per hour or less ~~shall~~, must display a triangular slow-moving vehicle emblem, except (1) when being used in actual construction and maintenance work and traveling within the limits of a construction area ~~which is~~ marked in accordance with ~~requirements of~~ the Manual on Uniform Traffic Control Devices, as set forth in section 169.06, or (2) for a towed implement of husbandry that is empty and that is not self-propelled, in which case it may be towed at lawful speeds greater than 30 miles per hour without removing the slow-moving vehicle emblem. The emblem ~~shall~~ must consist of a fluorescent ~~yellow-orange~~ or illuminated red-orange triangle with a dark red reflective border and be mounted so as to be visible from a distance of not less than 600 feet to the rear. When a primary power unit towing an implement of husbandry or other machinery displays a slow-moving vehicle emblem visible from a distance of 600

feet to the rear, it ~~shall~~ is not be necessary to display a similar emblem on the secondary unit. ~~After January 1, 1975,~~ All slow-moving vehicle emblems sold in this state ~~shall~~ must be so designed that when properly mounted they are visible from a distance of not less than 600 feet to the rear when directly in front of lawful lower beam of headlamps on a motor vehicle. The commissioner of public safety shall adopt standards and specifications for the design and position of mounting the slow-moving vehicle emblem. Such standards and specifications ~~shall~~ must be adopted by rule in accordance with the Administrative Procedure Act. ~~A violation of this section shall not be admissible evidence in any civil cause of action arising prior to January 1, 1970.~~

(b) An alternate slow-moving vehicle emblem consisting of a dull black triangle with a white reflective border may be used after obtaining a permit from the commissioner under rules of the commissioner. A person with a permit to use an alternate slow-moving vehicle emblem must:

(1) carry in the vehicle a regular slow-moving vehicle emblem and display the emblem when operating a vehicle between sunset and sunrise, and at any other time when visibility is impaired by weather, smoke, fog, or other conditions; and

(2) permanently affix to the rear of the slow-moving vehicle at least 72 square inches of reflective tape that reflects the color red.

Subd. 2. [PROHIBITION ON USE.] The use of this emblem ~~shall be~~ is restricted to the slow-moving vehicles specified in subdivision 1 and its use on any other type of vehicle or stationary object on the highway is prohibited.

Subd. 3. [DISPLAY REQUIRED.] No person shall sell, lease, rent, or operate any slow-moving vehicle, as defined in subdivision 1, except motorized golf carts and except those units designed to be completely mounted on a primary power unit, which is manufactured or assembled on or after July 1, 1967, unless ~~such~~ the vehicle is equipped with a slow-moving vehicle emblem-mounting device as specified in subdivision 1. Provided however, ~~no~~ a slow-moving vehicle ~~shall~~ must not be operated without such slow-moving vehicle emblem ~~after January 1, 1968.~~

Sec. 10. Minnesota Statutes 2004, section 169.733, is amended to read:

169.733 [WHEEL FLAPS ON TRUCK AND TRAILER.]

Subdivision 1. [VEHICLES GENERALLY.] Every truck, truck-tractor, trailer, semitrailer, pole trailer, and rear-end dump truck, excepting rear-end dump farm trucks ~~and military vehicles of the United States,~~ ~~shall~~ must be provided with wheel flaps or other suitable protection above and behind the rearmost wheels of the vehicle or combination of vehicles to prevent, as far as practicable, such wheels from throwing dirt, water, or other materials on the windshields of following vehicles ~~which follow.~~ ~~Such~~ The flaps or protectors ~~shall~~ must be at least as wide as the tires they are protecting and shall have a ground clearance of not more than ~~one-fifth of the horizontal distance from the center of the rearmost axle to the flap under any conditions of loading or operation of the motor~~ nine inches from the ground when the vehicle is empty.

Subd. 2. [VEHICLE WITH CONVEYOR BELT.] For a dump truck or truck with a rigid box fastened to its frame and having a conveyor belt or chain in the bottom of the vehicle ~~which that~~ moves the cargo to the rear end of the vehicle, the flaps ~~shall~~ must be mounted as far to the rear of the vehicle as practicable and ~~shall~~ have a ground clearance of not more than 18 inches when the vehicle is loaded.

Subd. 3. [BOTTOM-DUMP VEHICLE.] In addition to meeting the requirements of subdivision 1, a bottom-dump cargo vehicle transporting sand, gravel, aggregate, dirt, lime rock, silica, or similar material must be equipped with ~~flaps that are mounted to the rear of the axles, cover the entire width of the vehicle, and a center flap between~~ the wheel flaps, which must have a ground clearance of six inches or less when the vehicle is fully loaded.

Subd. 4. [ALTERNATIVE REQUIREMENTS.] If the motor vehicle is so designed and constructed that the above requirements are accomplished by means of body construction or other means of enclosure, then no such protectors or flaps ~~shall be~~ are required.

Subd. 5. [EXTENDED FLAPS.] If the rear wheels are not covered at the top by fenders, body or other parts of the vehicle, the flap or other protective means ~~shall~~ must be extended at least to a point directly above the center of the rearmost axle.

~~Subd. 6. [LAMPS OR WIRING.] Lamps or wiring shall not be attached to fender flaps.~~

Sec. 11. Minnesota Statutes 2004, section 169.824, subdivision 2, is amended to read:

Subd. 2. [GROSS VEHICLE WEIGHT OF ALL AXLES.] (a) Notwithstanding the provisions of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed:

(1) 80,000 pounds for any vehicle or combination of vehicles on all state trunk highways as defined in section 160.02, subdivision 29, and for all routes designated under section 169.832, subdivision 11;

(2) 73,280 pounds for any vehicle or combination of vehicles with five axles or less on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11, except that a vehicle needing reasonable access to a terminal or facilities for food, fuel, repairs, and rest, located within three miles of a ten-ton route, may not exceed 80,000 pounds. "Terminal" means any location where freight either originates, terminates, or is handled in the transportation process, or where commercial motor carriers maintain operating facilities; and

(3) 80,000 pounds for any vehicle or combination of vehicles with six or more axles on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11.

(b) The maximum weights specified in this section for five consecutive axles shall not apply to a four-axle ready-mix concrete truck which was equipped with a fifth axle prior to June 1, 1981. The maximum gross weight on four or fewer consecutive axles of vehicles excepted by this clause shall not exceed any maximum weight specified for four or fewer consecutive axles in this section.

Sec. 12. Minnesota Statutes 2004, section 169.85, subdivision 1, is amended to read:

Subdivision 1. [DRIVER TO STOP FOR WEIGHING.] (a) The driver of a vehicle that has been lawfully stopped may be required by an officer to submit the vehicle and load to a weighing by means of portable or stationary scales.

(b) In addition, the officer may require that the vehicle be driven to the nearest available scales, but only if:

(1) the distance to the scales is no further than five miles, or if the distance from the point where the vehicle is stopped to the vehicle's destination is not increased by more than ten miles as a result of proceeding to the nearest available scales; and

(2) if the vehicle is a commercial motor vehicle, no more than two other commercial motor vehicles are waiting to be inspected at the scale.

(c) Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale.

(d) When a truck weight enforcement operation is conducted by means of portable or stationary scales ~~and~~, signs giving notice of the operation ~~are~~ must be posted within the highway right-of-way and adjacent to the roadway within two miles of the operation. The driver of a truck or combination of vehicles registered for or weighing in excess of 12,000 pounds shall proceed to the scale site and submit the vehicle to weighing and inspection.

Sec. 13. Minnesota Statutes 2004, section 169.85, subdivision 6, is amended to read:

Subd. 6. [OFFICER DEFINED.] When used in this section, the word "officer" means a ~~peace officer or member of the State Patrol~~, an employee of the Department of Public Safety described in section 299D.06, or a peace officer or person under the officer's direction and control employed by a local unit of government who is trained in weight enforcement by the Department of Public Safety.

Sec. 14. Minnesota Statutes 2004, section 171.01, subdivision 22, is amended to read:

Subd. 22. [COMMERCIAL MOTOR VEHICLE.] "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of more than 26,000 pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined gross vehicle weight of more than 26,000 pounds;

(3) is a bus;

(4) is of any size and is used in the transportation of hazardous materials, ~~except for those vehicles having a gross vehicle weight of 26,000 pounds or less and carrying in bulk tanks a total of not more than 200 gallons of liquid fertilizer and petroleum products that are required to be placarded under Code of Federal Regulations, title 49, parts 100-185;~~ or

(5) is outwardly equipped and identified as a school bus, except for school buses defined in section 169.01, subdivision 6, clause (5).

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 15. Minnesota Statutes 2004, section 171.05, subdivision 1, is amended to read:

Subdivision 1. [PERSON 18 OR MORE YEARS OF AGE.] (a) Any person who is 18 or more years of age and who, except for a lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a class D driver's license under this chapter, may apply for an instruction permit and the department shall issue ~~such the~~ the permit ~~entitling. The instruction permit entitles the applicant, while having such permit in immediate possession,~~ to drive a motor vehicle for which a class D license is valid upon the highways for a period of ~~one year, but such person must be two years if the permit holder.~~

(1) has the permit in immediate possession; and

(2) is driving the vehicle while accompanied by an adult licensed driver who is actually occupying a seat beside the driver.

(b) Any license of a lower class may be used as an instruction permit ~~for~~ to operate a vehicle requiring a higher class license for a period of six months after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using ~~such the~~ the lower class license as an instruction permit.

Sec. 16. Minnesota Statutes 2004, section 171.05, subdivision 2, is amended to read:

Subd. 2. [PERSON LESS THAN 18 YEARS OF AGE.] (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in either:

(i) a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or

(ii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a home-school diploma, the student's status as a home-school student has been certified by the superintendent of the school district in which the student resides, and the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety;

(2) has completed the classroom phase of instruction in the driver education program;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (v) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(6) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for ~~one year~~ two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Sec. 17. Minnesota Statutes 2004, section 171.30, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONS OF ISSUANCE.] (a) In any case where a person's license has been suspended under section 171.18, 171.173, or 171.186, or revoked under section 169.792, 169.797, 169A.52, 169A.54, 171.17, or 171.172, the commissioner may issue a limited license to the driver including under the following conditions:

(1) if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of the driver's license;

(2) if the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker; or

(3) if attendance at a postsecondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

(b) The commissioner in issuing a limited license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation, and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

(c) For purposes of this subdivision, "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents.

(d) The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

(e) In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

(f) If the person's driver's license or permit to drive has been revoked under section 169.792 or 169.797, the commissioner may only issue a limited license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(g) The limited license issued by the commissioner to a person under section 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner must not issue a limited license to a person who previously has been issued a limited license under section 171.186, subdivision 4.

(h) The commissioner shall not issue a limited driver's license to any person described in section 171.04, subdivision 1, clause (6), (7), (8), (10), (11), or (14).

(i) The commissioner shall not issue a class A, class B, or class C limited license.

Sec. 18. [ROUSSAIN CEMETERY; DESIGNATION.]

On agreement of the Fond du Lac Band of Lake Superior Chippewa and the city of Duluth, the city shall name and dedicate the cemetery that is on land leased to the band by the city as "Roussain Cemetery." After consulting with the Fond du Lac Band, the city shall adopt a suitable marking design to memorialize the cemetery and erect the appropriate signs or memorials on assurance of the availability of noncity funds sufficient to pay all costs related to designing, erecting, and preserving the signs or memorials.

[EFFECTIVE DATE.] This section is effective the day after the governing body of Duluth and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 19. [REPEALER.]

Minnesota Statutes 2004, sections 168.831, 168.832, 168.833, 168.834, 168.835, 168.836, and 168.837, are repealed."

Delete the title and insert:

"A bill for an act relating to transportation; providing for enhanced roadside wildlife habitat; modifying eligibility criteria for certain business signs; modifying provisions relating to state-aid highways and streets, traffic signals, and railroads in quiet zones; removing expiration for commuter rail corridor coordinating committee; designating Purple Heart Memorial Highway, Veterans Memorial Bridge, and Biauxwah Bridge; redefining Paul Bunyan Expressway; defining commercial motor vehicle; clarifying provision governing passing on the right; authorizing day activity center buses to operate certain school bus warning equipment under certain circumstances; permitting display of certain slow-moving vehicle signs that are visible at night; regulating vehicle wheel flaps; requiring certain vehicles up to 80,000 pounds to have access to terminals and facilities; requiring training for peace officers who engage in vehicle weight enforcement; providing for two-year instruction permits; clarifying authority of commissioner of public safety to deny limited driver's license; designating Roussain Cemetery; repealing provisions regulating motor bicycle rental businesses; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 160.232; 160.80, subdivision 1a; 161.14, subdivision 25, by adding subdivisions; 162.02, subdivisions 2, 3a; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 169.01, subdivision 75; 169.06, subdivisions 5, 6; 169.18, subdivision 4; 169.28, subdivision 2; 169.448, by adding a subdivision; 169.522; 169.733; 169.824, subdivision 2; 169.85, subdivisions 1, 6; 171.01, subdivision 22; 171.05, subdivisions 1, 2; 171.30, subdivision 1; 174.86, subdivision 5; 219.166; 219.567; proposing coding for new law in Minnesota Statutes, chapter 162; repealing Minnesota Statutes 2004, sections 168.831; 168.832; 168.833; 168.834; 168.835; 168.836; 168.837."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 949, A bill for an act relating to health; increasing consumer protection for hearing aid users; amending Minnesota Statutes 2004, sections 153A.15, subdivision 1; 153A.19, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Financial Institutions.

The report was adopted.

Buesgens from the Committee on Education Policy and Reform to which was referred:

H. F. No. 962, A bill for an act relating to education; including acoustical performance criteria in school district proposal to construct a facility; amending Minnesota Statutes 2004, section 123B.71, subdivision 9.

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

The report was adopted.

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

H. F. No. 979, A bill for an act relating to medical assistance; requiring medical assistance to cover medication therapy management services; amending Minnesota Statutes 2004, section 256B.0625, by adding a subdivision.

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.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 1019, A bill for an act relating to drainage; extending grass bank buffer zone requirement for ditches; amending Minnesota Statutes 2004, section 103E.021, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DRAINAGE SYSTEM STUDY.]

The Board of Water and Soil Resources shall conduct an implementation assessment of public drainage system buffers and their use, maintenance, and benefits. The assessment must be done in consultation with farm groups, watershed districts, soil and water conservation districts, counties, and conservation organizations, as well as federal agencies implementing voluntary buffer programs. The board shall report the results to the senate and house of representatives committees with jurisdiction over drainage systems by January 15, 2006."

Delete the title and insert:

"A bill for an act relating to drainage; requiring a study."

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.

Ozment from the Committee on Agriculture, Environment and Natural Resources Finance to which was referred:

H. F. No. 1026, A bill for an act relating to energy; expanding definition of farm-grown closed-loop biomass; amending conditions for Public Utilities Commission approval of a pending request for a biomass project; amending Minnesota Statutes 2004, section 216B.2424, subdivisions 1, 2, 5a, 6, 8, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 7, strike "clause" and insert "clauses (1) and" and after "(2)" insert a comma

Page 2, line 9, after "managed" insert "woody"

Page 2, line 19, delete "and"

Page 2, line 27, before the period, insert "; and

(5) trees or parts of trees that do not meet the utilization standards for pulpwood, posts, bolts, or sawtimber as described in the Minnesota Department of Natural Resources Division of Forestry Timber Sales Manual, 1998, as amended as of May 1, 2005, and the Minnesota Department of Natural Resources Timber Scaling Manual 1981, as amended as of May 1, 2005, except as provided in clauses (1) to (3) and in paragraph (a), clause (1)"

Page 3, line 19, delete "short rotation woody crop" and insert "farm-grown closed-loop biomass"

Page 3, line 32, delete "off of" and insert "from"

Page 4, after line 20, insert:

"(i) The University of Minnesota initiative for renewable energy and the environment is encouraged to solicit and fund high-quality research projects to develop and consolidate scientific information regarding the removal of woody biomass from forest and brush lands, with particular attention to the environmental impacts on soil productivity, biological diversity, and sequestration of carbon. The results of this research must be made available to the public.

(j) The two utilities owning or controlling, directly or indirectly, the biomass project described in subdivision 5a, paragraph (b), agree to fund or obtain funding of up to \$150,000 to implement the guidelines or best management practices described in paragraph (h). The expenditures to be funded under this paragraph do not include any of the expenditures to be funded under paragraph (i)."

Page 5, line 20, delete everything after "if" and insert "farm-grown closed-loop biomass"

Page 5, line 21, delete "crops comprise" and insert "comprises"

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1068, A bill for an act relating to shoreland; Minnesota Common Interest Ownership Act; requiring county review and approval of subdivisions; amending Minnesota Statutes 2004, section 515B.2-112.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 515B.1-106, is amended to read:

515B.1-106 [APPLICABILITY OF LOCAL REQUIREMENTS.]

(a) Except as provided in subsections (b) and (c), a zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation may not directly or indirectly prohibit the common interest community form of ownership or impose any requirement upon a common interest community, upon the creation or

disposition of a common interest community or upon any part of the common interest community conversion process which it would not impose upon a physically similar development under a different form of ownership. Otherwise, no provision of this chapter invalidates or modifies any provision of any zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation. Before recording any CIC or amended CIC plat subdividing or converting shoreland, as defined in section 103F.205, subdivision 4, a land owner must submit the proposed subdivision or conversion to the local government where the unit is located for review and approval for compliance with the local government's ordinances regulating shoreland.

(b) Subsection (a) shall not apply to any ordinance, rule, regulation, charter provision or contract provision relating to the financing of housing construction, rehabilitation, or purchases provided by or through a housing finance program established and operated pursuant to state or federal law by a state or local agency or local unit of government.

(c) A statutory or home rule charter city, pursuant to an ordinance or charter provision establishing standards to be applied uniformly within its jurisdiction, may prohibit or impose reasonable conditions upon the conversion of buildings to the common interest community form of ownership only if there exists within the city a significant shortage of suitable rental dwellings available to low and moderate income individuals or families or to establish or maintain the city's eligibility for any federal or state program providing direct or indirect financial assistance for housing to the city. Prior to the adoption of an ordinance pursuant to the authority granted in this subsection, the city shall conduct a public hearing. Any ordinance or charter provision adopted pursuant to this subsection shall not apply to any existing or proposed conversion common interest community (i) for which a bona fide loan commitment for a consideration has been issued by a lender and is in effect on the date of adoption of the ordinance or charter provision, or (ii) for which a notice of conversion or intent to convert required by section 515B.4-111, containing a termination of tenancy, has been given to at least 75 percent of the tenants and subtenants in possession prior to the date of adoption of the ordinance or charter provision.

(d) For purposes of providing marketable title, a statement in the declaration that the common interest community is not subject to an ordinance or that any conditions required under an ordinance have been complied with shall be prima facie evidence that the common interest community was not created in violation of the ordinance.

(e) A violation of an ordinance or charter provision adopted pursuant to the provisions of subsection (b) or (c) shall not affect the validity of a common interest community. This subsection shall not be construed to in any way limit the power of a city to enforce the provisions of an ordinance or charter provision adopted pursuant to subsection (b) or (c).

(f) Any ordinance or charter provision enacted hereunder shall not be effective for a period exceeding 18 months."

Delete the title and insert:

"A bill for an act relating to real property; Minnesota Common Interest Ownership Act; requiring local government approval of subdivisions or conversions of shoreland; amending Minnesota Statutes 2004, section 515B.1-106."

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1143, A bill for an act relating to data privacy; classifying certain investigative and licensing data; amending Minnesota Statutes 2004, sections 13.3805, by adding a subdivision; 13.46, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 10, before "All" insert "Except for investigative data under section 626.556,"

Page 1, line 13, delete "and (c)" and insert "to (d)"

Page 1, line 14, delete "section" and insert "sections 626.556, subdivision 11, and"

Page 1, line 16, after the period, insert "For purposes of this subdivision, an individual is substantiated as the perpetrator if the commissioner of health determines that the individual is the perpetrator and the determination of the commissioner is upheld after the individual either exercises applicable administrative appeal rights or fails to exercise these rights within the time allowed by law."

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.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 1243, A bill for an act relating to transportation; allowing hybrid vehicles to be used on high-occupancy vehicle lanes; amending Minnesota Statutes 2004, sections 160.02, by adding a subdivision; 160.93, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [160.94] [USE OF HIGHWAY LANES BY HYBRID VEHICLES.]

Subdivision 1. [HYBRID VEHICLE.] For the purposes of this section, "hybrid vehicle" means a motor vehicle that (1) has a hybrid propulsion system that operates both with an internal combustion engine and on electric propulsion, and (2) conforms to any requirements for such a vehicle in federal law or regulation.

Subd. 2. [USE OF HOV LANES BY HYBRID VEHICLES.] Unless otherwise prohibited by federal law or regulation, and with the approval of the Federal Highway Administration, the commissioner shall:

(1) allow an operator of a single-occupant, hybrid vehicle to use any high-occupancy vehicle lane on the trunk highway system, regardless of occupancy requirements established for other types of vehicles; and

(2) allow the operator of a hybrid vehicle to use a lane of a trunk highway, other than a toll bridge, on which a toll is imposed for certain vehicles, without payment of such a toll.

Subd. 3. [DECALS.] The commissioner shall issue to the owner of a hybrid vehicle upon request of the owner and upon payment of a fee of \$15, a distinctive decal or other identifier to be affixed to the vehicle, clearly identifying the vehicle as a hybrid vehicle. A person operating a vehicle lawfully displaying such a decal has the privileges granted by the commissioner under subdivision 2.

Subd. 4. [VIOLATION.] A person may not operate a vehicle that displays a decal or other identifier issued under this section in a high-occupancy vehicle lane or toll lane if that decal or identifier was not issued for that vehicle. A violation of this subdivision is a misdemeanor.

Subd. 5. [EXPIRATION.] This section expires July 31, 2007.

Sec. 2. Minnesota Statutes 2004, section 169.71, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITIONS GENERALLY.] No person shall drive or operate any motor vehicle with:

(1) a windshield cracked or discolored to an extent to limit or obstruct proper vision, ~~or;~~

(2) except for law enforcement vehicles, with any objects suspended between the driver and the windshield, other than sun visors ~~and~~, rear vision mirrors, or electronic toll-collection devices; ~~or with~~

(3) any sign, poster, or other nontransparent material upon the front windshield, sidewings, side or rear windows of such vehicle, other than a certificate or other paper required to be so displayed by law, or authorized by the state director of the Division of Emergency Management, or the commissioner of public safety."

Delete the title and insert:

"A bill for an act relating to transportation; temporarily allowing hybrid vehicles to be used toll free and on high-occupancy vehicle lanes; allowing use of toll-collection devices; amending Minnesota Statutes 2004, section 169.71, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 160."

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

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 1266, A bill for an act relating to human services; modifying discharge plans for offenders with serious and persistent mental illness; clarifying eligibility for medical assistance for offenders released for work release; authorizing commissioner of corrections to enter into a purchasing pool for prescription drugs; allocating housing funds for projects that provide employment support; appropriating money; amending Minnesota Statutes 2004, sections 241.01, by adding a subdivision; 244.054; 256B.055, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 32, after "forward" insert "them"

Page 4, line 32, strike "30-day" and insert "60-day"

Page 5, delete section 4 and insert:

"Sec. 4. [EFFECTIVE DATE.]

This act is effective August 1, 2006, or upon health match implementation, whichever is later."

Amend the title as follows:

Page 1, line 9, delete "appropriating money;"

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1293, A bill for an act relating to highways; allowing two-way operation of snowmobiles on either side of local road right-of-way when authorized by local road authorities; amending Minnesota Statutes 2004, section 84.87, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 25, delete "(i)" and insert "(1)"

Page 2, line 5, delete "and"

Page 2, line 6, delete "(ii)" and insert "(2)"

Page 2, line 12, before the period, insert ";

(3) the commissioner of transportation under clause (1) and the local road authority under clause (2) shall notify the commissioner of natural resources and the local law enforcement agencies responsible for the streets or highways of the locations of two-way snowmobile trails authorized under this paragraph; and

(4) two-way snowmobile trails authorized under this paragraph shall be posted for two-way operation at the authorized locations"

With the recommendation that when so amended the bill pass.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1309, A bill for an act relating to local government; increasing compensation of watershed district managers; providing for board elections; clarifying who can enter onto land; amending Minnesota Statutes 2004, sections 103D.225, subdivision 4; 103D.315, subdivisions 6, 8; 103D.335, subdivision 14.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 1 and 2

Page 3, line 2, after "authorization" insert "on their person"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "elections;"

Page 1, line 5, delete "103D.225,"

Page 1, line 6, delete "subdivision 4;" and delete "subdivisions 6," and insert "subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Gunther from the Committee on Jobs and Economic Opportunity Policy and Finance to which was referred:

H. F. No. 1321, A bill for an act relating to civil law; reforming and recodifying the law relating to marriage dissolution, child custody, child support, maintenance, and property division; changing a fee; making style and form changes; appropriating money; amending Minnesota Statutes 2004, sections 357.021, by adding a subdivision; 518.002; 518.003, subdivisions 1, 3; 518.005; 518.01; 518.02; 518.03; 518.04; 518.05; 518.055; 518.06; 518.07; 518.09; 518.091, subdivision 1; 518.10; 518.11; 518.12; 518.13; 518.131; 518.14, subdivision 1; 518.148; 518.155; 518.156; 518.157, subdivisions 1, 2, 3, 5, 6; 518.165; 518.166; 518.167, subdivisions 3, 4, 5; 518.168; 518.17, subdivisions 1, 2; 518.1705, subdivisions 2, 4, 6, 7, 8, 9; 518.175; 518.1751, subdivisions 1b, 2, 2a, 2b, 2c, 3; 518.1752; 518.176; 518.177; 518.178; 518.179, subdivision 1; 518.18; 518.191, subdivision 1; 518.195, subdivisions 2, 3; 518.24; 518.25; 518.27; 518.54, subdivisions 1, 5, 6, 7, 8; 518.55; 518.552; 518.58; 518.581; 518.582; 518.612; 518.619; 518.62; 518.64, subdivisions 1, 2, by adding a subdivision; 518.641; 518.642; 518.646; 518.65; 518.68, subdivision 1; 519.11, subdivision 1; proposing coding for new law as Minnesota Statutes, chapters 517A; 517B; 517C; repealing Minnesota Statutes 2004, sections 518.111; 518.14, subdivision 2; 518.17, subdivisions 1a, 3, 6; 518.171; 518.185; 518.24; 518.255; 518.54, subdivisions 2, 4a, 13, 14; 518.55, subdivision 4; 518.551, subdivisions 1, 5, 5a, 5b, 5c, 5d, 5e, 5f, 6, 7, 9, 11, 12, 13, 13a, 14, 15; 518.5513; 518.553; 518.57; 518.575; 518.585; 518.5851; 518.5852; 518.5853; 518.61; 518.6111; 518.614; 518.615; 518.616; 518.617; 518.618; 518.6195; 518.6196; 518.62; 518.64, subdivisions 4, 4a, 5; 518.68.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1333, A bill for an act relating to local government; permitting the city of Wabasha to establish a port authority commission; proposing coding for new law in Minnesota Statutes, chapter 469.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1438, A bill for an act relating to natural resources; providing for an official map of state and county forest roads as an alternative recording method; proposing coding for new law in Minnesota Statutes, chapters 89; 282.

Reported the same back with the following amendments:

Page 1, line 23, delete "and"

Page 1, line 25, before the period, insert "; and

(8) include a list of legal descriptions of all parcels crossed by state forest road prescriptive easements"

Page 2, line 16, after "by" insert "certified"

Page 3, after line 4, insert:

"(f) The commissioner shall consult with representatives of county land commissioners, county auditors, county recorders, and Torrens examiners in implementing this subdivision."

Page 3, line 5, before "A" insert "(a) Before filing an appeal under paragraph (b), a person may seek resolution of concerns regarding a decision to record a road under this section by contacting the commissioner in writing.

(b)"

Page 3, line 6, after "record" insert "or exclude recording"

Page 3, line 10, after "affect" insert "or diminish"

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.

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

H. F. No. 1467, A bill for an act relating to natural resources; creating the Minnesota Conservation Heritage Foundation; eliminating the Legislative Commission on Minnesota Resources; providing for disposition of certain revenues; appropriating money; amending Minnesota Statutes 2004, sections 116P.02, by adding a subdivision;

116P.03; 116P.04, subdivision 5; 116P.07; 116P.08, subdivisions 3, 5, 6, 7, by adding a subdivision; 116P.09; 116P.10; 116P.11; 116P.12, subdivision 2; 116P.14, subdivision 2; 116P.15, subdivision 2; 168.1296, subdivision 5; 297A.94; proposing coding for new law in Minnesota Statutes, chapter 116P; repealing Minnesota Statutes 2004, sections 116P.02, subdivision 2 and 5; 116P.05; 116P.06; 116P.08, subdivisions 1, 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 116P.02, is amended by adding a subdivision to read:

Subd. 4a. [COUNCIL.] "Council" means the Legislative Council on Minnesota Resources.

Sec. 2. Minnesota Statutes 2004, section 116P.03, is amended to read:

116P.03 [TRUST FUND NOT TO SUPPLANT EXISTING FUNDING.]

~~(a)~~ The trust fund may not be used as a substitute for traditional sources of funding environmental and natural resources activities, but the trust fund shall supplement the traditional sources, including those sources used to support the criteria in section 116P.08, subdivision ~~+~~ 1a. The trust fund must be used primarily to support activities whose benefits become available only over an extended period of time.

~~(b) The commission must determine the amount of the state budget spent from traditional sources to fund environmental and natural resources activities before and after the trust fund is established and include a comparison of the amount in the report under section 116P.09, subdivision 7.~~

Sec. 3. Minnesota Statutes 2004, section 116P.04, subdivision 5, is amended to read:

Subd. 5. [AUDITS REQUIRED.] The legislative auditor shall audit trust fund expenditures to ensure that the money is spent for the purposes provided in ~~the commission's budget plan~~ the Minnesota Constitution, article XI, section 14, and the council's strategic plan developed under section 116P.08. In addition, the legislative auditor shall audit the books and records of the council on an annual basis under sections 3.971 and 3.972, subject to the resources of the legislative auditor, to ensure that the expenditures and operations of the council are consistent with the requirements of this chapter. The legislative auditor may recoup the expenses for audits under this subdivision from amounts available to the council under section 116P.061, subdivision 6.

Sec. 4. Minnesota Statutes 2004, section 116P.05, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] (a) A Legislative ~~Commission~~ Council on Minnesota Resources of 20 members is created, ~~consisting of~~ Legislative members consist of the chairs and ranking minority members of the house and senate committees on environment and natural resources policy or designees appointed for the terms of the chairs and ranking minority members, the chairs and ranking minority members of the house and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs and ranking minority members, the chairs and ranking minority members of the house ~~Ways and Means~~ and Senate ~~Finance~~ Governmental Operations Committees or designees appointed for the terms of the chairs, ~~seven members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and seven members of the house appointed by the speaker~~ and ranking minority members.

Eight citizen members shall be appointed by the governor and confirmed with the advice and consent of the senate.

~~At least three members from the senate and three members from the house must be from the minority caucus.~~ Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

(b) Members shall appoint a chair from among the legislative members who shall preside and convene meetings as often as necessary to conduct duties prescribed by this chapter.

(c) Legislative members shall serve on the commission until their successors are appointed. Citizen members shall serve for staggered terms of six years until their successors have been appointed. Not more than four citizen members shall belong to the same political party. The governor shall select one citizen member from each congressional district. To be eligible for appointment as a citizen member of the council, a prospective citizen member must: (1) demonstrate expertise and experience in the science, policy, or practice of the protection, conservation, preservation, and enhancement of natural resources; and (2) not be a paid employee of an organization whose primary mission is the protection, conservation, preservation, and enhancement of natural resources. The terms, compensation, removal of members, and filling of vacancies for the council's citizen members shall be as provided in section 15.0575. A citizen member may be removed from the council upon a super majority of 12 votes in favor of the removal of that member.

(d) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out their duties, and vacancies shall be filled in the same manner under paragraph (a).

(e) The council may choose legislators and citizens with interest and expertise to assist them in the development of expenditure decisions from the trust fund.

Sec. 5. Minnesota Statutes 2004, section 116P.07, is amended to read:

116P.07 [INFORMATION GATHERING.]

Subdivision 1. [PUBLIC FORUMS.] The ~~commission~~ council may convene public forums or employ other methods to gather information for establishing priorities for funding.

Subd. 2. [TECHNICAL ADVISORY COMMITTEE.] The council shall make use of available expertise from educational, research, and technical organizations, and state and federal environmental agencies, including the University of Minnesota and other higher education institutions, to provide appropriate independent expert advice on identifying natural resource priorities during development of the strategic plan provided for in section 116P.08. The technical advisory committee shall also review funding proposals and advise the council on funding recommendations. The council shall appoint the technical advisory committee and designate a chair. Compensation of advisory committee members is governed by section 15.059, subdivision 3.

Subd. 3. [STATE AGENCY LONG-TERM PRIORITIES.] State agencies with environmental programs and responsibilities shall submit long-term priorities based on agency plans to the council. The council may integrate agency long-term priorities into the development of its strategic plan as provided for in section 116P.08.

Subd. 4. [PUBLIC PRIORITIES.] The council shall ask conservation and environmental organizations to submit their long-term priorities and plans to the council, which may be integrated into the council's strategic plan as provided for in section 116P.08.

Sec. 6. Minnesota Statutes 2004, section 116P.08, is amended by adding a subdivision to read:

Subd. 1a. [EXPENDITURES.] (a) The amount appropriated from the environment and natural resources trust fund may be spent only for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. Expenditures recommended by the council under this paragraph must be consistent with article XI, section 14, of the Minnesota Constitution and the strategic plan adopted under subdivision 3 and must demonstrate a direct benefit to the state's natural resources.

(b) The council shall make recommendations for expenditure of the amount biennially available from the trust fund for appropriation under Minnesota Constitution, article XI, section 14. Appropriations must be made by a bill enacted into law.

Sec. 7. Minnesota Statutes 2004, section 116P.08, is amended by adding a subdivision to read:

Subd. 1b. [WORK PROGRAM; PROGRESS REPORTS.] It is a condition of acceptance of the appropriations made from the Minnesota environment and natural resources trust fund that the agency or entity receiving the appropriation must submit a work program and semiannual progress reports in the form determined by the council. None of the money provided may be spent unless the council has approved the pertinent work program.

Sec. 8. Minnesota Statutes 2004, section 116P.08, subdivision 3, is amended to read:

Subd. 3. [STRATEGIC PLAN REQUIRED.] (a) The ~~commission~~ council shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next ~~six~~ ten years. The strategic plan must be updated every two years. ~~The plan is advisory only~~ The council shall make funding allocation recommendations on an annual basis to the governor according to the strategic plan.

(b) The ~~commission~~ council shall submit the plan, ~~as a recommendation,~~ to the ~~house of representatives Ways and Means and senate Finance Committees~~ chairs of the house and senate committees with jurisdiction over environment and natural resources policy and finance by January 4 15 of each odd-numbered year according to section 116P.09, subdivision 7.

~~(b) The commission may accept or modify the draft of the strategic plan submitted to it by the advisory committee before voting on the plan's adoption.~~

Sec. 9. Minnesota Statutes 2004, section 116P.08, subdivision 5, is amended to read:

Subd. 5. [PUBLIC MEETINGS.] All ~~advisory committee and commission~~ council meetings must be open to the public. ~~The commission shall attempt to meet at least once in each of the state's congressional districts during each biennium.~~

Sec. 10. Minnesota Statutes 2004, section 116P.08, subdivision 6, is amended to read:

Subd. 6. [PEER REVIEW.] (a) Research proposals must include a stated purpose, timeline, potential outcomes, and an explanation of the need for the research. All research proposals must be ~~reviewed by a peer review panel~~ peer-reviewed before receiving an appropriation. Peer reviews shall be considered by the council in evaluating a research project proposal. The council shall establish a peer review panel under subdivision 7 to assist its work.

(b) ~~In conducting research proposal reviews, the peer review panel~~ A peer review report on a proposed research project, prepared for a research proposal review, shall:

(1) comment on the methodology proposed and whether it can be expected to yield appropriate and useful information and data; and

(2) comment on the need for the research and about similar existing information available, if any; ~~and~~

(3) ~~report to the commission and advisory committee on clauses (1) and (2).~~

(c) ~~The peer review panel also must review completed research proposals that have received an appropriation and comment and report upon whether the project reached the intended goals.~~

Sec. 11. Minnesota Statutes 2004, section 116P.08, subdivision 7, is amended to read:

Subd. 7. [PEER REVIEW PANEL MEMBERSHIP.] (a) The peer review panel must consist of at least five members who are knowledgeable in general research methods in the areas of environment and natural resources. Not more than two members of the panel may be employees of state agencies in Minnesota.

(b) The ~~commission~~ council shall select a chair every two years who shall be responsible for convening meetings of the panel as often as is necessary to fulfill its duties as prescribed in this section. Compensation of panel members is governed by section 15.059, subdivision 3.

(c) The peer review panel must review completed research proposals that have received an appropriation and comment and report upon whether the project reached the intended goals.

Sec. 12. Minnesota Statutes 2004, section 116P.09, is amended to read:

116P.09 [ADMINISTRATION.]

Subdivision 1. [ADMINISTRATIVE AUTHORITY.] The ~~commission~~ council may appoint legal and other personnel and consultants necessary to carry out functions and duties of the ~~commission~~ council. Permanent employees shall be in the unclassified service. In addition, the ~~commission~~ council may request staff assistance and data from any other agency of state government as needed for the execution of the responsibilities of the ~~commission and advisory committee~~ council and an agency must promptly furnish it.

Subd. 2. [LIAISON OFFICERS.] The ~~commission~~ council shall request each department or agency head of all state agencies with a direct interest and responsibility in any phase of environment and natural resources to appoint, and the latter shall appoint for the agency, a liaison officer who shall work closely with the ~~commission~~ council and its staff.

Subd. 3. [APPRAISAL AND EVALUATION.] The ~~commission~~ council shall obtain and appraise information available through private organizations and groups, utilizing to the fullest extent possible studies, data, and reports previously prepared or currently in progress by public agencies, private organizations, groups, and others, concerning future trends in the protection, conservation, preservation, and enhancement of the state's air, water, land, forests, fish, wildlife, native vegetation, and other natural resources. Any data compiled by the ~~commission~~ council shall be made available to any standing or interim committee of the legislature upon the request of the chair of the respective committee.

Subd. 4. [PERSONNEL.] Persons who are employed by a state agency to work on a project and are paid by an appropriation from the trust fund are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must

be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons for a project is authorized. The use of classified employees is authorized when approved as part of the work program required by section 116P.05, subdivision 2, paragraph (c).

Subd. 5. [ADMINISTRATIVE EXPENSE.] The prorated expenses related to ~~commission council~~ administration of the trust fund may not exceed an amount equal to four percent of the amount available for appropriation of the trust fund for the biennium.

Subd. 6. [CONFLICT OF INTEREST.] (a) A ~~commission council~~ member, ~~advisory committee member~~, a peer review panelist, or an employee of the ~~commission council~~ may not participate in or vote on a decision of the ~~commission, advisory committee, council~~ or a peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the ~~legislative commission, advisory committee, council~~ or peer review panel, or ~~being while~~ an employee of the ~~commission council~~, a person shall avoid any potential conflict of interest. A conflict of interest exists if the person:

(1) would receive a direct or indirect personal financial benefit from an entity proposing a project for funding by the council or from a proposal under review for funding by the council;

(2) serves as an employee, consultant, or governing board member of an entity proposing a project for funding by the council; or

(3) has a family relationship with a project proposer or a staff or board member of an entity proposing a project for funding by the council.

(b) The council must develop procedures to identify a conflict of interest during the initial proposal review process. If a conflict is found to exist, the person must notify the council in writing and may not advocate for or against the proposal or vote on the proposal.

Subd. 7. [REPORT REQUIRED.] The ~~commission council~~ shall, by January 15 of each odd-numbered year, submit a report to the governor, the chairs of the house appropriations and senate finance committees, and the chairs of the house and senate committees ~~on~~ with jurisdiction over environment and natural resources policy and finance. Copies of the report must be available to the public. The report must include a summary of the council's conservation achievements during the reporting period and:

(1) a copy of the current strategic plan;

(2) a description of each project receiving money from the trust fund during the preceding biennium and how the project relates to the constitutional dedication of the trust fund and to the council's current strategic plan;

(3) a summary of any research project completed in the preceding biennium;

(4) recommendations to implement successful projects and programs into a state agency's standard operations;

(5) to the extent known by the ~~commission council~~, descriptions of the projects anticipated to be supported by the trust fund during the next biennium;

(6) the source and amount of all revenues collected and distributed by the ~~commission council~~, including all administrative and other expenses;

(7) a description of the assets and liabilities of the trust fund;

- (8) any findings or recommendations that are deemed proper to assist the legislature in formulating legislation;
- (9) a list of all gifts and donations with a value over \$1,000;
- (10) a comparison of the amounts spent by the state for environment and natural resources activities through the most recent fiscal year; and
- (11) a copy of the most recent compliance audit.

Sec. 13. Minnesota Statutes 2004, section 116P.10, is amended to read:

116P.10 [ROYALTIES, COPYRIGHTS, PATENTS.]

This section applies to projects supported by the trust fund and the oil overcharge money referred to in section 4.071, subdivision 2, each of which is referred to in this section as a "fund." The trust fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the trust fund. Receipts from Minnesota future resources fund projects must be credited to the trust fund. Before the council decides to fund a project ~~is included in the budget plan~~, the ~~commission~~ council may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the trust fund.

Sec. 14. Minnesota Statutes 2004, section 116P.11, is amended to read:

116P.11 [AVAILABILITY OF FUNDS FOR DISBURSEMENT.]

- (a) The amount biennially available from the trust fund for the budget plan developed by the ~~commission~~ council is as defined in the Minnesota Constitution, article XI, section 14.
- (b) Any appropriated funds not encumbered in the biennium in which they are appropriated cancel and must be credited to the principal of the trust fund.

Sec. 15. Minnesota Statutes 2004, section 116P.12, subdivision 2, is amended to read:

Subd. 2. [APPLICATION AND ADMINISTRATION.] (a) The ~~commission~~ council must adopt a procedure for the issuance of the water system improvement loans by the Public Facilities Authority.

(b) The ~~commission~~ council also must ensure that the loans are administered according to its fiduciary standards and requirements.

Sec. 16. Minnesota Statutes 2004, section 116P.15, subdivision 2, is amended to read:

Subd. 2. [RESTRICTIONS; MODIFICATION PROCEDURE.] (a) An interest in real property acquired with an appropriation from the trust fund or the Minnesota future resources fund must be used in perpetuity or for the specific term of an easement interest for the purpose for which the appropriation was made.

(b) A recipient of funding who acquires an interest in real property subject to this section may not alter the intended use of the interest in real property or convey any interest in the real property acquired with the appropriation without the prior review and approval of the ~~commission~~ council. The ~~commission~~ council shall

establish procedures to review requests from recipients to alter the use of or convey an interest in real property. These procedures shall allow for the replacement of the interest in real property with another interest in real property meeting the following criteria:

(1) the interest is at least equal in fair market value, as certified by the commissioner of natural resources, to the interest being replaced; and

(2) the interest is in a reasonably equivalent location, and has a reasonably equivalent usefulness compared to the interest being replaced.

(c) A recipient of funding who acquires an interest in real property under paragraph (a) must separately record a notice of funding restrictions in the appropriate local government office where the conveyance of the interest in real property is filed. The notice of funding agreement must contain:

(1) a legal description of the interest in real property covered by the funding agreement;

(2) a reference to the underlying funding agreement;

(3) a reference to this section; and

(4) the following statement:

"This interest in real property shall be administered in accordance with the terms, conditions, and purposes of the grant agreement or work program controlling the acquisition of the property. The interest in real property, or any portion of the interest in real property, shall not be sold, transferred, pledged, or otherwise disposed of or further encumbered without obtaining the prior written approval of the ~~Legislative Commission on Minnesota Resources~~ council or its successor. If the holder of the interest in real property fails to comply with the terms and conditions of the grant agreement or work program, ownership of the interest in real property shall transfer to this state."

Sec. 17. [INITIAL CITIZEN APPOINTMENTS.]

The governor shall make the initial appointments of citizen members to the Legislative Council on Minnesota Resources according to the following schedule of terms:

(1) two members to serve for full six-year terms;

(2) two members to serve for five-year terms;

(3) two members to serve for four-year terms; and

(4) two members to serve for three-year terms.

Sec. 18. [TRANSITION.]

(a) The staff of the Legislative Commission on Minnesota Resources shall provide administrative and technical assistance to the council.

(b) Administrative expenses saved through the elimination of the Citizens Advisory Committee shall be used for the administrative expenses of the council or other citizen advisory committees created by the council.

Sec. 19. [REPEALER.]

(a) Minnesota Statutes 2004, sections 116P.02, subdivision 2, and 116P.06 are repealed.

(b) Minnesota Statutes 2004, section 116P.05, is repealed effective June 30, 2005.

Sec. 20. [SUNSET.]

The provisions of this act terminate on June 30, 2011, unless extended by the legislature.

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 20 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; creating the Legislative Council on Minnesota Resources; eliminating the Legislative Commission on Minnesota Resources; providing for disposition of certain revenues; appropriating money; amending Minnesota Statutes 2004, sections 116P.02, by adding a subdivision; 116P.03; 116P.04, subdivision 5; 116P.05, subdivision 1; 116P.07; 116P.08, subdivisions 3, 5, 6, 7, by adding subdivisions; 116P.09; 116P.10; 116P.11; 116P.12, subdivision 2; 116P.15, subdivision 2; repealing Minnesota Statutes 2004, sections 116P.02, subdivision 2; 116P.05; 116P.06."

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.

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

H. F. No. 1470, A bill for an act relating to environment; authorizing annual adjustment of dry cleaner environmental fees; amending Minnesota Statutes 2004, section 115B.49, by adding a subdivision; repealing Minnesota Statutes 2004, section 115B.49, subdivision 4a.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1473, A bill for an act relating to real property; regulating sign and flag display; amending Minnesota Statutes 2004, sections 515.07; 515B.2-103; 515B.3-102; proposing coding for new law in Minnesota Statutes, chapter 500.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1608, A bill for an act relating to public utilities; authorizing district court to hear appeals of lesser utility fines; amending Minnesota Statutes 2004, section 216D.08, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 2004, section 216D.08, subdivision 2, is amended to read:

Subd. 2. [SETTLEMENT.] The commissioner may negotiate a compromise settlement of a civil penalty. In determining the amount of the penalty, or the amount of the compromise settlement, the commissioner shall consider the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. Unless the commissioner chooses to proceed in district court under subdivision 1, the contested case and judicial review provisions of chapter 14 apply to the orders of the commissioner imposing a penalty under sections 216D.01 to 216D.07. The amount of the penalty, when finally determined, may be deducted from sums owing by the state of Minnesota to the person charged."

Amend the title as follows:

Page 1, line 5, delete "subdivision 1" and insert "subdivisions 1, 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 1620, A bill for an act relating to agriculture; excluding noninvasive floating of horses' teeth from the definition of veterinary medicine practice; amending Minnesota Statutes 2004, section 156.12, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [156.021] [SEPARATE LICENSE REQUIREMENT FOR EQUINE DENTISTRY.]

(a) A license is required for a person advising with respect to or performing equine dentistry that uses handheld files, rasps, or other devices to remove overgrowth from the teeth of horses (floating), not including extraction of teeth or other procedures that invade the soft tissue of the mouth. Application for an equine dentistry license must be made in writing to the board on a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 18 years old, and provides proof of current certification from the International Association of Equine Dentistry.

(b) The board must waive the certification requirement if the applicant has performed equine dentistry for at least three of the five years immediately preceding the date of this section's enactment, if the applicant submits affidavits of at least two veterinarians and three adults who are not related to the applicant setting forth how long, when, and under what circumstances they have known the applicant, and any other facts to enable the board to determine the qualifications of the applicant.

(c) The board may require any other information and materials it considers relevant from the applicant and may require an appropriate license fee.

(d) The board shall submit any proposed rules or rule changes to the house of representatives and senate committees with jurisdiction over the Board of Veterinary Medicine before final adoption.

Sec. 2. Minnesota Statutes 2004, section 156.081, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The board may limit, suspend, or revoke the license of any person to practice veterinary medicine or equine dentistry in this state for any of the causes provided in this section. The executive director, in all cases of disciplined licenses, shall enter on the register the fact of the disciplinary action, as the case may be. The record of such disciplinary action made by the executive director shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of the board in the matter of the disciplinary action.

Sec. 3. Minnesota Statutes 2004, section 156.081, subdivision 2, is amended to read:

Subd. 2. [CAUSES.] The board may revoke, suspend, or impose limitations upon a license for any of the following causes:

- (1) the employment of fraud, misrepresentation or deception in obtaining such license;
- (2) being convicted of a felony or gross misdemeanor, including a finding or verdict of guilt, whether or not the adjudication of guilt is withheld or not entered, an admission of guilt, or a no contest plea, as evidenced by a certified copy of the conviction;
- (3) being unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals, or any other materials, or as a result of any mental or physical condition;
- (4) existence of a professional connection with or the lending of one's name to any illegal practitioner of veterinary medicine or equine dentistry;
- (5) having been the subject of revocation, suspension, or surrender of a veterinary or equine dentistry license in resolution of a complaint or other adverse action related to licensure in another jurisdiction or country;
- (6) violating a state or federal narcotics or controlled substance law irrespective of any proceedings under section 152.18 or federal law;
- (7) fraudulently conducting or reporting results of physical examinations or biological tests used to detect and prevent the dissemination of animal diseases, transportation of diseased animals, or distribution of contaminated, infected, or inedible animal products, or failing to report, as required by law, any contagious or infectious disease;
- (8) engaging in false, fraudulent, deceptive, or misleading advertising;
- (9) conviction on a charge of cruelty to animals;

(10) failure, after written notification by the board, to keep one's premises and all equipment therein in a clean and sanitary condition, according to reasonable standards adopted by the board;

(11) fraud, deception, or incompetence in the practice of veterinary medicine or equine dentistry, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established;

(12) engaging in unprofessional conduct as defined in rules adopted by the board or engaging in conduct which violates any statute or rule promulgated by the board or any board order;

(13) being adjudicated by a court of competent jurisdiction, within or without this state, as a person who is incapacitated, mentally incompetent or mentally ill, chemically dependent, mentally ill and dangerous to the public, or a psychopathic personality;

(14) revealing a privileged communication from or relating to a client except when otherwise required or permitted by law;

(15) obtaining money, property, or services from a client through the use of undue influence, harassment, duress, deception, or fraud or through the improper use of the regulated individual's position as a professional;

(16) practicing outside the scope of practice authorized by the board's practice act; or

(17) making a false statement or misrepresentation to the board."

Delete the title and insert:

"A bill for an act relating to agriculture; requiring a license to perform equine dentistry; amending Minnesota Statutes 2004, section 156.081, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 156."

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.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1630, A bill for an act relating to debtor creditor relations; increasing the amount of the homestead exemption; amending Minnesota Statutes 2004, section 510.02.

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

The report was adopted.

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

H. F. No. 1760, A bill for an act relating to public safety; criminalizing certain acts related to the unlawful trafficking in persons; providing for the forfeiture of certain property of the offender in these cases; specifically including conduct involving sex trafficking in the promoting of prostitution crime; modifying the distribution

formula for prostitution and sex trafficking-related forfeiture proceeds; requiring a trafficking study; requiring the commissioner of public safety to collect and analyze trafficking data and undertake law enforcement and other agency training initiatives; requiring the commissioner to establish public awareness programs designed to target persons at risk of trafficking; requiring the commissioner to coordinate services for trafficking victims; establishing a trafficking interagency advisory committee; providing for appointment of a trafficking coordinator; appropriating money; amending Minnesota Statutes 2004, sections 609.321, subdivisions 1, 7, by adding subdivisions; 609.325, by adding a subdivision; 609.531, subdivision 1; 609.5315, subdivision 1, by adding a subdivision; 628.26; proposing coding for new law in Minnesota Statutes, chapters 299A; 609.

Reported the same back with the following amendments:

Page 15, line 22, delete "be compensated at a per"

Page 15, line 23, delete everything before "receive" and before "expense" insert "per diem payments and"

Page 16, line 1, delete "the" and insert "a county not specified in clause (4);"

Page 16, delete line 2

Page 16, line 36, delete everything after "4." and insert "[EXPIRATION.] The committee expires June 30, 2007."

Page 17, delete lines 1 to 7

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

The report was adopted.

Buesgens from the Committee on Education Policy and Reform to which was referred:

H. F. No. 1769, A bill for an act relating to education; directing the Office of Educational Accountability to evaluate the educational impact of the federal No Child Left Behind Act and other state and federal laws requiring school districts to administer tests to students.

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

The report was adopted.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 1857, A bill for an act relating to agriculture; changing application of certain penalties; changing certain procedures and time limits; amending Minnesota Statutes 2004, sections 17.982, subdivision 1; 17.983, subdivisions 1, 3; repealing Minnesota Statutes 2004, sections 17.983, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 9, insert:

"Sec. 4. Minnesota Statutes 2004, section 31.032, subdivision 1, is amended to read:

Subdivision 1. [~~MISDEMEANOR PENALTY.~~] ~~Any A~~ A person who violates ~~any of the provisions a provision~~ of section 31.02, paragraph (d), (e), (f), (g), (h), or (l), is guilty of a misdemeanor. A person who violates any other provision of section 31.02 is guilty of a gross misdemeanor.

Sec. 5. Minnesota Statutes 2004, section 31A.10, is amended to read:

31A.10 [~~PROHIBITIONS; PENALTY.~~]

(a) No person may, with respect to an animal, carcass, part of a carcass, poultry, poultry food product, meat, or meat food product:

(1) slaughter an animal or prepare an article that is usable as human food, at any establishment preparing articles solely for intrastate commerce, except in compliance with this chapter;

(2) sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce (i) articles which are usable as human food and are adulterated or misbranded at the time of sale, transportation, offer for sale or transportation, or receipt for transportation; or (ii) articles required to be inspected under sections 31A.01 to 31A.16 that have not been inspected and passed;

(3) do something to an article that is usable as human food while the article is being transported in intrastate commerce or held for sale after transportation, which is intended to cause or has the effect of causing the article to be adulterated or misbranded; or

(4) sell, offer for sale, or possess with intent to sell meat derived from custom processing.

(b) A violation of this section is a gross misdemeanor."

Page 2, line 10, delete "4" and insert "6"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "changing certain penalties;"

Page 1, line 6, after the semicolon, insert "31.032, subdivision 1; 31A.10;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1859, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2004, sections 176.011, subdivision 9; 176.041, by adding a subdivision; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.106,

subdivision 1; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivision 5; 176.1812, subdivision 1; 176.185, subdivisions 1, 7, by adding a subdivision; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; repealing Minnesota Statutes 2004, section 176.1812, subdivision 6.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1873, A bill for an act relating to human services; changing MinnesotaCare provisions to align with practice; amending Minnesota Statutes 2004, sections 256.045, subdivision 3a; 256B.02, subdivision 12; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 1; 256B.0644; 256D.045; 256L.01, subdivisions 4, 5; 256L.03, subdivision 1b; 256L.04, subdivision 2, by adding subdivisions; 256L.05, subdivisions 3, 3a; 256L.07, subdivisions 1, 3, by adding a subdivision; 256L.15, subdivisions 2, 3; 549.02, by adding a subdivision; 549.04.

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.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 1915, A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 144.551, subdivision 1, is amended to read:

Subdivision 1. [RESTRICTED CONSTRUCTION OR MODIFICATION.] (a) The following construction or modification may not be commenced:

(1) any erection, building, alteration, reconstruction, modernization, improvement, extension, lease, or other acquisition by or on behalf of a hospital that increases the bed capacity of a hospital, relocates hospital beds from one physical facility, complex, or site to another, or otherwise results in an increase or redistribution of hospital beds within the state; and

(2) the establishment of a new hospital.

(b) This section does not apply to:

(1) construction or relocation within a county by a hospital, clinic, or other health care facility that is a national referral center engaged in substantial programs of patient care, medical research, and medical education meeting state and national needs that receives more than 40 percent of its patients from outside the state of Minnesota;

(2) a project for construction or modification for which a health care facility held an approved certificate of need on May 1, 1984, regardless of the date of expiration of the certificate;

(3) a project for which a certificate of need was denied before July 1, 1990, if a timely appeal results in an order reversing the denial;

(4) a project exempted from certificate of need requirements by Laws 1981, chapter 200, section 2;

(5) a project involving consolidation of pediatric specialty hospital services within the Minneapolis-St. Paul metropolitan area that would not result in a net increase in the number of pediatric specialty hospital beds among the hospitals being consolidated;

(6) a project involving the temporary relocation of pediatric-orthopedic hospital beds to an existing licensed hospital that will allow for the reconstruction of a new philanthropic, pediatric-orthopedic hospital on an existing site and that will not result in a net increase in the number of hospital beds. Upon completion of the reconstruction, the licenses of both hospitals must be reinstated at the capacity that existed on each site before the relocation;

(7) the relocation or redistribution of hospital beds within a hospital building or identifiable complex of buildings provided the relocation or redistribution does not result in: (i) an increase in the overall bed capacity at that site; (ii) relocation of hospital beds from one physical site or complex to another; or (iii) redistribution of hospital beds within the state or a region of the state;

(8) relocation or redistribution of hospital beds within a hospital corporate system that involves the transfer of beds from a closed facility site or complex to an existing site or complex provided that: (i) no more than 50 percent of the capacity of the closed facility is transferred; (ii) the capacity of the site or complex to which the beds are transferred does not increase by more than 50 percent; (iii) the beds are not transferred outside of a federal health systems agency boundary in place on July 1, 1983; and (iv) the relocation or redistribution does not involve the construction of a new hospital building;

(9) a construction project involving up to 35 new beds in a psychiatric hospital in Rice County that primarily serves adolescents and that receives more than 70 percent of its patients from outside the state of Minnesota;

(10) a project to replace a hospital or hospitals with a combined licensed capacity of 130 beds or less if: (i) the new hospital site is located within five miles of the current site; and (ii) the total licensed capacity of the replacement hospital, either at the time of construction of the initial building or as the result of future expansion, will not exceed 70 licensed hospital beds, or the combined licensed capacity of the hospitals, whichever is less;

(11) the relocation of licensed hospital beds from an existing state facility operated by the commissioner of human services to a new or existing facility, building, or complex operated by the commissioner of human services; from one regional treatment center site to another; or from one building or site to a new or existing building or site on the same campus;

(12) the construction or relocation of hospital beds operated by a hospital having a statutory obligation to provide hospital and medical services for the indigent that does not result in a net increase in the number of hospital beds;

(13) a construction project involving the addition of up to 31 new beds in an existing nonfederal hospital in Beltrami County;

(14) a construction project involving the addition of up to eight new beds in an existing nonfederal hospital in Otter Tail County with 100 licensed acute care beds;

(15) a construction project involving the addition of 20 new hospital beds used for rehabilitation services in an existing hospital in Carver County serving the southwest suburban metropolitan area. Beds constructed under this clause shall not be eligible for reimbursement under medical assistance, general assistance medical care, or MinnesotaCare;

(16) a project for the construction or relocation of up to 20 hospital beds for the operation of up to two psychiatric facilities or units for children provided that the operation of the facilities or units have received the approval of the commissioner of human services;

(17) a project involving the addition of 14 new hospital beds to be used for rehabilitation services in an existing hospital in Itasca County; ~~or~~

(18) a project to add 20 licensed beds in existing space at a hospital in Hennepin County that closed 20 rehabilitation beds in 2002, provided that the beds are used only for rehabilitation in the hospital's current rehabilitation building. If the beds are used for another purpose or moved to another location, the hospital's licensed capacity is reduced by 20 beds; or

(19) a project for the construction of a new hospital in the city of Maple Grove with a licensed capacity of up to 80 beds by an existing hospital that relocates or redistributes the beds from its current site in the city of Robbinsdale provided:

(i) the new facility is within 11 miles of the current site;

(ii) the relocation or redistribution of beds will allow the existing hospital to upgrade existing double-occupancy rooms to single-occupancy;

(iii) the relocation or redistribution does not result in an increase in overall bed capacity between the new hospital and the existing hospital; and

(iv) the hospital provides inpatient and outpatient adult and adolescent mental health services including adolescent crisis services as approved by the commissioner of health, in consultation with the commissioner of human services."

With the recommendation that when so amended the bill pass.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1917, A bill for an act relating to local government; authorizing the investment of funds in certain securities; amending Minnesota Statutes 2004, section 118A.04, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 20, after "a" insert "Minnesota"

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1949, A bill for an act relating to local government; authorizing Stearns, Benton, and Sherburne County Boards to initiate a process for the change of county boundaries by resolution.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1986, A bill for an act relating to government data practices; providing for classification and dissemination of security information and certain data; amending Minnesota Statutes 2004, sections 13.37, subdivisions 1, 2, 3; 13.591, by adding subdivisions; 16C.06, subdivision 5.

Reported the same back with the following amendments:

Page 3, line 29, delete "PROPOSAL" and insert "RESPONSE"

Page 3, line 30, delete "proposal" and insert "response"

Page 3, line 31, before "proposal" insert "bid or" and after "government" insert "goods or"

Page 3, line 32, after "with" insert "bids or"

Page 3, line 36, delete "proposal" and insert "response"

Page 4, line 1, after "as" insert "private or" and delete everything after "nonpublic"

Page 4, delete lines 2 to 4 and insert "until completion of the selection process or completion of the evaluation process at which time the data is public with the exception of trade secret data as defined and classified in section 13.37."

Page 4, line 15, delete "4" and insert "5"

With the recommendation that when so amended the bill pass.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1993, A bill for an act relating to public safety; providing for earlier date for transferring responsibilities of Metropolitan Radio Board; amending Laws 2004, chapter 201, section 22.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 1994, A bill for an act relating to local government; modifying a shared hospital or ambulance service purchasing provision; amending Minnesota Statutes 2004, section 471.345, subdivision 10.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 2028, A bill for an act relating to Pope County; providing a process for making certain offices appointive in Pope County.

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 2040, A bill for an act relating to local government; authorizing nine-member county economic development authority boards; amending Minnesota Statutes 2004, section 469.1082, by adding a subdivision.

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

The report was adopted.

Smith from the Committee on Public Safety Policy and Finance to which was referred:

H. F. No. 2085, A bill for an act relating to corrections; clarifying notification procedure when victim requests a test on offender; amending Minnesota Statutes 2004, section 611A.19.

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.

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

H. F. No. 2086, A bill for an act relating to the metropolitan government; providing residency requirements for members of the Metropolitan Council and Metropolitan Airports Commission; providing term limits for certain members; creating a nominating committee; modifying a reporting requirement; amending Minnesota Statutes 2004, sections 473.123, subdivisions 2a, 3; 473.604, subdivisions 1, 5; 473.608, subdivision 18; 473.621, subdivision 1b.

Reported the same back with the following amendments:

Page 3, line 28, after "cities" insert "of Minneapolis, St. Paul, and Bloomington"

Page 5, line 11, delete "nine" and insert "15"

Page 5, line 16, delete "and"

Page 5, line 17, before the period, insert "; and a representative of each of the cities of Minneapolis, St. Paul, Richfield, Bloomington, Mendota Heights, and Eagan"

Page 5, line 25, after "nominees" insert ", with comments,"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "expanding membership of the Metropolitan Airports Commission to include the mayor of Bloomington;"

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 2131, A bill for an act relating to counties; permitting counties to issue capital improvement bonds for rehabilitation or demolition of tax-forfeited commercial property; amending Minnesota Statutes 2004, section 373.40, subdivision 1, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2133, A bill for an act relating to state government; authorizing lease of certain state property under specified conditions.

Reported the same back with the following amendments:

Page 1, line 12, after the period, insert "If leased to a faith-based organization, the program may not promote any particular faith and must operate in a nondiscriminatory manner."

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. 2155, A bill for an act relating to weights and measures; updating standards and making other technical changes to weights and measures provisions; delaying repeal of petroleum tank release cleanup provisions; authorizing Petroleum Tank Release Compensation Board to adopt rules for consultant services; amending Minnesota Statutes 2004, sections 41A.09, subdivision 2a; 115C.07, subdivision 3; 115C.13; 239.011, subdivision 2; 239.05, subdivision 10b, by adding a subdivision; 239.09; 239.75, subdivisions 1, 5; 239.761; 239.77, by adding a subdivision; 239.79, subdivision 4; 239.791, subdivisions 1, 7, 8, 15; 239.792; 296A.01, subdivisions 2, 7, 8, 14, 19, 20, 22, 23, 24, 25, 26, 28; repealing Minnesota Statutes 2004, section 239.05, subdivisions 6a, 6b.

Reported the same back with the following amendments:

Page 6, after line 27, insert:

"Sec. 8. Minnesota Statutes 2004, section 239.101, subdivision 3, is amended to read:

Subd. 3. [PETROLEUM INSPECTION FEE.] (a) An inspection fee is imposed (1) on petroleum products when received by the first licensed distributor, and (2) on petroleum products received and held for sale or use by any person when the petroleum products have not previously been received by a licensed distributor. The petroleum inspection fee is \$1 for every 1,000 gallons received. The commissioner of revenue shall collect the fee. The revenue from the fee ~~must first be applied to cover the amounts appropriated. Fifteen cents of the inspection fee must be deposited in an account in the special revenue fund and is appropriated to the commissioner of commerce for the cost of petroleum product quality inspection expenses and for the inspection and testing of petroleum product measuring equipment. The remainder of the fee must be deposited in the general fund operation of the~~ Weights and Measures Division.

(b) The commissioner of revenue shall credit a person for inspection fees previously paid in error or for any material exported or sold for export from the state upon filing of a report as prescribed by the commissioner of revenue.

(c) The commissioner of revenue may collect the inspection fee along with any taxes due under chapter 296A."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "appropriating revenue from inspection fee;"

Page 1, line 10, after the second semicolon, insert "239.101, subdivision 3;"

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.

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

H. F. No. 2159, A bill for an act relating to environment; modifying advisory boards; eliminating a report; amending Minnesota Statutes 2004, sections 115A.072, subdivision 1; 115A.12; 115A.929.

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.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 2166, A bill for an act relating to human services; extending the termination date for the Traumatic Brain Injury Advisory Committee; amending Minnesota Statutes 2004, section 256B.093, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2172, A bill for an act relating to human services; establishing a task force on licensing and alternative quality assurance.

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.

Gunther from the Committee on Jobs and Economic Opportunity Policy and Finance to which was referred:

H. F. No. 2192, A bill for an act relating to adoption; providing for data collection and best practice guidelines for conducting postadoption services; proposing coding for new law in Minnesota Statutes, chapter 259.

Reported the same back with the following amendments:

Page 1, line 21, delete everything after "search"

Page 1, line 22, delete "made"

Page 2, after line 3, insert:

"Sec. 2. [REPORT.]

The commissioner must report to the legislature by February 1, 2006. The report must include an assessment of the data gathered under section 1, subdivision 1, and the best practices guidelines developed under section 1, subdivision 2."

Page 2, line 4, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring a report;"

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. 2243, A bill for an act relating to state government; creating an Office of Enterprise Technology; appropriating money; amending Minnesota Statutes 2004, sections 16B.04, subdivision 2; 16B.48, subdivisions 4, 5; 16E.01, subdivisions 1, 3; 16E.02; 16E.03, subdivisions 1, 2, 3, 7; 16E.04; 16E.0465, subdivision 2; 16E.055; 16E.07, subdivision 8; 299C.65, subdivisions 1, 2; 403.36, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16E; repealing Minnesota Statutes 2004, sections 16B.48, subdivision 3; 16E.0465, subdivision 3.

Reported the same back with the following amendments:

Page 4, line 23, after "and" insert "information and telecommunications"

Page 4, line 25, delete everything after the period

Page 4, delete lines 26 and 27

Page 4, line 28, delete the new language

Page 20, line 2, delete "classified"

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

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 2318, A bill for an act relating to local government; providing for meetings of county boards at locations other than the county seat; amending Minnesota Statutes 2004, section 375.07.

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

The report was adopted.

Holberg from the Committee on Transportation Finance to which was referred:

S. F. No. 4, A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

Reported the same back with the following amendments to the third unofficial engrossment:

Delete everything after the enacting clause and insert:

"Section 1. [16C.137] [MINIMIZING ENERGY USE; RENEWABLE FUELS.]

Subdivision 1. [LEGISLATIVE FINDINGS.] The legislature finds that increased use of agricultural renewable fuels such as ethanol, biodiesel, and hydrogen made from agricultural products will reduce Minnesota's dependence on imported oil and help protect our environment while providing enormous benefit to Minnesota's rural communities and agricultural economy. Furthermore, Minnesota has a unique economic advantage in the ability to produce clean, renewable, domestic fuels and Minnesota leads the nation in the production and use of ethanol and biodiesel. State agencies need to be urged, once again, to use cleaner fuels like ethanol, biodiesel, and hydrogen in state vehicles and to purchase vehicles capable of being powered by these cleaner fuels as required by section 16C.135.

Subd. 2. [GOALS AND ACTIONS.] (a) Using 2005 as a baseline, the state of Minnesota shall reduce the use of gasoline by on-road vehicles owned by state departments by 25 percent by 2010 and 50 percent by 2015 and reduce the use of petroleum-based diesel fuel in diesel-fueled vehicles by ten percent by 2010 and 25 percent by 2015.

(b) To meet the goals established in paragraph (a), each state department will, whenever legally, technically, and economically feasible, subject to the specific needs of the department and responsible management of agency finances:

(1) ensure that at least 75 percent of purchases of new on-road vehicles, excluding emergency and law enforcement vehicles:

(i) use "cleaner fuels" as that term is defined in section 16C.135, subdivision 1, clauses (1), (3), and (4); or

(ii) have fuel efficiency ratings that exceed 30 miles per gallon for city usage or 35 miles per gallon for highway usage, including but not limited to hybrid electric cars and hydrogen-powered vehicles;

(2) increase its use of renewable transportation fuels, including ethanol, biodiesel, and hydrogen, from agricultural products; and

(3) increase its use of Web-based Internet applications and other electronic information technologies to enhance the access to and delivery of government information and services to the public, and reduce the reliance on the department's fleet for the delivery of the information and services.

Subd. 3. [SMARTFLEET COMMITTEE.] (a) The commissioner of administration, or the commissioner's designee, shall chair a SmartFleet Committee consisting of representatives designated by the commissioners of the Pollution Control Agency, the Departments of Agriculture, Transportation, and Commerce, and other state departments that wish to participate. To ensure effective and efficient state participation, the SmartFleet Committee must assist state departments in implementing the requirements of this section, including providing information, guidance, sample policies and procedures, and technical and planning assistance.

(b) The SmartFleet Committee must evaluate the goals and directives established in this section by December 2006 and periodically thereafter. The committee must make recommendations to the governor and appropriate committees of the legislature on February 1 of each year for new or adjusted goals and directives, in light of the progress the state has made implementing this section, and of the availability of new or improved technologies.

(c) For the systematic and efficient monitoring of progress in implementing this section by the SmartFleet Committee, the Department of Administration shall implement a fleet reporting and information management system. Each department will use this management system to demonstrate its progress in complying with this section.

Subd. 4. [EXCLUSION.] Petroleum-based diesel fuel used in a vehicle that a department has retrofit to use ultra low sulfur diesel fuel and to add additional emissions control technologies is excluded when evaluating progress toward the reduction goals established in subdivision 2. This exclusion applies only to vehicles purchased before the model year in which the federal Environmental Protection Agency's new clean diesel emission reduction rules take effect.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2004, section 41A.09, subdivision 2a, is amended to read:

Subd. 2a. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "Ethanol" means fermentation ethyl alcohol derived from agricultural products, including potatoes, cereal grains, cheese whey, and sugar beets; forest products; or other renewable resources, including residue and waste generated from the production, processing, and marketing of agricultural products, forest products, and other renewable resources, that:

(1) meets all of the specifications in ASTM specification D4806-01; and

(2) is denatured as specified in Code of Federal Regulations, title 27, parts 20 and 21.

(b) "Ethanol plant" means a plant at which ethanol is produced.

(c) "Commissioner" means the commissioner of agriculture.

(d) "E85 fuel handling and dispensing equipment" means capital investments made primarily for the receipt, storage, handling, pumping, and delivery of E85 petroleum products as defined in section 296A.01, subdivision 19.

Sec. 3. Minnesota Statutes 2004, section 41A.09, subdivision 3a, is amended to read:

Subd. 3a. [ETHANOL PRODUCER PAYMENTS.] (a) The commissioner shall make cash payments to producers of ethanol located in the state that have begun production by June 30, 2000. For the purpose of this subdivision, an entity that holds a controlling interest in more than one ethanol plant is considered a single producer. The amount of the payment for each producer's annual production, except as provided in paragraph (c), is 20 cents per gallon for each gallon of ethanol produced on or before June 30, 2000, or ten years after the start of production, whichever is later. Annually, within 90 days of the end of its fiscal year, an ethanol producer receiving payments under this subdivision must file a disclosure statement on a form provided by the commissioner. The initial disclosure statement must include a summary description of the organization of the business structure of the claimant, a listing of the percentages of ownership by any person or other entity with an ownership interest of five percent or greater, and a copy of its annual audited financial statements, including the auditor's report and footnotes.

The disclosure statement must include information demonstrating what percentage of the entity receiving payments under this section is owned by farmers or other entities eligible to farm or own agricultural land in Minnesota under the provisions of section 500.24. Subsequent annual reports must reflect noncumulative changes in ownership of ten percent or more of the entity. The report need not disclose the identity of the persons or entities eligible to farm or own agricultural land with ownership interests, individuals residing within 30 miles of the plant, or of any other entity with less than ten percent ownership interest, but the claimant must retain information within its files confirming the accuracy of the data provided. This data must be made available to the commissioner upon request. Not later than the 15th day of February in each year the commissioner shall deliver to the chairs of the standing committees of the senate and the house of representatives that deal with agricultural policy and agricultural finance issues an annual report summarizing aggregated data from plants receiving payments under this section during the preceding calendar year. Audited financial statements and notes and disclosure statements submitted to the commissioner are nonpublic data under section 13.02, subdivision 9. Notwithstanding the provisions of chapter 13 relating to nonpublic data, summaries of the submitted audited financial reports and notes and disclosure statements will be contained in the report to the committee chairs and will be public data.

(b) No payments shall be made for ethanol production that occurs after June 30, 2010.

(c) If the level of production at an ethanol plant increases due to an increase in the production capacity of the plant, the payment under paragraph (a) applies to the additional increment of production until ten years after the increased production began. Once a plant's production capacity reaches 15,000,000 gallons per year, no additional increment will qualify for the payment.

(d) Total payments under paragraphs (a) and (c) to a producer in a fiscal year may not exceed \$3,000,000.

(e) By the last day of October, January, April, and July, each producer shall file a claim for payment for ethanol production during the preceding three calendar months. A producer that files a claim under this subdivision shall include a statement of the producer's total ethanol production in Minnesota during the quarter covered by the claim. For each claim and statement of total ethanol production filed under this subdivision, the volume of ethanol production must be examined by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

(f) Payments shall be made November 15, February 15, May 15, and August 15. A separate payment shall be made for each claim filed. Except as provided in paragraph (g), the total quarterly payment to a producer under this paragraph may not exceed \$750,000.

(g) Notwithstanding the quarterly payment limits of paragraph (f), the commissioner shall make an additional payment in the fourth quarter of each fiscal year to ethanol producers for the lesser of: (1) 20 cents per gallon of production in the fourth quarter of the year that is greater than 3,750,000 gallons; or (2) the total amount of payments lost during the first three quarters of the fiscal year due to plant outages, repair, or major maintenance. Total payments to an ethanol producer in a fiscal year, including any payment under this paragraph, must not exceed the total amount the producer is eligible to receive based on the producer's approved production capacity. The provisions of this paragraph apply only to production losses that occur in quarters beginning after December 31, 1999.

(h) The commissioner shall reimburse ethanol producers for any deficiency in payments during earlier quarters if the deficiency occurred because of unallotment or because appropriated money was insufficient to make timely payments in the full amount provided in paragraph (a). Notwithstanding the quarterly or annual payment limitations in this subdivision, the commissioner shall begin making payments for earlier deficiencies in each fiscal year that appropriations for ethanol payments exceed the amount required to make eligible scheduled payments. Payments for earlier deficiencies must continue until the deficiencies for each producer are paid in full.

(i) If, in any calendar year beginning after December 31, 2007, the appropriation for value-added agricultural products under this section is in excess of the amount required to make scheduled ethanol producer payments and deficiency payments for payments delayed because of unallotment or because appropriated funds in earlier fiscal years were insufficient, the commissioner may make grants in amounts not exceeding \$15,000 per grant to distributors and retailers of motor fuels as defined in section 296A.01, subdivision 33, for up to 50 percent of the cost incurred for the installation of E85 fuel handling or dispensing equipment.

(j) For fiscal year 2008 and thereafter, \$20,500,000 is annually appropriated from the general fund to the commissioner of agriculture for purposes of ethanol producer payments and grants to petroleum distributors and retailers for the installation of E85 fuel handling and dispensing equipment.

Sec. 4. Minnesota Statutes 2004, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. [WHEN PREPARED.] Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision-making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action. No mandatory environmental impact statement may be required for an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), that produces less than 125,000,000 gallons of ethanol annually and is located outside of the seven-county metropolitan area, except that an environmental impact statement is mandatory for an ethanol plant that is fueled by a coal-fired boiler and that has a permit application pending before the Pollution Control Agency on April 1, 2005.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30 day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15 day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15 day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

(i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

(ii) an expansion of an existing animal feedlot facility with a total cumulative capacity of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Pollution Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days prior to the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot facility unless another public meeting for citizen input has been held with regard to the feedlot facility to be permitted. The exemption in this paragraph is in addition to other exemptions provided under other law and rules of the board.

(e) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(f) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(g) Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(h) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

Sec. 5. Minnesota Statutes 2004, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 10.0 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 9.2 percent by volume and not more than 10.0 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol/ether content in motor fuels.

(c) This subdivision expires on the effective date of section 6.

Sec. 6. Minnesota Statutes 2004, section 239.791, is amended by adding a subdivision to read:

Subd. 1a. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 20 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 18.4 percent by volume and not more than 20 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol content in motor fuels.

(c) No motor fuel shall be deemed to be a defective product by virtue of the fact that the motor fuel is formulated or blended pursuant to the requirements of paragraph (a) under any theory of liability except for negligence. This paragraph does not preclude an action for negligent acts. This paragraph does not affect a person whose liability arises under chapter 115, water pollution control; 115A, waste management; 115B, environmental response and liability; 115C, leaking underground storage tanks; or 299J, pipeline safety; under public nuisance law for damage to the environment or the public health; under any other environmental or public health law; or under any environmental or public health ordinance or program of a municipality as defined in section 466.01.

(d) This subdivision is effective ten years following express action on the application by the United States Environmental Protection Agency required by this subdivision, or 60 days after the governor publishes notice in the State Register that at least 60 percent of new model motor vehicles offered for sale in Minnesota are warranted for fuel with 20 percent ethanol by volume, whichever occurs first.

(e) Except as provided in paragraph (f), this subdivision expires on December 31, 2010, if by that date the commissioner of agriculture certifies and publishes the certification in the State Register that at least 20 percent of the volume of gasoline sold in the state is denatured ethanol.

(f) This subdivision expires on December 31, 2008, if by that date the United States Environmental Protection Agency has not acted on an application submitted under United States Code, title 42, section 7545(f)(4), by issuing an express determination that E20 gasoline:

(1) will not cause or contribute to the failure of any emission control device or system on vehicles, engines, fuel tanks, or off-road equipment to achieve compliance with the standards to which those vehicles, components, or equipment were certified under federal law over the useful life of the vehicles, components, or equipment;

(2) will not cause vehicle emissions and toxic emission to increase;

(3) will not cause or contribute to a degradation of vehicle, engine, fuel tank, or off-road equipment performance;

(4) is compatible with the materials used in in-use vehicles, engines, fuel tanks, or off-road equipment and with materials reasonably anticipated to be used in vehicles, engines, fuel tanks, or off-road equipment sold in the future; and

(5) will not require vehicle or off-road engine or equipment manufacturers to produce or distribute for Minnesota special products with unique features or special fuel calibrations that differ from products sold in other states.

For purposes of this subdivision, the United States Environmental Protection Agency's failure to act on an application shall not be deemed a waiver under section 211(f)(4) of the Clean Air Act, United States Code, title 42, section 7545, subsection (f), paragraph (4).

(g) The minimum percentage of denatured ethanol that must be contained in gasoline sold or offered for sale in Minnesota under paragraph (a) is ten percent effective 90 days after the effective date of any federal law relating to (1) the federal excise tax rate on gasoline-ethanol blends, or (2) the deposit of revenues from the federal excise tax on gasoline-ethanol blends, that in the determination of the commissioner of transportation will result in a loss of federal transportation funds to Minnesota that is directly attributable to requiring a minimum of 20 percent denatured ethanol in gasoline sold or offered for sale in Minnesota.

(h) Not later than December 31, 2005, the governor shall petition the United States Consumer Product Safety Commission to solicit information from national experts and stakeholders and issue an advisory opinion under Code of Federal Regulations, title 16, section 1000.7, as to whether E20 gasoline, when used in existing motorcycles, outboard engines, snowmobiles, lawn and garden products, and other consumer equipment powered by small spark ignited engines, is likely to create a "substantial product hazard" or an "unreasonable risk of injury" such as fuel leaks, increased engine temperature, the gumming and sticking of throttles, governors or ignition shut-off switches, or the unintended engagement of cutting blades. This subdivision expires on December 31, 2010, unless by that date, the United States Consumer Product Safety Commission has issued an advisory opinion that the use of E20 fuels will not increase the risk of hazards to consumers operating existing off-road consumer products.

Sec. 7. [239.7911] [PETROLEUM REPLACEMENT PROMOTION.]

Subdivision 1. [PETROLEUM REPLACEMENT GOAL.] The petroleum replacement goal of the state of Minnesota is that at least 20 percent of the liquid fuel sold in the state is derived from renewable sources by December 31, 2015, subject to the provisions of section 239.791, subdivision 1a, paragraph (g).

Subd. 2. [PROMOTION OF RENEWABLE LIQUID FUELS.] (a) The commissioner of agriculture, in consultation with the commissioners of commerce and the Pollution Control Agency, shall identify and implement activities necessary for the widespread use of renewable liquid fuels in the state. Beginning November 1, 2005, and continuing through 2015, the commissioners, or their designees, shall work with representatives from the renewable fuels industry, petroleum retailers, refiners, automakers, small engine manufacturers, and other interested groups, to develop annual recommendations for administrative and legislative action.

(b) The activities of the commissioners under this subdivision shall include, but not be limited to:

(1) developing recommendations for incentives for retailers to install equipment necessary for dispensing renewable liquid fuels to the public;

(2) obtaining federal approval for the use of E20 as gasoline;

(3) developing recommendations for ensuring that motor vehicles and small engine equipment have access to an adequate supply of fuel;

(4) working with the owners and operators of large corporate automotive fleets in the state to increase their use of renewable fuels; and

(5) working to maintain an affordable retail price for liquid fuels.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 8. [REPORT ON E20 FUEL.]

The commissioner of agriculture, in consultation with the commissioners of employment and economic development and the Pollution Control Agency, shall review the information and data collected in the evaluation of any federal waiver request for the use of E20 fuel in Minnesota. The commissioner shall use existing budgetary and staff resources in conducting the review. The review must include:

(1) issues involving the use of E20 fuel if such fuel is mandated in Minnesota;

(2) effects of E20 on development of Minnesota's ethanol industry; and

(3) effects of E20 on Minnesota consumers.

The commissioner shall present an initial report to the legislative committees having jurisdiction over agriculture and environment policy and finance on the findings of the review to the legislature by January 15, 2009, and present an updated report to those committees on January 15, 2011.

Sec. 9. [STATE VEHICLE FLEET FUEL REPORTS.]

Subdivision 1. [REPORTS TO DEPARTMENT OF ADMINISTRATION.] Each state agency, as defined in Minnesota Statutes, section 16D.02, subdivision 7, must report annually to the Department of Administration, in a manner and at a time prescribed by the commissioner of administration, for the 12 months preceding the date of the report:

(1) the number of motor vehicles purchased or leased by the agency and the number that are capable of being propelled by cleaner fuels as defined in Minnesota Statutes, section 16C.135, subdivision 1; and

(2) total volume of fuel purchased for vehicles owned or leased by the agency and the total volume of each fuel that is a cleaner fuel.

Subd. 2. [REPORT TO LEGISLATURE.] The commissioner of administration shall report on January 15, 2007, and each January 15 thereafter, on total purchases and leases of motor vehicles by all state agencies and the number of such vehicles that are capable of being propelled by cleaner fuels, and total volume of fuel purchased by all state agencies and the total volume of cleaner fuels. The report must be made to the chairs of legislative committees having jurisdiction over government operations, state government finance, environmental policy and finance, natural resources policy and finance, and transportation policy and finance."

Delete the title and insert:

"A bill for an act relating to agriculture; modifying provisions relating to ethanol and other motor fuels; requiring reports; appropriating money; amending Minnesota Statutes 2004, sections 41A.09, subdivisions 2a, 3a; 116D.04, subdivision 2a; 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16C; 239."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 241, 358, 455, 572, 587, 822, 892, 936, 945, 1026, 1293, 1309, 1333, 1470, 1473, 1608, 1630, 1857, 1859, 1915, 1949, 1986, 1994, 2028, 2040, 2133, 2166, 2192 and 2318 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Howes introduced:

H. F. No. 2325, A bill for an act relating to education; permitting school districts to provide employees with electronic earning statements; amending Minnesota Statutes 2004, section 181.032.

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

Simon, Ellison and Hilty introduced:

H. F. No. 2326, A bill for an act relating to landlord and tenant; providing that landlords who apportion bills or charge fees for utility service are not exempt from regulation as a utility; amending Minnesota Statutes 2004, sections 216B.02, subdivision 4; 504B.215, subdivision 2.

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

Hortman, Ellison and Hilty introduced:

H. F. No. 2327, A bill for an act relating to landlord and tenant; prohibiting apportionment and reselling of utility service; prohibiting fees relating to utility service; amending Minnesota Statutes 2004, sections 216B.022; 504B.215, subdivisions 2, 2a.

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

Mullery introduced:

H. F. No. 2328, A bill for an act relating to state government; repealing references in the State Building Code to the International Mechanical Code and replacing them with references to the 1991 Uniform Mechanical Code with Minnesota amendments; repealing Minnesota Rules, parts 1346.0050; 1346.0060; 1346.0101; 1346.0102; 1346.0103; 1346.0104; 1346.0105; 1346.0106; 1346.0107; 1346.0108; 1346.0109; 1346.0110; 1346.0201; 1346.0202; 1346.0301; 1346.0306; 1346.0309; 1346.0401; 1346.0403; 1346.0404; 1346.0501; 1346.0505; 1346.0506; 1346.0507; 1346.0508; 1346.0510; 1346.0603; 1346.0604; 1346.0701; 1346.0703; 1346.0709; 1346.0801; 1346.0803; 1346.0901; 1346.1001; 1346.1003; 1346.1004; 1346.1006; 1346.1007; 1346.1011; 1346.1204; 1346.1601; 1346.1602; 1346.1603; 1346.1604; 1346.1605; 1346.1606; 1346.5050; 1346.5201; 1346.5202; 1346.5301; 1346.5303; 1346.5304; 1346.5306; 1346.5401; 1346.5402; 1346.5403; 1346.5404; 1346.5406; 1346.5407; 1346.5408; 1346.5409; 1346.5410; 1346.5501; 1346.5503; 1346.5504; 1346.5602; 1346.5620; 1346.5629; 1346.5630; 1346.5801; 1346.5802; 1346.5803; 1346.5804; 1346.5805; 1346.5806; 1346.5807; 1346.5900.

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

Sieben introduced:

H. F. No. 2329, A bill for an act relating to education finance; clarifying the types of projects that are eligible for funding with the alternative facilities bonding and levying program; amending Minnesota Statutes 2004, section 123B.59, subdivision 2.

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

Sieben introduced:

H. F. No. 2330, A bill for an act relating to education finance; clarifying the types of projects that are eligible for funding with the alternative facilities bonding and levying program; amending Minnesota Statutes 2004, section 123B.59, subdivision 2.

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

Vandever introduced:

H. F. No. 2331, A bill for an act relating to consumer protection; extending the expiration date for consumer protections for wireless telecommunications customers; amending Minnesota Statutes 2004, section 325F.695, subdivision 5.

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

Sailer, Moe, Eken, Marquart, Kelliher, Ellison and Entenza introduced:

H. F. No. 2332, A bill for an act relating to appropriations; providing emergency assistance for Red Lake.

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

Seifert introduced:

H. F. No. 2333, A bill for an act relating to local government; prohibiting cities from collecting certain unpaid water charges through property taxes; amending Minnesota Statutes 2004, section 444.075, subdivision 3e.

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

Sykora introduced:

H. F. No. 2334, A bill for an act relating to education; establishing an early childhood education pilot program for at-risk children between the age of three and entering kindergarten.

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

Sykora introduced:

H. F. No. 2335, A bill for an act relating to education finance; making forecast adjustments to education appropriations; amending Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, as amended, 3, as amended, 11, as amended, 12, as amended; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, as amended, 5, as amended, 9, as amended, 12, as amended; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 2, 4, as amended, 5, as amended, 6, as amended, 8, as amended, 9, as amended; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, as amended, 3, as amended, 4; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivision 3, as amended; Laws 2003, First Special Session chapter 9, article 6, section 4, as amended; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivisions 2, 4; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, as amended, 3, 5, as amended; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivision 2, as amended.

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

Kelliher introduced:

H. F. No. 2336, A bill for an act relating to consumer protection; hair transplant procedures; requiring certain consumer information; providing enforcement; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Kelliher introduced:

H. F. No. 2337, A bill for an act relating to consumer protection; prohibiting the sale of children's personally identifiable information for commercial marketing purposes; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Lenczewski; Larson; Peterson, N., and Beard introduced:

H. F. No. 2338, A bill for an act relating to the Metropolitan Airports Commission; including Bloomington in the definition of "city"; amending Minnesota Statutes 2004, section 473.601, subdivision 6.

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

Lenczewski; Krinkie; Vandever; Abrams; Ruud; Scalze; Peterson, S.; Paulsen; Sykora; Wilkin; Buesgens; Holberg; Powell; Charron; Kohls; Erhardt; Peterson, N.; Lillie; Garofalo; Wardlow; Samuelson; Klinzing; Slawik; Larson and Dittrich introduced:

H. F. No. 2339, A bill for an act relating to property taxation; providing that market value credit reductions be reflected in the credit amount shown on each property tax statement; amending Minnesota Statutes 2004, section 273.1384, by adding a subdivision.

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

Zellers; Hilstrom; Dittrich; Hortman; Nelson, M., and Greiling introduced:

H. F. No. 2340, A bill for an act relating to education finance; authorizing planning grants for school readiness projects; appropriating money.

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

Abrams, Brod, Murphy, Sviggum and Entenza introduced:

H. F. No. 2341, A bill for an act relating to the legislature; changing provisions governing the Legislative Coordinating Commission and subordinate agencies; eliminating a commission; changing membership and operation of the Compensation Council; appropriating money; amending Minnesota Statutes 2004, sections 3.303, subdivision 3, by adding a subdivision; 3.85, subdivisions 8, 9; 15A.082, subdivisions 1, 2, 3; 216C.051, subdivision 6; repealing Minnesota Statutes 2004, sections 3.304, subdivisions 1, 5; 3.884.

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

Meslow and Samuelson introduced:

H. F. No. 2342, A bill for an act relating to elections; clarifying the voting rights of persons under guardianship and persons with disabilities; permitting local governments to redraw election districts before the legislature has been redistricted; requiring new election for all members of a city council or county board following redistricting; permitting appointment of election judges not affiliated with a major political party; eliminating a requirement concerning major political party primary results; increasing disclosure of contributions and expenditures for local political campaigns; amending Minnesota Statutes 2004, sections 201.014, subdivision 2; 201.061, subdivision 3; 201.071, subdivision 1; 201.15; 204B.10, subdivision 6; 204B.135, subdivision 1; 204B.14, subdivisions 1a, 3; 204B.21, subdivision 2; 204C.08, subdivision 1a; 204C.10; 204D.10, subdivision 1; 205.84, subdivision 2; 211A.02, subdivisions 1, 2; 375.025, subdivision 4; 524.5-310; repealing Minnesota Statutes 2004, section 204D.10, subdivision 2.

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

Eken; Peterson, A.; Mariani; Otremba; Clark and Lieder introduced:

H. F. No. 2343, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, by adding a section; providing for certain officers to be elected by a majority of the votes cast for the office.

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

Eken and Lieder introduced:

H. F. No. 2344, A bill for an act relating to human services; increasing nursing facility payment rate in Norman County; amending Minnesota Statutes 2004, section 256B.434, by adding a subdivision.

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

Eken; Peterson, A.; Lieder; Clark; Otremba; Koenen and Mariani introduced:

H. F. No. 2345, A bill for an act relating to education finance; modifying the formula for declining pupil unit aid; amending Minnesota Statutes 2004, section 126C.05, subdivisions 5, 6.

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

Wagenius, Davids, Ellison and Urdahl introduced:

H. F. No. 2346, A bill for an act relating to appropriations; appropriating money for grants to test for atrazine in well water.

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

Peterson, A.; Eken; Sailer and Koenen introduced:

H. F. No. 2347, A bill for an act relating to energy; appropriating money for soy-diesel fueled generators as backup for wind energy conversion systems.

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

Johnson, S., and Hoppe introduced:

H. F. No. 2348, A bill for an act relating to commerce; regulating sales of certain birds; imposing a civil penalty; proposing coding for new law in Minnesota Statutes, chapter 346.

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

Cornish introduced:

H. F. No. 2349, A bill for an act relating to public safety; providing an exception for bullet-resistant vest reimbursements for vests made from zylon-based materials; amending Minnesota Statutes 2004, section 299A.38, subdivision 3.

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

Juhnke introduced:

H. F. No. 2350, A bill for an act relating to education; authorizing a fund transfer for Independent School District No. 347, Willmar.

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

Hilstrom; Smith; Murphy; Cornish; Nelson, M.; Powell; Ellison; Meslow; Paymar; Zellers; Mariani; Johnson, J.; Johnson, S.; Eastlund; Loeffler; Soderstrom; Dittrich; Newman and Ruud introduced:

H. F. No. 2351, A bill for an act relating to public safety; corrections; authorizing the commissioner of corrections to transfer offenders to county jails to prepare the offenders for reintegration; authorizing sheriffs to electronically monitor offenders who are sentenced to work release; amending Minnesota Statutes 2004, section 631.425, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 243.

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

Larson; Lesch; Rukavina; Fritz; Kelliher; Nelson, M., and Davnie introduced:

H. F. No. 2352, A bill for an act relating to the Metropolitan Airports Commission; requiring certain labor-related provisions in contracts with concession operators; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Lenczewski; Buesgens; Atkins; Vandever; Krinkie; Larson; Holberg; Erhardt; Peterson, N.; Davnie; Bernardy; Ruud and Dill introduced:

H. F. No. 2353, A bill for an act relating to taxation; tax increment financing; prohibiting the inclusion in a district or the use of increment to assist certain facilities as defined under federal law; amending Minnesota Statutes 2004, section 469.176, subdivisions 4l, 7.

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

Garofalo, Gunther, Mahoney and Wilkin introduced:

H. F. No. 2354, A bill for an act relating to appropriations; appropriating money for small business development.

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

Walker, Clark, Moe and Sailer introduced:

H. F. No. 2355, A bill for an act relating to economic development; providing assistance to American Indians to become entrepreneurs; appropriating money.

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

Abeler, Walker, Bradley, Finstad and Samuelson introduced:

H. F. No. 2356, A bill for an act relating to health; directing the commissioner of health to work with local public health departments to develop a public health information network; appropriating money.

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

Lanning; Johnson, J.; Walker; Loeffler; Finstad and Samuelson introduced:

H. F. No. 2357, A bill for an act relating to health; directing the commissioner of health to distribute grants for methamphetamine use prevention; appropriating money; amending Minnesota Statutes 2004, section 145A.14, by adding a subdivision.

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

Seifert; Mahoney; Krinkie; Hamilton; Vandever; Sykora; Klinzing; Beard; McNamara; Abeler; Severson; Peterson, N.; Wardlow; Demmer; Cybart; Hoppe; Olson; Nelson, P.; Anderson, B.; Garofalo; Peppin and Powell introduced:

H. F. No. 2358, A bill for an act relating to human services; prohibiting certain purchases with MFIP cash grant funds; amending Minnesota Statutes 2004, section 256J.39, by adding a subdivision.

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

Lenczewski introduced:

H. F. No. 2359, A bill for an act relating to taxation; increasing the cigarette tax; modifying the dedication of cigarette tax revenues; imposing a floor stocks tax; amending Minnesota Statutes 2004, sections 297F.05, subdivision 1; 297F.10, subdivision 1.

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

Lenczewski introduced:

H. F. No. 2360, A bill for an act relating to health; extending approval for a nursing facility moratorium exception proposal approved under the competitive exception process; amending Minnesota Statutes 2004, section 144A.073, by adding a subdivision.

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

Knoblach introduced:

H. F. No. 2361, A bill for an act relating to taxation; individual income; reducing marriage penalties; amending Minnesota Statutes 2004, sections 290.067, subdivision 2a; 290.0671, subdivisions 1, 1a; 290.091, subdivision 3.

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

Smith introduced:

H. F. No. 2362, A bill for an act relating to retirement; Minneapolis Teachers Retirement Fund Association and expanded list plans; clarifying mutual fund authority; revising investment authority to exclude below-investment grade bonds; amending Minnesota Statutes 2004, sections 354A.28, subdivision 5; 356A.06, subdivision 7.

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

Abrams, Lenczewski and Lesch introduced:

H. F. No. 2363, A bill for an act relating to taxation; property; clarifying the market value exclusion for electric power generation efficiency; amending Minnesota Statutes 2004, section 272.0211, subdivisions 1, 2.

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

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1391, A bill for an act relating to environment; providing for the recovery and recycling of waste electronic products; amending Minnesota Statutes 2004, section 116.915, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 116H.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "amending"

Page 1, delete line 4

Page 1, line 5, delete "3;"

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.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON 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, 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.

April 5, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 3, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 3 be further amended as follows:

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	\$108,383,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	213,598,000
PERPICH CENTER FOR ARTS EDUCATION	1,083,000
EDUCATION	20,583,000
MINNESOTA STATE ACADEMIES	4,255,000
NATURAL RESOURCES	72,145,000
POLLUTION CONTROL AGENCY	10,000,000

36TH DAY]

WEDNESDAY, APRIL 6, 2005

1553

OFFICE OF ENVIRONMENTAL ASSISTANCE	4,000,000
BOARD OF WATER AND SOIL RESOURCES	27,862,000
AGRICULTURE	3,919,000
ZOOLOGICAL GARDEN	22,640,000
ADMINISTRATION	7,279,000
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	2,370,000
MILITARY AFFAIRS	4,000,000
VETERANS AFFAIRS	670,000
PUBLIC SAFETY	642,000
TRANSPORTATION	94,000,000
METROPOLITAN COUNCIL	30,914,000
HUMAN SERVICES	26,073,000
VETERANS HOMES BOARD	5,437,000
CORRECTIONS	98,694,000
EMPLOYMENT AND ECONOMIC DEVELOPMENT	167,199,000
HOUSING FINANCE AGENCY	12,350,000
MINNESOTA HISTORICAL SOCIETY	6,000,000
BOND SALE EXPENSES	884,000
TOTAL	\$944,980,000
Bond Proceeds Fund (General Fund Debt Service)	817,892,000
Bond Proceeds Fund (User Financed Debt Service)	59,088,000
Maximum Effort School Loan Fund	18,000,000
State Transportation Fund	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 108,383,000

Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR) 40,000,000

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

Subd. 3. Duluth Campus

(a) Life Science Building 10,100,000

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.

(b) Recreational Sports Addition 8,700,000

To construct, furnish, and equip the recreational sports facility, an addition to the existing sports and health center. The facility will include fitness and conditioning space, multipurpose recreational space, and office space.

Subd. 4. Morris Campus

(a) District Heating 4,000,000

To design, construct, and equip an addition to the heating plant to provide the capability to burn biomass fuel to produce steam.

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.

(b) Football Stadium 1,800,000

To construct a football stadium to be shared with the Morris School District.

APPROPRIATIONS
\$

This appropriation is not available until the commissioner of finance has determined that the necessary additional financing to complete the project has been committed from nonstate sources and that the Board of Regents and the Morris School Board have entered into an agreement governing the use and operation of the stadium by both entities.

Subd. 5. Twin Cities Campus

(a) Kolthoff Hall 17,400,000

To design, renovate, furnish, and equip Kolthoff Hall and to correct air quality problems in the facility that may include, but are not limited to, repair or replacement of the mechanical, electrical, and HVAC systems.

(b) Education Sciences 14,500,000

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

(c) Academic Health Center 11,600,000

To design, renovate, furnish, and equip classrooms, laboratories, and the veterinary medicine teaching center on the St. Paul campus.

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

To design, construct, furnish, and equip a building to accommodate the farm machinery repair, maintenance, and carpentry shops.

Subd. 7. University Share

Except for higher education asset preservation and replacement and the Morris football stadium, the appropriations in this section are intended to cover approximately two-thirds of the cost of each project. The remaining costs must be paid from university sources.

Subd. 8. Unspent Appropriations

Upon substantial completion or abandonment of a project authorized in this section and after written notice to the commissioner of finance, the Board of Regents must use any money remaining in the appropriation for that project for HEAPR under Minnesota Statutes, section 135A.046. The Board of Regents must report by February 1 of each even-numbered year to

APPROPRIATIONS
\$

the chairs of the house and senate committees with jurisdiction over capital investments and higher education finance, and to the chairs of the house Ways and Means Committee and the senate Finance Committee on how the remaining money has been allocated or spent.

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 213,598,000

Subd. 2. Higher Education Asset Preservation and Replacement 41,500,000

This appropriation is for the purposes specified in Minnesota Statutes, section 135A.046.

Subd. 3. Anoka Ramsey Community College - Cambridge 10,483,000

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

Subd. 4. Bemidji State University - Northwest Technical College 10,863,000

To renovate, furnish, and equip Bridgeman Hall at Bemidji State University and construct, furnish, and equip an addition at Northwest Technical College as part of phase 2 of the Emerging Technology Addition project.

Subd. 5. Central Lakes College 5,953,000

To design, construct, furnish, and equip heavy equipment shop space at the Staples West Campus and to renovate vacated space at the Staples main campus, and to design, construct, furnish, and equip a music classroom and a rehearsal addition and to renovate, furnish, and equip vacated space at the Brainerd Campus.

Subd. 6. Century Community and Technical College

(a) Technology Center 4,888,000

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

	APPROPRIATIONS
	\$
(b) Science Center and Learning Resources Center	1,000,000
To design a new building for science laboratories and classrooms and a new library and learning resource center.	
Subd. 7. Dakota Technical College	7,387,000
To renovate, furnish, and equip an information technology and telecommunications center of excellence, as well as improve and expand the library and academic support center.	
This appropriation is not available until the commissioner of finance has determined that at least \$200,000 has been committed from nonstate sources.	
Subd. 8. Fond du Lac Tribal and Community College	635,000
To design an addition to the library and to design phase 1 of the Lester Jack Briggs Cultural Center to provide multicultural spaces and physical education facilities.	
Subd. 9. Inver Hills Community College	6,045,000
To renovate the College Center Building and to construct, furnish, and equip a one-stop student services addition to it; enlarge and collocate central services, the bookstore, and loading dock; and remove a pedestrian safety hazard.	
Subd. 10. Lake Superior College	11,243,000
To construct an addition to house all student services, high-tech classrooms, open computer labs, space for workforce development, and faculty and administrative offices. The project also includes space for student life programs and instruction.	
Subd. 11. Minneapolis Community and Technical College	900,000
To design, through construction documents, a Health Sciences Center and renovation of existing outdated science labs.	
Subd. 12. Minnesota State College - Southeast Technical College	3,802,000
To renovate, furnish, and equip a one-stop student services center, a bookstore, technology-enhanced classrooms, a library and learning resource center, a nursing department, and construct a collegiate entry and information center.	

APPROPRIATIONS
\$

Subd. 13. Minnesota State Community and Technical College - Fergus Falls 7,604,000

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

Subd. 14. Minnesota State Community and Technical College - Moorhead 7,061,000

To construct, furnish, and equip an addition for allied health and construction trades and renovate space for student services. The project will also expand and replace the campus boiler, upgrade campus storage and mechanical and electrical needs, correct life safety and building code violations, demolish temporary buildings, and construct 40 additional parking spaces.

Subd. 15. Minnesota State University - Mankato 2,560,000

To design an addition to and renovation of Trafton Science Center.

Subd. 16. Minnesota State University - Moorhead

(a) Hagen Hall 10,477,000

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

(b) MacLean Hall 500,000

To design a comprehensive renovation of MacLean Hall.

Subd. 17. Northland Community College 2,156,000

To construct, furnish, and equip an addition for the Workforce Center; renovate, furnish, and equip space vacated by the Workforce Center to expand nursing programs, and renovate instructional and office space.

Subd. 18. Riverland Community College 5,540,000

To design, renovate, furnish, and equip science labs on the Austin and Albert Lea campuses and general classrooms on the Austin campus.

APPROPRIATIONS
\$

<p>Subd. 19. Rochester Community and Technical College</p> <p>To design, construct, furnish, and equip the renovation of the vacant Rockenbach gymnasium and adjacent site improvements, selected areas of the Heintz Center, and portions of the University Center Rochester main campus buildings all for use as a health sciences center for Rochester Community and Technical College.</p> <p>Subd. 20. St. Cloud State University</p> <p>(a) Centennial Hall, Phase 2</p> <p>To renovate, furnish, and equip Centennial Hall to convert it from a library to classroom and office space. This appropriation is in addition to the appropriation in Laws 2003, First Special Session chapter 20, article 1, section 3, subdivision 16.</p> <p>(b) Brown Hall/Math and Science Hall</p> <p>To design the renovation of, and an addition to, Brown Hall and Math and Science Hall. The renovation and addition must address life safety, fire, and air quality to provide space for nursing programs and necessary laboratory and classroom space.</p> <p>Subd. 21. St. Cloud Technical College</p> <p>To design, construct, furnish, and equip a multistory addition and to renovate classroom space into science space, including two science laboratories and a faculty office and the colocation of a workforce center.</p> <p>Subd. 22. St. Paul College</p> <p>To design, renovate, furnish, and equip construction trades and technology labs and design and construct a new entryway to link all floors of the original building with the tower to include offices, conference rooms, and student study areas.</p> <p>Subd. 23. South Central Technical College</p> <p>To renovate, furnish, and equip teaching laboratories at the North Mankato campus and for asset preservation at the Faribault campus.</p> <p>Subd. 24. Winona State University</p> <p>To design, renovate, furnish, and equip Pasteur Hall for classrooms, science laboratories, and related offices.</p>	<p>12,759,000</p> <p>3,150,000</p> <p>900,000</p> <p>15,056,000</p> <p>10,993,000</p> <p>5,157,000</p> <p>11,118,000</p>
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APPROPRIATIONS
\$

Subd. 25. Systemwide

(a) Science Lab Renovations 6,668,000

To design, renovate, furnish, and equip science laboratories. This appropriation may be used at the following campuses: Alexandria Technical College, Anoka-Ramsey Community College, Central Lakes College, Staples, Century College, Minnesota West Community and Technical College, Granite Falls and Pipestone, Pine Technical College, Ridgewater Community and Technical College, Willmar and Hutchinson, South Central Technical College, Mankato, Southwest State University, St. Cloud Technical College, St. Paul College, and Vermillion Community College.

(b) Workforce Training Classrooms 3,083,000

To design, renovate, furnish, and equip classroom space into space designed to address emerging workforce training needs. This appropriation may be used at the following campuses: Anoka-Hennepin Technical College, Century College, North Hennepin Community College, Rochester Community and Technical College, South Central Technical College, Faribault, Minnesota West Community and Technical College, Granite Falls, Minnesota State University Moorhead, Northwest Technical College, Bemidji, East Grand Forks, and Moorhead.

(c) Technology Updated Classrooms 1,019,000

To design, renovate, and equip learning technology classrooms. This appropriation may be used at the following campuses: Minnesota State College, Southeast Technical College, Minnesota West Community and Technical College, Granite Falls, Normandale Community College, North Hennepin Community College, Northland Community and Technical College, Pine Technical College, Riverland College, Albert Lea and Austin, South Central Technical College, Faribault, Southwest State University, St. Cloud State University, and St. Paul College.

(d) Demolition Initiative 1,625,000

To demolish obsolete buildings on ten campuses.

(e) Program Consolidation 1,173,000

To design, renovate, furnish, and equip spaces to allow for program consolidation from one campus to another.

APPROPRIATIONS
\$

(f) Land Acquisition

300,000

To acquire real property near the state college and university campuses.

Subd. 26. 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, except that, where a nonstate match is required, the debt service is due on a principal amount equal to one-third of the total project cost, less the match committed before the bonds are sold. 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 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

To be spent in accordance with Minnesota Statutes, section 16A.632. \$90,000 is to replace lighting in the theater and to reconstruct the stage to allow its use for both teaching and performances.

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.

APPROPRIATIONS
\$

Sec. 5. EDUCATION

Subdivision 1. To the commissioner of education or other named agency for the purposes specified in this section 20,583,000

Subd. 2. Independent School District No. 38 - Red Lake 18,000,000

This appropriation is from the maximum effort school loan fund for a capital loan to Independent School District No. 38, Red Lake, as provided in Minnesota Statutes, sections 126C.60 to 126C.72, to design, construct, renovate, furnish, and equip a new middle school and the existing high school. The commissioner and Independent School District No. 38, Red Lake, shall report to the legislature by January 10, 2006, on the progress of the capital loan.

Subd. 3. East Metro Magnet School - Crosswinds Middle School 1,083,000

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.

Subd. 4. Library Improvement Grants 1,000,000

For library improvement grants under new Minnesota Statutes, section 134.45, subdivision 5b.

Subd. 5. Early Childhood Learning and Child Protection Facilities 500,000

To the commissioner of human services for grants to rehabilitate facilities for programs under Minnesota Statutes, section 119A.45, except that a grant may not exceed \$75,000 per program and \$200,000 per facility.

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

APPROPRIATIONS
\$

Sec. 7. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section 72,145,000

Subd. 2. Flood Hazard Mitigation Grants 27,000,000

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.

The commissioner shall determine project priorities as appropriate based on need.

This appropriation includes money for the following projects: Ada, Austin, Breckenridge, Canisteo Mine, Cannon Falls, Crookston, Dawson, East Grand Forks, Grand Marais Creek, Granite Falls, Green Meadow Dam, Inver Grove Heights, Little McDonald Lake, Malung, Manston Slough, Minneapolis, Montevideo, Oakport, Palmville, Roseau River, St. Louis Park, Two River Ross Impoundment, Warren, and Whiskey Creek.

\$2,000,000 is for Austin for identified capital improvement projects, and any other authorized federal or state flood mitigation projects 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 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 any project listed in this subdivision that is not ready to proceed or does not expend all the money allocated to it, the commissioner may allocate that project's money to a project on the commissioner's priority list.

To the extent that the cost of a project in Ada, Austin, Breckenridge, Dawson, East Grand Forks, Granite Falls, Montevideo, Oakport Township, Roseau, or Warren exceeds 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.

APPROPRIATIONS
\$

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

For grants for Roseau River wildlife management area, Palmville, and Malung, the state share must be \$3 for each \$1 of nonstate contribution.

Notwithstanding the grant expiration date of June 30, 2002, the commissioner of natural resources shall extend until June 30, 2007, the expiration date of a grant made to the city of Stillwater under Minnesota Statutes, section 103F.161, used to match certain federal appropriations for flood hazard mitigation.

Subd. 3. Dam Renovation and Removal 2,000,000

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

This appropriation includes money for the following projects: removal of the dam on Rush Creek in Chisago County; repair of the bridge deck at Rapidan dam in Blue Earth County; repair of the Vermilion River dam in St. Louis County; and replacement of the dam on the Shellrock River. The grant to Blue Earth County for the Rapidan dam project is exempt from the local match requirement under Minnesota Statutes, section 103G.511.

Notwithstanding Minnesota Statutes, section 16A.69, subdivision 2, upon the award of final contracts for the completion of a project listed in this subdivision, the commissioner may transfer the unencumbered balance in the project account to any other dam renovation or removal project on the commissioner's priority list.

Subd. 4. RIM - Critical Habitat Match 2,000,000

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 10,000,000

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

A portion of this appropriation may be used to acquire land in coordination with the Central Minnesota Prairie to Pines Partnership to provide a state commitment under the federal Army Compatible Use Buffer Zone program to protect a buffer zone around Camp Ripley.

APPROPRIATIONS
\$

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 2,000,000

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.

Subd. 8. Canoe and Boating Routes 300,000

To develop canoe and boating routes under Minnesota Statutes, section 85.32.

This appropriation is to develop the Red River of the North Canoe and Boating Route.

Subd. 9. Stream Protection and Restoration 500,000

For the design and construction of trout stream restoration projects on Trout Brook and Dark River.

Subd. 10. Reforestation 2,000,000

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. 11. Metro Greenways and Natural Areas 500,000

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.

APPROPRIATIONS
\$

Subd. 12. Native Prairie Bank Easements and Development 1,000,000

For acquisition of native prairie bank easements under Minnesota Statutes, section 84.96, and to develop and restore certain tracts of prairie bank lands for which the easement is permanent.

Subd. 13. Scientific and Natural Area Acquisition and Development 300,000

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

Subd. 14. State Trail Development 7,910,000

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

\$1,500,000 is for the Blazing Star Trail.

\$435,000 is for a segment of the Blufflands Trail, from Preston to Forestville.

\$200,000 is for a segment of the Blufflands Trail, from Chester Woods County Park to the city limits of Rochester in Olmsted County, primarily for nonmotorized riding and hiking.

\$400,000 is for the Douglas Trail.

\$400,000 is for the Gateway Trail.

\$725,000 is for the Gitchi Gami Trail.

\$500,000 is for the Glacial Lakes Trail.

\$200,000 is for the Goodhue Pioneer Trail.

\$300,000 is for the Heartland Trail.

\$300,000 is for the Mill Towns Trail.

\$100,000 is for the Minnesota River Trail.

\$2,400,000 is for the Paul Bunyan Trail: \$1,500,000 is for an extension across Excelsior Road in the city of Baxter to connect with the Oberstar Tunnel; \$900,000 is to acquire right-of-way in the city of Bemidji and to rehabilitate the trail.

\$450,000 is for the Shooting Star Trail.

APPROPRIATIONS
\$

Subd. 15. Trail Connections

885,000

For matching grants under Minnesota Statutes, section 85.019, subdivision 4c.

\$365,000 is to Stearns County for land acquisition, engineering, and construction of trail connections on the Lake Koronis Trail.

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

\$300,000 is for a grant to the St. Louis and Lake Counties Regional Railroad Authority to complete constructing, furnishing, and equipping Mesabi Station along the 132-mile recreational trail known as Mesabi Trail and located on Lake Mesabi at the intersection of U.S. 53 and U.S. 169 and marked Trunk Highway 135. This appropriation is dependent upon a matching contribution of \$800,000 from other sources, public or private.

Subd. 16. County Forest Land Reforestation

1,000,000

To provide matching grants to counties for reforestation of county-administered lands. The commissioner shall determine project priorities based on need and level of county matching funds. The state matching grants are available to counties for site preparation, tree planting, tree seeding, and are to supplement, not supplant, county funding for timber development described under Minnesota Statutes, section 282.08, clause (5), item (i).

These grants are not available until the commissioner has determined that at least an equal amount has been committed from the recipient county.

Subd. 17. Fish Hatchery Improvements

1,700,000

For improvements of a capital nature to renovate fish culture facilities at hatcheries owned by the state and operated by the commissioner of natural resources.

Subd. 18. 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.

APPROPRIATIONS
\$

Subd. 19. State Forest and Forest Legacy Land Acquisition 1,500,000

To acquire private lands and interests in 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. 20. 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. 21. State Park and Recreation Area Acquisition 2,500,000

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.

\$500,000 is to purchase land within the boundaries of Greenleaf Lake state park in Meeker county.

Subd. 22. State Park and Recreation Area Building Development and Rehabilitation and Infrastructure Improvements 1,800,000

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.

\$300,000 is to predesign and design a visitor's center and a maintenance shop at Grand Portage State Park.

Subd. 23. Local Initiative Grants 1,000,000

For grants for local parks and outdoor recreation areas under Minnesota Statutes, section 85.019, subdivision 2; grants for natural and scenic areas under Minnesota Statutes, section 85.019, subdivision 4a; and grants for regional parks outside the metropolitan area defined in Minnesota Statutes, section 473.121, subdivision 2, which may be for up to 60 percent of the nonfederal share of the project cost. Projects related to replacement of urban forests are eligible for funding under this subdivision.

Subd. 24. Lake Superior Safe Harbor 2,000,000

To design and construct 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.

	APPROPRIATIONS
	\$
Subd. 25. Statewide Asset Preservation	2,000,000
To the commissioner of natural resources to be spent for the purposes set forth in Minnesota Statutes, section 16A.632.	
Subd. 26. Field Office Renovation and Improvement	300,000
To design, acquire, renovate, construct, furnish, and equip field offices.	
Sec. 8. POLLUTION CONTROL AGENCY	10,000,000
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	27,862,000
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 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).	

APPROPRIATIONS
\$

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. Acquisition of or the conveyance of land may be in the name of the political subdivision.

Subd. 4. Area II Minnesota River Basin Grant-in-Aid Program 500,000

For grants to assist local governments in Area II of the Minnesota River Basin to acquire, design, and construct floodwater retention systems.

The grants are not available until the board determines that \$1 has been committed to the project from nonstate sources for every \$3 of state grant.

Sec. 11. AGRICULTURE

Subdivision 1. To the Board of Regents of the University of Minnesota for the purposes specified in this section 3,919,000

Subd. 2. Agriculture Water Management Research Partnership 619,000

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 3,300,000

To design, construct, furnish, and equip a level 3 plant pathogen containment research facility on the University of Minnesota St. Paul Campus. This appropriation is not available until the commissioner of finance determines that at least \$1,600,000 in matching nonstate contributions have been committed to the project.

\$100,000 is to complete the level 2 containment facility.

Sec. 12. MINNESOTA ZOOLOGICAL GARDEN

Subdivision 1. To the Minnesota Zoological Garden for the purposes specified in this section 22,640,000

	APPROPRIATIONS
	\$
Subd. 2. Phase 1 of Master Plan	20,640,000
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	2,000,000
For capital asset preservation improvements and betterments, to be spent in accordance with Minnesota Statutes, section 16A.632.	
Sec. 13. ADMINISTRATION	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	7,279,000
Subd. 2. Capital Asset Preservation and Replacement Account (CAPRA)	3,000,000
To be spent in accordance with Minnesota Statutes, section 16A.632.	
Subd. 3. Asset Preservation	2,500,000
For asset preservation projects in properties managed by the Department of Administration, to be spent in accordance with Minnesota Statutes, section 16A.632.	
Subd. 4. Parking	1,779,000
For renovation of the Central Park Parking Ramp, located east and adjacent to the Centennial Office Building in St. Paul, to accommodate additional parking stalls and for capital costs to expand Capitol Parking Lot Q, located at Cedar Street and Sherburne Avenue in St. Paul, to accommodate additional parking stalls.	
The bond debt will be user financed from parking fees collected and deposited into the state parking account under Minnesota Statutes, section 16A.643.	
Sec. 14. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	2,370,000

APPROPRIATIONS
\$

Subd. 2. Capitol Interior Renovation 1,200,000

To complete schematic design for the phased renovation and restoration of the Capitol's interior, including all floors, ceremonial and public spaces, office suites, and spaces currently serving as hearing rooms. The design may not include any building outside the Capitol.

The appropriation in this subdivision may not be spent on any project that affects space under the control of the senate without the approval of the secretary of the senate nor on any project that affects space under the control of the house of representatives without the approval of the chief clerk of the house.

Subd. 3. Capitol Third Floor 1,170,000

To repair and restore the public corridors, walls, and ceilings of the third floor of the Capitol Building in St. Paul. Restoration of the dome will be addressed by private fundraising efforts.

Sec. 15. MILITARY AFFAIRS 4,000,000

To the adjutant general to be spent for the purposes set forth in Minnesota Statutes, section 16A.632.

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. PUBLIC SAFETY 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.

Sec. 18. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section 94,000,000

APPROPRIATIONS
\$

Subd. 2. Local Bridge Replacement and Rehabilitation

40,000,000

This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal money and to replace or rehabilitate local deficient bridges.

Political subdivisions may use grants made under this section to construct or reconstruct bridges, including:

- (1) matching federal-aid grants to construct or reconstruct key bridges;
- (2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;
- (3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and
- (4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost efficient than the replacement of the existing bridge.

Subd. 3. Local Road Improvement Program

10,000,000

This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50.

\$5,000,000 is for construction, reconstruction, or reconditioning of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4.

\$5,000,000 is for 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, under new Minnesota Statutes, section 174.52, subdivision 4a.

Subd. 4. Port Development Assistance

2,000,000

For grants under Minnesota Statutes, sections 457A.01 to 457A.06. Any improvements made with the proceeds of these grants must be publicly owned.

APPROPRIATIONS
\$

Subd. 5. Northstar Commuter Rail

37,500,000

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 \$37,500,000 has been committed by local governments and approval to proceed to final design has been authorized by the Federal Transit Administration.

Up to \$10,000,000 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, after notice to the commissioner of finance, 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

2,500,000

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

\$1,000,000 is for a grant to the city of New Brighton to construct a railroad wye.

APPROPRIATIONS
\$

Subd. 7. Duluth Aerial Lift Bridge 1,000,000

For a grant to the city of Duluth for capital restoration of the aerial lift bridge. 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. 8. St. Paul - Holman Field Flood Protection 1,000,000

For a grant to the Metropolitan Airports Commission to construct a permanent flood control perimeter dike along the east and south edges of the St. Paul Downtown Airport/Holman Field.

Sec. 19. METROPOLITAN COUNCIL

Subdivision 1. To the Metropolitan Council for the purposes specified in this section 30,914,000

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.

This appropriation may not be spent for capital improvements within a trunk highway right-of-way.

Subd. 3. Central Corridor Transit Way 5,250,000

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

This appropriation may not be spent for capital improvements within a trunk highway right-of-way.

Subd. 4. Red Rock Corridor Transit Way 500,000

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

This appropriation may not be spent for capital improvements within a trunk highway right-of-way.

APPROPRIATIONS
\$

Subd. 5. 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.

This appropriation may not be spent for capital improvements within a trunk highway right-of-way.

Subd. 6. Metropolitan Regional Parks Capital Improvements

14,664,000

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.

For purposes of Minnesota Statutes, section 473.351, Columbia Parkway, Ridgeway Parkway, and Stinson Boulevard are considered to be part of the metropolitan regional recreation open space system.

\$100,000 is for a grant to Ramsey and Washington Counties, or either of them as jointly agreed, to prepare engineering design documents for the development of a trail adjacent to marked Trunk Highway 120 from its intersection with Joy Road to its intersection with 20th Street in the city of North St. Paul, adjacent to marked Trunk Highway 96 from its intersection with marked Trunk Highway 61 to its intersection with marked Trunk Highway 244, and adjacent to marked Trunk Highway 244 from its intersection with marked Trunk Highway 96 to and including its intersection with Washington County Road 12. The design must be consistent with the recommendations of the Lake Links Trail Network Master Plan prepared for Ramsey and Washington Counties.

\$388,000 is for a grant to the city of St. Paul for park and trail improvements in the Desnoyer Park area, above the Meeker Island lock historic site.

\$4,676,000 is for a grant to the city of St. Paul to design and construct river's edge improvements at Raspberry Island and Upper Landing and develop a public park on Raspberry Island. Of this amount, \$676,000 is the local match for an Upper Landing federal TEA-21 grant.

APPROPRIATIONS
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\$2,500,000 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. 20. HUMAN SERVICES

Subdivision 1. To the commissioner of administration or another named agency for the purposes specified in this section 26,073,000

Subd. 2. State-Operated Services Forensics Programs 3,259,000

To design new facilities to be constructed on the campus of the St. Peter Regional Treatment Center for individuals committed as sexual psychopathic personalities, sexually dangerous persons, mentally ill, or mentally ill and dangerous.

Subd. 3. Systemwide Redevelopment, Reuse, or Demolition 17,600,000

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

(a) Up to \$8,600,000 may be used to predesign, design, construct, furnish, and equip renovation of existing space or construction of new space for skilled nursing home capacity for forensic treatment programs operated by state-operated services on the campus of St. Peter Regional Treatment Center.

(b) \$4,000,000 may be used to prepare and develop a site, including demolition of buildings and infrastructure, to implement the redevelopment and reuse of the Ah-Gwah-Ching Regional Treatment Center campus. If the property is sold or transferred to a local unit of government, the unspent portion of this appropriation may be granted to the local unit of government that acquires the campus for the purposes stated in this subdivision.

(c) \$1,000,000 may be used to renovate one or more buildings for chemical dependency treatment specializing in methamphetamine addiction, and demolish buildings, on the Willmar Regional Treatment Center campus. If the property is sold or transferred to a local unit of government, the unspent portion of this appropriation may be granted to the local unit of government that acquires the campus for the purposes stated in this subdivision.

APPROPRIATIONS
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(d) Up to \$2,210,000 may be spent by the commissioner of finance to retire municipal bonds issued by the city of Fergus Falls and to retire interfund loans incurred by the city of Fergus Falls in connection with the waste incinerator and steam heating facility at the Fergus Falls Regional Treatment Center.

(e) Up to \$400,000 may be used for a grant to the city of Fergus Falls to demolish the city's waste-to-energy incineration plant located on the grounds of the Fergus Falls Regional Treatment Center.

(f) The provisions, terms, and conditions of any grant made by the director of the Office of Environmental Assistance under Minnesota Statutes, chapter 115A, to the city of Fergus Falls for the waste incinerator steam heating facility that supports the Fergus Falls Regional Treatment Center and that may come into effect as a result of the incinerator and facility being closed, are hereby waived.

Subd. 4. Willmar Regional Treatment Center Retrofit 900,000

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. If the Willmar Regional Treatment Center property is sold or transferred to a local unit of government, the unspent portion of this appropriation may be granted to the local unit of government that acquires the campus for the purposes stated in this subdivision.

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

For asset preservation improvements and betterments of a capital nature at state regional treatment centers, to be spent in accordance with Minnesota Statutes, section 16A.632.

APPROPRIATIONS
\$

A portion of this appropriation may be used to acquire a residential property located adjacent to the St. Peter Regional Treatment Center.

Subd. 7. Grave Markers at Regional Treatment Centers 300,000

To purchase and place grave markers or memorial monuments that include the available names of individuals at cemeteries located at regional treatment centers operated or formerly operated by the commissioner of human services. Individual monuments must not be placed if the family of the deceased resident objects to the placement of the monument.

Sec. 21. VETERANS HOMES BOARD

Subdivision 1. To the commissioner of administration for the purposes specified in this section 5,437,000

Subd. 2. Asset Preservation 4,000,000

For asset preservation improvements and betterments of a capital nature at veterans homes statewide to be spent in accordance with Minnesota Statutes, section 16A.632.

Up to \$2,200,000 of federal money received by the Minnesota Veterans Homes Board of Directors as reimbursement for state capital expenditures at the veterans homes must be credited to the general fund and is appropriated to the commissioner of administration for asset preservation at the homes in accordance with Minnesota Statutes, section 16A.632.

Subd. 3. Luverne Veterans Home 306,000

For the state's portion of the cost to design, construct, furnish, and equip an addition to the nursing care facility, to be used as an Alzheimer's/dementia wander area.

Subd. 4. Minneapolis Veterans Home 1,031,000

For the state's portion of the cost to remodel Building 4 to provide adult day care services in the surrounding communities.

Subd. 5. Willmar Veterans Home Predesign 100,000

To predesign a veterans nursing home on the Willmar Regional Treatment Center campus, including a 60-bed skilled nursing facility in the medical treatment center annex building (building 24) and possibly new construction for a veterans geriatric behavioral program.

APPROPRIATIONS
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Sec. 22. CORRECTIONS

Subdivision 1. To the commissioner of administration for the purposes specified in this section 98,694,000

Subd. 2. Minnesota Correctional Facility - Faribault, Phase 1 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, Phase 1 3,500,000

To demolish the former health services building, renovate, and equip the discipline and psychology/psychiatry units, and design through construction documents a new 150-bed segregation unit.

Subd. 4. Minnesota Correctional Facility - Willow River

(a) Activities Building 2,000,000

To demolish the Willow River Activities Building and design, construct, furnish, and equip a replacement for it.

(b) Space for Additional Beds 350,000

To purchase or to construct, furnish, equip, and prepare foundation and utilities for a new prefabricated or conventionally built building to accommodate up to 100 additional beds. The commissioner may use this appropriation and any other state or federal money that may be available for this expansion.

Subd. 5. Asset Preservation 8,000,000

For improvements and betterments of a capital nature at Minnesota correctional facilities statewide, in accordance with Minnesota Statutes, section 16A.632.

Sec. 23. 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 167,199,000

APPROPRIATIONS
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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. Wastewater Infrastructure Funding Program 29,900,000

(a) To the Public Facilities Authority for the purposes specified in this subdivision. \$29,300,000 of this appropriation is 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 appropriation 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 Economic and Community Development before December 1, 2006.

\$600,000 of this appropriation is to implement the wastewater infrastructure program.

(b) The grants listed in this paragraph are not subject to the 2005 project priority list nor to the limitations on grant amounts set forth 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 an explosion May 5, 2004.

\$1,700,000 is for a grant to the Central Iron Range Sanitary Sewer District Authority to predesign and design the necessary facilities to collect, treat, and dispose of sewage in the district, including a pump-storage facility and a wind-energy facility.

APPROPRIATIONS
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Up to \$5,000,000 may be used as 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.

\$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.

\$1,700,000 is for a grant to the city of Eagle Bend to predesign, design, construct, furnish, and equip a wastewater collection and treatment system.

\$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.

\$2,000,000 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.

Subd. 4. Total Maximum Daily Load Grants

2,000,000

To the Public Facilities Authority for total maximum daily load grants under new Minnesota Statutes, section 446A.073.

APPROPRIATIONS
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Subd. 5. Austin Flood Relief

2,000,000

For grants to local units of government 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 for public improvements in or near the city, \$600,000 is for a grant to the city of Albert Lea for public improvements in or near the city, \$400,000 is for a grant to Freeborn County for public improvements in the Turtle Creek Watershed, and \$200,000 is for a grant to the city of Blooming Prairie.

Subd. 6. Burnsville - Water Treatment Facility

3,000,000

To the Public Facilities Authority for a grant to the city of Burnsville to design, construct, furnish, and equip a water treatment facility that will 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. The first \$6,000,000 from nonstate sources must be split equally between the city of Burnsville and the owner of the quarry. Amounts spent since January 1, 2002, to plan, design, and construct this project may be counted as part of the nonstate match.

Subd. 7. Crookston and Red Lake Falls - Riverbank Protection

2,500,000

\$1,900,000 is for the Public Facilities Authority to make a grant to the city of Crookston to acquire property for and 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.

APPROPRIATIONS
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\$600,000 is for the Public Facilities Authority to make a grant to the city of Red Lake Falls to acquire property for and 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.

Subd. 8. Lewis and Clark Rural Water System, Inc.

2,000,000

To the Public Facilities Authority for grants to the city of Luverne, city of Worthington Public Utilities, Lincoln-Pipestone rural water system, and Rock County rural water system to acquire land, predesign, design, construct, furnish, and equip one or more water transmission and storage facilities to accommodate the connection with the Lewis and Clark Rural Water System, Inc. that will serve southwestern Minnesota.

The grants must be awarded to projects approved by the Lewis and Clark Joint Powers Board.

This appropriation is available only to the extent matched by at least \$1 of local money paid to the Lewis and Clark Rural Water System, Inc. for each \$1 of state money to be used to reimburse costs incurred on eligible projects.

This appropriation is the first phase of the state share for the Lewis and Clark Rural Water System, Inc. project as defined in the federal Lewis and Clark Rural Water System Act of 2000.

Subd. 9. 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 design, construct, furnish, and equip a new city hall, auditorium, library, museum, and police department located out of the Roseau River floodway.

APPROPRIATIONS
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(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), provided that the city of Roseau has given the commissioner of finance the information that the commissioner requests to meet federal tax law requirements.

Subd. 10. Greater Minnesota Business Development Infrastructure Grant Program 10,000,000

For grants under Minnesota Statutes, section 116J.431.

Subd. 11. Redevelopment Account 15,000,000

For purposes of the redevelopment account created in Minnesota Statutes, section 116J.571.

\$5,000,000 is for a grant to the city of Mounds View for public improvements for a commercial and industrial redevelopment project. This grant is exempt from the requirements of Minnesota Statutes, sections 116J.572 to 116J.575.

\$1,000,000 is for a grant to the city of Willmar to pay part of the cost of acquiring land for the city airport and to construct, furnish, and equip hangars and a precision lighting system at the airport.

\$600,000 is for a grant to the city of Rushford to acquire real property for, and to design, construct, and renovate, furnish, and equip a facility for the Institute of Nanotechnology.

Subd. 12. Bioscience Development 18,500,000

For grants to political subdivisions to predesign, design, construct, furnish, and equip publicly owned infrastructure required to support bioscience development in this state.

\$2,500,000 is for a grant to the city of Worthington.

Subd. 13. Buffalo Lake - Maintenance Garage and Street Repair 690,000

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. 14. Detroit Lakes - Regional Historical Pavilion and Band Shell 283,000

APPROPRIATIONS
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For a grant to the city of Detroit Lakes to renovate the Detroit Lakes Historical Regional Pavilion and Band Shell. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 15. Laurentian Energy Authority - Wood Yard 2,000,000

For a grant to the Laurentian Energy Authority, established under a joint powers agreement between the cities of Hibbing and Virginia, to construct a wood yard for processing and prepping agricultural biomass and forest-derived biomass wood waste for biomass energy facilities.

Subd. 16. Minneapolis

(a) Minnesota Planetarium 22,000,000

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 in conjunction with the Minneapolis downtown library.

(b) Heritage Park

Any unspent 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.

(c) Minnesota Shubert Center 1,000,000

For a grant to the city of Minneapolis to predesign and design and provide for related capital costs for an associated atrium to create the Minnesota Shubert Center.

Subd. 17. Moorhead - Heritage Hjemkomst Center 1,000,000

For a grant to the city of Moorhead for asset preservation at the Heritage Hjemkomst Center. The appropriation must be used to predesign, design, and construct replacement of the fabric roof, replacement of the structural support system for the hull of the Viking ship Hjemkomst, and to install security measures at the replica Stave Kirke. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

APPROPRIATIONS
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Subd. 18. Orono - Big Island

2,000,000

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.

The appropriation is not available until the commissioner of finance determines that an amount sufficient to complete the purchase has been committed to the project from nonstate sources. The purchase may be completed without waiting for other interested governmental agencies to come forward.

Subd. 19. Rochester - University of Minnesota/Mayo Clinic Biotechnology Research Facility

21,726,000

To the Board of Regents of the University of Minnesota to purchase floors in the Stabile Building on the Mayo Clinic Campus in Rochester. The floors are to be used to accommodate both basic science and clinical researchers, along with research infrastructure, that will be used to support collaborative research efforts between the University of Minnesota and the Mayo Clinic. The 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. 20. St. Paul - Phalen Corridor

4,000,000

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.

Sec. 24. HOUSING FINANCE AGENCY

Subdivision 1. To the commissioner of the Housing Finance Agency for the purposes specified in this section

12,350,000

Subd. 2. Housing the Homeless

12,000,000

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

APPROPRIATIONS
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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.

Subd. 3. Supportive Housing 350,000

For a grant to the Hennepin County Housing and Redevelopment Authority to design 64 units of affordable, stable, and supportive housing, including some units targeted at those experiencing long-term homelessness. The units must be owned by the grantee and may be located above a nonprofit social service provider's site, and may be operated by the social service provider, subject to Minnesota Statutes, section 16A.695.

Sec. 25. 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, to be spent for the purposes set forth in Minnesota Statutes, section 16A.632. The society shall determine project priorities as appropriate based on need.

Subd. 3. County and Local Preservation Grants 1,000,000

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.

Subd. 4. Fort Snelling Historic Site 1,000,000

To design, construct, furnish, and equip the most urgent preservation projects needed for historic Fort Snelling.

Sec. 26. BOND SALE EXPENSES 884,000

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

APPROPRIATIONS
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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 \$780,536,000 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 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 \$876,980,000 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. [MAXIMUM EFFORT SCHOOL LOAN FUND.] To provide the money appropriated in this act from the maximum effort school loan fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$18,000,000 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 maximum effort school loan fund.

Subd. 3. [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.]

If a state appropriation or grant for a capital project or project phase is not sufficient, by itself, to complete the project or project phase, and thus requires a commitment from other sources:

(1) the commitment, including any required match, must be in an amount that, when added to the appropriation or grant, is sufficient to complete the project or project phase; and

(2) the appropriation or grant is not available until the commissioner has determined that the commitment is sufficient.

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.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 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. Notwithstanding section 116J.573, if the commissioner determines that the applications for grants for projects in greater Minnesota are less than the amount of grant funds available, the commissioner may make grants for projects anywhere in Minnesota. The commissioner's decisions and application of the priorities under this section are not subject to judicial review, except for abuse of discretion.

Sec. 34. 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 grant money must be used ~~only~~ to remove architectural barriers from a building or site, 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. 35. 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, are appropriated to the board for use for capital projects at the institution that was responsible for management of the land.

Sec. 36. 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. 37. Minnesota Statutes 2004, section 245.036, is amended to read:

245.036 [LEASES FOR STATE-OPERATED, COMMUNITY-BASED PROGRAMS.]

(a) Notwithstanding section 16B.24, subdivision 6, paragraph (a), or any other law to the contrary, the commissioner of administration may lease land or other premises to provide state-operated, community-based programs authorized by sections 252.50, 253.018, and 253.28 for a term of 20 years or less, with a ten-year or less option to renew, subject to cancellation upon 30 days' notice by the state for any reason, except rental of other land or premises for the same use.

(b) The commissioner of administration may also lease land or premises from political subdivisions of the state to provide state-operated, community-based programs authorized by sections 252.50, 253.018, and 253.28 for ~~no more than 30~~ a term of 20 years or less, with a ten-year or less option to renew. A lease under this paragraph may be canceled only due to the lack of a legislative appropriation for the program.

Sec. 38. Minnesota Statutes 2004, section 446A.04, subdivision 5, is amended to read:

Subd. 5. [FEES.] (a) The authority may set and collect fees for costs incurred by the authority for audits, arbitrage accounting, and payment of fees charged by the State Board of Investment. The authority may also set and collect fees for costs incurred by the commissioner, the Department of Health, the Pollution Control Agency, and the Department of Transportation, including costs for personnel and administrative services, for financings and the establishment and maintenance of reserve funds. Fees charged directly to borrowers or grantees upon executing a loan or grant agreement must not exceed one-half of one percent of the loan or grant amount. Servicing fees assessed to loan repayments must not exceed two percent of the loan repayment. The disposition of fees collected for costs incurred by the authority is governed by section 446A.11, subdivision 13. The authority shall enter into interagency agreements to transfer funds into appropriate administrative accounts established for fees collected under this subdivision for costs incurred by the commissioner, the Department of Health, or the Pollution Control Agency. Fees collected under this subdivision for costs incurred by the commissioner of transportation must be credited to the fund or account which is the source of the loan to which the fees are related.

(b) The authority shall annually report to the chairs of the finance and appropriations committees of the legislature on:

- (1) the amount of fees collected under this subdivision for costs incurred by the authority;
- (2) the purposes for which the fee proceeds have been spent; and
- (3) the amount of any remaining balance of fee proceeds.

Sec. 39. [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. 40. Laws 1998, chapter 404, section 15, subdivision 2, is amended to read:

Subd. 2. National Sports Center

4,800,000

\$1,700,000 is to purchase and develop land adjacent to the National Sports Center in Blaine for use as athletic fields.

\$3,100,000 is to develop the National Children's Golf Course. The primary purpose of the National Children's Golf Course is to serve youth of 18 years and younger. Market rates must be charged for adult golf.

The Minnesota Amateur Sports Commission may lease up to 20 percent of the area of the land purchased with money from the general fund appropriations in this subdivision for a term of up to 30 years to one or more governmental or private entities for any use by the lessee, whether public or private, so long as the use provides some benefit to amateur sports. Lease payments received by the commission are appropriated to the commission for the purposes specified in Minnesota Statutes, chapter 240A. The land purchased from the general fund appropriations may be used for any amateur sport.

Sec. 41. 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. 42. Laws 2000, chapter 492, article 1, section 7, subdivision 21, is amended to read:

Subd. 21. Harbor of Refuge at Two Harbors

1,000,000

To develop the harbor of refuge and marina at Two Harbors, including public access improvements, marina slips, parking facilities, utilities, a fuel dock, and an administration building.

This appropriation is not available until the commissioner has determined that at least \$500,000 has been committed from federal sources. Notwithstanding Minnesota Statutes, section 16A.642, this appropriation and its corresponding bond authorization do not cancel until June 30, 2006.

Sec. 43. Laws 2002, chapter 393, section 22, subdivision 6, is amended to read:

Subd. 6. Fergus Falls Regional Treatment Center

3,000,000

To design, renovate, construct, furnish, and equip ancillary support and program facilities, including improvements to basic infrastructure, hazardous materials abatement, and demolition that will facilitate the relocation of the facility's ancillary support, treatment, and residential programs from the Kirkbride buildings and facilitate the disposition of the Fergus Falls Regional Treatment Center campus. If the property is sold or transferred to a local unit of government, the unspent portion of this appropriation may be granted to the local unit of government that acquires the campus for the purposes stated in this subdivision.

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

Sec. 11. HEALTH MINNESOTA STATE COLLEGES AND UNIVERSITIES

775,000

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. [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. 46. [CONVEYANCE OF SURPLUS STATE LAND AT REGIONAL TREATMENT CENTERS.]

Subdivision 1. [WILLMAR REGIONAL TREATMENT CENTER.] (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, or other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to a local unit of government for no consideration all or part of the real property at the Willmar Regional Treatment Center for public purposes consistent with the master plan and reuse study. The conveyance shall be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695.

(b) The commissioner of administration may require the local unit of government to reimburse the state for all or part of any campus redevelopment funded and completed by the state.

(c) Notwithstanding Minnesota Statutes, section 16C.23, the commissioner of administration may convey to a local unit of government for no consideration all or part of the personal property determined by the commissioner of human services to be no longer needed for human services operations.

(d) If the local unit of government sells any property conveyed under this section to a private entity, the sale must be at fair market value.

Subd. 2. [FERGUS FALLS REGIONAL TREATMENT CENTER.] (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, or any other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to one or more local units of government for no consideration all or part of the real property at the Fergus Falls Regional Treatment Center for public purposes consistent with the master plan and reuse study. The conveyance must be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695.

(b) Notwithstanding Minnesota Statutes, section 16C.23, the commissioner of administration may convey to one or more local units of government for no consideration all or part of the personal property determined by the commissioner of human services to be no longer needed for human services operations. If a local unit of government sells any property conveyed under this section to a private entity, the sale must be at fair market value.

Subd. 3. [AH-GWAH-CHING REGIONAL TREATMENT CENTER.] (a) Notwithstanding Minnesota Statutes, chapter 94, or any other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to Cass County for no consideration all the buildings and land on the Ah-Gwah-Ching Center campus that are described in paragraph (c), except the land described in paragraph (d).

(b) The conveyance must be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695. The commissioner of administration shall have a registered land surveyor prepare a legal description of the property to be conveyed. The attorney general may make necessary changes in the legal description to correct errors and ensure accuracy.

(c) The land and buildings of the Ah-Gwah-Ching property that may be conveyed to Cass County are located in that part of the South Half, Section 35, Township 142 North, Range 31 West and that part of Government Lot 6, Section 2, Township 141 North, Range 31 West, in Cass County, depicted on the certificate of survey prepared by Landecker and Associates, Inc. dated April 25, 2002. The land described in paragraph (d) is excepted from the conveyance.

(d) That portion of the Ah-Gwah-Ching property to be excepted from the conveyance to Cass County is the land located between the shoreline and the top of the bluff line and is approximately described as follows:

(1) all that part of the Southeast Quarter of Southwest Quarter, Section 35, Township 142 North, Range 31 West, lying southeasterly of a line that lies 450 feet southeasterly of and parallel with Minnesota Highway No. 290;

(2) Government Lot 4, Section 35, Township 142 North, Range 31 West;

(3) that part of Government Lot 3, Section 35, Township 142 North, Range 31 West, lying southerly of Minnesota Highway No. 290 and westerly of Minnesota Highway No. 371; and

(4) that part of Government Lot 6, Section 2, Township 141 North, Range 31 West, lying southeasterly of the 1,410 foot contour.

The commissioner of administration shall determine the exact legal description upon further site analysis and the preparation of the surveyor's legal description described in paragraph (b).

(e) Notwithstanding anything in this subdivision to the contrary, a conveyance under this section to Cass County may include a conveyance by a bill of sale of the water treatment facilities located within the land described in paragraph (d) and a nonexclusive appurtenant easement for the facilities over the land upon which the facilities are located, including ingress and egress as determined by the commissioner.

The easement must be in a form approved by the attorney general.

(f) At the option of the state, Cass County must, until January 1, 2007, allow the state to lease the space necessary to operate its programs for the cost of utilities for the leased space. During the term of the lease, the state is responsible for any and all maintenance and repairs the state determines are necessary for its use of the leased space.

(g) The Department of Human Services will sell or transfer up to 150 nursing home bed licenses to a qualified vendor, upon the sale or transfer of the Ah-Gwah-Ching campus.

(h) The commissioner of administration may transfer the lakeshore parcel described in paragraph (d) to the commissioner of natural resources upon the sale or transfer of the balance of the campus to Cass County.

(i) The commissioner of human services shall develop foster care services for 20 individuals in the Walker area.

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 2005 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.] If the Minneapolis Park and Recreation Board enters into an agreement with the commissioner of finance governing the use of the net proceeds of the sale that contains the terms and conditions of a grant agreement for an appropriation of state bond funds, then 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.

(a) Up to \$750,000 of the net proceeds of the sale may be applied by the Minneapolis Park and Recreation Board to prepay the full lease amount for a public parking facility constructed on the Fuji Ya site if the board has entered into a 99-year lease agreement with the owner for at least 85 parking stalls.

(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. [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. 51. [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 February 1, 2005, 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, ISS 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>549,302,898</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, ISS 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."

Delete the title and insert:

"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.575, subdivision 1; 134.45; 136F.60, by adding a subdivision; 174.52, by adding a subdivision; 245.036; 446A.04, subdivision 5; Laws 1998, chapter 404, section 15, subdivision 2; Laws 1998, chapter 404, section 23, subdivision 17, as amended; Laws 2000, chapter 492, article 1, section 7, subdivision 21; Laws 2002, chapter 393, section 22, subdivision 6; Laws 2003, First Special Session chapter 20, article 1, section 11; proposing coding for new law in Minnesota Statutes, chapters 16A; 446A."

We request adoption of this report and repassage of the bill.

House Conferees: DAN DORMAN, DENNY MCNAMARA, LAURA BROD, ALICE HAUSMAN AND MARY MURPHY.

Senate Conferees: KEITH LANGSETH, JAMES P. METZEN, SANDRA L. PAPPAS, DAVID H. SENJEM AND STEVE DILLE.

SUSPENSION OF RULES

Ozment moved that Joint Rule 2.06 and House Rule 6.40, relating to Conference Committees, be suspended as they relate to H. F. No. 3.

A roll call was requested and properly seconded.

POINT OF ORDER

Entenza raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order not well taken.

CALL OF THE HOUSE

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

Abeler	Cybart	Entenza	Hilstrom	Klinzing	Mahoney
Abrams	Davids	Erhardt	Hilty	Knoblach	Mariani
Anderson, B.	Davnie	Erickson	Holberg	Koenen	Marquart
Anderson, I.	Dean	Finstad	Hoppe	Kohls	McNamara
Atkins	DeLaForest	Fritz	Hornstein	Krinkie	Moe
Bernardy	Demmer	Garofalo	Hortman	Lanning	Mullery
Blaine	Dempsey	Gazelka	Hosch	Larson	Murphy
Bradley	Dill	Goodwin	Howes	Latz	Nelson, M.
Brod	Dittrich	Greiling	Jaros	Lenczewski	Nelson, P.
Buesgens	Dorman	Gunther	Johnson, J.	Lesch	Newman
Carlson	Dorn	Hackbarth	Johnson, R.	Liebling	Nornes
Charron	Eastlund	Hamilton	Johnson, S.	Lieder	Olson
Clark	Eken	Hansen	Juhnke	Lillie	Opatz
Cornish	Ellison	Hausman	Kahn	Loeffler	Otreмба
Cox	Emmer	Heidgerken	Kelliher	Magnus	Ozment

Paulsen	Peterson, S.	Samuelson	Simpson	Tingelstad	Westerberg
Paymar	Poppe	Scalze	Slawik	Urdahl	Westrom
Pelowski	Powell	Seifert	Smith	Vandever	Wilkin
Penas	Rukavina	Sertich	Soderstrom	Wagenius	Zellers
Peppin	Ruth	Severson	Solberg	Walker	Spk. Sviggum
Peterson, A.	Ruud	Sieben	Sykora	Wardlow	
Peterson, N.	Sailer	Simon	Thao	Welti	

Paulsen moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Ozment motion and the roll was called.

Seifert moved that those not voting be excused from voting. The motion prevailed.

There were 95 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Lesch	Opatz	Sieben
Atkins	Dorn	Hornstein	Liebling	Otremba	Simon
Bernardy	Eastlund	Hortman	Lieder	Ozment	Slawik
Bradley	Eken	Hosch	Lillie	Paymar	Smith
Brod	Ellison	Howes	Loeffler	Pelowski	Solberg
Carlson	Entenza	Jaros	Mahoney	Penas	Thao
Clark	Erhardt	Johnson, R.	Mariani	Peterson, A.	Tingelstad
Cornish	Fritz	Johnson, S.	Marquart	Peterson, N.	Urdahl
Cox	Goodwin	Juhnke	McNamara	Peterson, S.	Wagenius
Cybart	Greiling	Kahn	Meslow	Poppe	Walker
Davids	Gunther	Kelliher	Moe	Rukavina	Wardlow
Davnie	Hackbarth	Koenen	Mullery	Ruud	Welti
Demmer	Hamilton	Lanning	Murphy	Sailer	Westerberg
Dempsey	Hansen	Larsen	Nelson, M.	Samuelson	Westrom
Dill	Hausman	Latz	Nelson, P.	Scalze	Spk. Sviggum
Dittrich	Hilstrom	Lenczewski	Nornes	Sertich	

Those who voted in the negative were:

Abrams	Dean	Gazelka	Knoblach	Paulsen	Simpson
Anderson, B.	DeLaForest	Heidgerken	Kohls	Peppin	Soderstrom
Anderson, I.	Emmer	Holberg	Krinkie	Powell	Sykora
Blaine	Erickson	Hoppe	Magnus	Ruth	Vandever
Buesgens	Finstad	Johnson, J.	Newman	Seifert	Wilkin
Charron	Garofalo	Klinzing	Olson	Severson	Zellers

The motion prevailed.

Dorman moved that the report of the Conference Committee on H. F. No. 3 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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, 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.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Paulsen moved that those not voting be excused from voting. The motion prevailed.

There were 115 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	DeLaForest	Heidgerken	Klinzing	Olson	Walker
Buesgens	Emmer	Holberg	Knoblach	Peppin	
Clark	Erickson	Hoppe	Krinkie	Vandevveer	

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

Paulsen moved that the Consent Calendar be continued. The motion prevailed.

CALL OF THE HOUSE LIFTED

Paulsen moved that the call of the House be suspended. The motion prevailed and it was so ordered.

MOTIONS AND RESOLUTIONS

Zellers moved that the name of Hortman be added as an author on H. F. No. 309. The motion prevailed.

Cox moved that the name of Lanning be added as an author on H. F. No. 490. The motion prevailed.

Kelliher moved that the name of Hortman be added as an author on H. F. No. 627. The motion prevailed.

Samuelson moved that the name of Lanning be added as an author on H. F. No. 744. The motion prevailed.

Howes moved that the name of Heidgerken be added as an author on H. F. No. 794. The motion prevailed.

Howes moved that the name of Heidgerken be added as an author on H. F. No. 972. The motion prevailed.

Cox moved that the names of Meslow and Lanning be added as authors on H. F. No. 981. The motion prevailed.

Simpson moved that the name of Heidgerken be added as an author on H. F. No. 1001. The motion prevailed.

Beard moved that the name of Klinzing be added as an author on H. F. No. 1232. The motion prevailed.

Sieben moved that the name of Paymar be added as an author on H. F. No. 1278. The motion prevailed.

Abeler moved that the name of Lanning be added as an author on H. F. No. 1294. The motion prevailed.

Cox moved that the name of Hortman be added as an author on H. F. No. 1391. The motion prevailed.

Simpson moved that the name of Heidgerken be added as an author on H. F. No. 1499. The motion prevailed.

Liebling moved that the name of Hortman be added as an author on H. F. No. 1578. The motion prevailed.

Carlson moved that the name of Hilstrom be added as an author on H. F. No. 1822. The motion prevailed.

Hackbarth moved that the name of Moe be added as an author on H. F. No. 1909. The motion prevailed.

Meslow moved that the name of Moe be added as an author on H. F. No. 1916. The motion prevailed.

Davnie moved that the name of Dorman be added as an author on H. F. No. 1943. The motion prevailed.

Abeler moved that his name be stricken as an author on H. F. No. 2078. The motion prevailed.

Mariani moved that the names of Hortman, Ruud, Sieben and Kelliher be added as authors on H. F. No. 2194. The motion prevailed.

Wagenius moved that the name of Kahn be added as an author on H. F. No. 2278. The motion prevailed.

Wagenius moved that the name of Kahn be added as an author on H. F. No. 2280. The motion prevailed.

Wagenius moved that the name of Kahn be added as an author on H. F. No. 2281. The motion prevailed.

Moe moved that the names of Hortman and Bernardy be added as authors on H. F. No. 2303. The motion prevailed.

Eken moved that the name of Sailer be added as an author on H. F. No. 2305. The motion prevailed.

Eken moved that the name of Sailer be added as an author on H. F. No. 2306. The motion prevailed.

Lieder moved that the names of Juhnke, Kahn and Loeffler be added as authors on H. F. No. 2307. The motion prevailed.

Dorman moved that the name of Magnus be added as an author on H. F. No. 2320. The motion prevailed.

Cornish moved that H. F. No. 2042 be recalled from the Committee on Governmental Operations and Veterans Affairs and be re-referred to the Committee on Local Government. The motion prevailed.

Smith moved that H. F. No. 2085 be recalled from the Committee on Health Policy and Finance and be re-referred to the Committee on Public Safety Policy and Finance. The motion prevailed.

Ellison moved that H. F. No. 2232 be recalled from the Committee on Taxes and be re-referred to the Committee on Public Safety Policy and Finance. The motion prevailed.

Abeler moved that H. F. No. 2244 be recalled from the Committee on Governmental Operations and Veterans Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Johnson, J., moved that S. F. No. 370 be recalled from the Committee on Civil Law and Elections and together with H. F. No. 936, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Hosch moved that S. F. No. 879 be recalled from the Committee on Civil Law and Elections and be re-referred to the Committee on Local Government. The motion prevailed.

Klinzing moved that H. F. No. 2227 be returned to its author. The motion prevailed.

Kahn moved that H. F. No. 1547 be recalled from the Committee on Agriculture, Environment and Natural Resources Finance and be re-referred to the Committee on Environment and Natural Resources. The motion did not prevail.

Kahn, Sviggum, Kelliher, Gunther and Juhnke introduced:

House Resolution No. 9, A House resolution expressing the sense of the Minnesota House concerning trade, financial, and travel restrictions to Cuba.

The resolution was referred to the Committee on Commerce and Financial Institutions.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, April 7, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, April 7, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

