

## STATE OF MINNESOTA

## EIGHTY-SEVENTH SESSION — 2012

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 NINETY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 29, 2012

The House of Representatives convened at 1:00 p.m. and was called to order by John Kriesel, Speaker pro tempore.

Prayer was offered by Rabbi Michael Latz, Shir Tikvah Congregation, 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	Davnie	Hancock	Laine	Morrow	Scalze
Allen	Dean	Hansen	Lanning	Mullery	Schomacker
Anderson, B.	Dettmer	Hausman	Leidiger	Murdock	Scott
Anderson, D.	Dittrich	Hilstrom	LeMieur	Murphy, E.	Shimanski
Anderson, P.	Doepke	Hilty	Lenczewski	Murphy, M.	Simon
Anderson, S.	Downey	Holberg	Lesch	Murray	Slawik
Anzelc	Drazkowski	Hoppe	Liebling	Myhra	Slocum
Atkins	Eken	Hornstein	Lillie	Nelson	Smith
Banaian	Erickson	Hortman	Loeffler	Nornes	Stensrud
Barrett	Fabian	Hosch	Lohmer	Norton	Swedzinski
Beard	Falk	Howes	Loon	O'Driscoll	Thissen
Benson, J.	Franson	Huntley	Mack	Paymar	Tillberry
Benson, M.	Fritz	Johnson	Mahoney	Pelowski	Torkelson
Bills	Garofalo	Kahn	Mariani	Peppin	Urdahl
Brynaert	Gauthier	Kath	Marquart	Persell	Vogel
Buesgens	Gottwalt	Kelly	Mazorol	Petersen, B.	Wagenius
Carlson	Greene	Kieffer	McDonald	Peterson, S.	Ward
Clark	Greiling	Kiel	McElpatrick	Poppe	Wardlow
Cornish	Gruenhagen	Kiffmeyer	McFarlane	Quam	Westrom
Crawford	Gunther	Knuth	McNamara	Rukavina	Woodard
Daudt	Hackbarth	Koenen	Melin	Runbeck	Spk. Zellers
Davids	Hamilton	Kriesel	Moran	Sanders	

A quorum was present.

Dill was excused.

Winkler was excused until 2:10 p.m. Champion was excused until 3:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

## REPORTS OF CHIEF CLERK

S. F. No. 248 and H. F. No. 383, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Hamilton moved that the rules be so far suspended that S. F. No. 248 be substituted for H. F. No. 383 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1626 and H. F. No. 2094, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Norton moved that the rules be so far suspended that S. F. No. 1626 be substituted for H. F. No. 2094 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1717 and H. F. No. 2087, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

LeMieur moved that the rules be so far suspended that S. F. No. 1717 be substituted for H. F. No. 2087 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1815 and H. F. No. 1989, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Hackbarth moved that the rules be so far suspended that S. F. No. 1815 be substituted for H. F. No. 1989 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1860 and H. F. No. 2316, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Sanders moved that the rules be so far suspended that S. F. No. 1860 be substituted for H. F. No. 2316 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1875 and H. F. No. 2307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Daudt moved that the rules be so far suspended that S. F. No. 1875 be substituted for H. F. No. 2307 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1911 and H. F. No. 2343, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Howes moved that the rules be so far suspended that S. F. No. 1911 be substituted for H. F. No. 2343 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1948 and H. F. No. 2374, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kiffmeyer moved that S. F. No. 1948 be substituted for H. F. No. 2374 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1964 and H. F. No. 2263, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Stensrud moved that S. F. No. 1964 be substituted for H. F. No. 2263 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2014 and H. F. No. 2404, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Scott moved that the rules be so far suspended that S. F. No. 2014 be substituted for H. F. No. 2404 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2069 and H. F. No. 2544, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Loon moved that the rules be so far suspended that S. F. No. 2069 be substituted for H. F. No. 2544 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2084 and H. F. No. 2415, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Cornish moved that the rules be so far suspended that S. F. No. 2084 be substituted for H. F. No. 2415 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2137 and H. F. No. 2553, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Hoppe moved that the rules be so far suspended that S. F. No. 2137 be substituted for H. F. No. 2553 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2173 and H. F. No. 2626, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Lohmer moved that the rules be so far suspended that S. F. No. 2173 be substituted for H. F. No. 2626 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2273 and H. F. No. 2736, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Swedzinski moved that the rules be so far suspended that S. F. No. 2273 be substituted for H. F. No. 2736 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2297 and H. F. No. 1899, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Vogel moved that S. F. No. 2297 be substituted for H. F. No. 1899 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2334 and H. F. No. 2684, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Peppin moved that S. F. No. 2334 be substituted for H. F. No. 2684 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2392 and H. F. No. 2784, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Atkins moved that the rules be so far suspended that S. F. No. 2392 be substituted for H. F. No. 2784 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2394 and H. F. No. 2775, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Fabian moved that S. F. No. 2394 be substituted for H. F. No. 2775 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 1787, A bill for an act relating to occupations and professions; modifying licensing provisions and fees for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2010, sections 326.02, subdivision 3; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.105; 326.107, subdivisions 1, 2, 7; 326.12, subdivision 2.

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

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 1918, A bill for an act relating to human services; requiring the commissioner of human services to submit to the legislature a plan to restructure and reform state health care programs in the event of federal changes to the Medicaid program.

Reported the same back with the following amendments:

Page 1, line 10, delete "in order" and insert "The plan must be designed"

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.

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

H. F. No. 1972, A bill for an act relating to health; modifying guest license provisions for dentists, dental hygienists, and dental assistants; modifying the Board of Nursing Home Administrators' State Government Special Revenue Fund base; amending Minnesota Statutes 2010, section 150A.06, subdivision 2c; Laws 2011, First Special Session chapter 9, article 10, section 8, subdivision 8.

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

The report was adopted.

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

H. F. No. 1975, A bill for an act relating to state government; removing restrictions relating to outside contracts; requiring disclosure on where contract work takes place; amending Minnesota Statutes 2010, sections 16C.08, subdivisions 2, 4; 16C.09; 136F.77, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 16C; repealing Minnesota Statutes 2010, sections 16C.085; 43A.047; 179A.23.

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

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 1993, A bill for an act relating to human services; modifying advisory council provisions; amending Minnesota Statutes 2010, sections 254A.035, subdivision 2; 254A.04; 256B.093, subdivision 1; 260.835, subdivision 2.

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

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2060, A bill for an act relating to human services; providing medical assistance coverage for community paramedic services; amending Minnesota Statutes 2010, 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 Ways and Means.

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2097, A bill for an act relating to human services; modifying child care accreditation provisions; amending Minnesota Statutes 2010, section 119B.13, subdivision 3a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 119B.13, subdivision 3a, is amended to read:

Subd. 3a. **Provider rate differential for accreditation.** A family child care provider or child care center shall be paid a 15 percent differential above the maximum rate established in subdivision 1, up to the actual provider rate, if the provider or center holds a current early childhood development credential or is accredited. For a family child care provider, early childhood development credential and accreditation includes an individual who has earned a child development associate degree, a child development associate credential, a diploma in child development from a Minnesota state technical college, or a bachelor's or post baccalaureate degree in early childhood education from

an accredited college or university, or who is accredited by the National Association for Family Child Care or the Competency Based Training and Assessment Program. For a child care center, accreditation includes accreditation by that meets the following criteria: the accrediting organization must demonstrate the use of standards that promote the physical, social, emotional, and cognitive development of children. The accreditation standards shall include, but are not limited to, positive interactions between adults and children, age-appropriate learning activities, a system of tracking children's learning, use of assessment to meet children's needs, specific qualifications for staff, a learning environment that supports developmentally appropriate experiences for children, health and safety requirements, and family engagement strategies. The commissioner of human services, in conjunction with the commissioners of education and health, will develop an application and approval process based on the criteria in this section and any additional criteria. The process developed by the commissioner of human services must address periodic reassessment of approved accreditations. The commissioner of human services must report the criteria developed, the application, approval, and reassessment processes, and any additional recommendations by February 15, 2013, to the chairs and ranking minority members of the legislative committees having jurisdiction over early childhood issues. The following accreditations shall be recognized for the provider rate differential until an approval process is implemented: the National Association for the Education of Young Children, the Council on Accreditation, the National Early Childhood Program Accreditation, the National School-Age Care Association, or the National Head Start Association Program of Excellence. For Montessori programs, accreditation includes the American Montessori Society, Association of Montessori International-USA, or the National Center for Montessori Education."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2171, A bill for an act relating to natural resources; modifying game and fish license provisions; providing for taking wolf; modifying requirements to take and transport wild animals; modifying department authority and duties; creating walk-in access program; modifying predator control program; modifying deer baiting restrictions; modifying authority to remove beavers; providing for disposition of certain receipts; eliminating venison donation program; modifying snowmobile registration and trail sticker requirements; modifying snowmobile operation provisions; modifying watercraft license fees; modifying shooting range provisions; modifying temporary drawdown of public waters provisions; requiring rulemaking; providing civil penalties; appropriating money; amending Minnesota Statutes 2010, sections 84.027, subdivisions 14, 15; 84.82, subdivisions 2, 3; 84.8205, subdivision 1; 84.83, subdivisions 2, 3; 84.86, subdivision 1; 84.8712, subdivision 1; 86B.301, subdivision 2; 86B.415, subdivisions 1, 2, by adding a subdivision; 87A.01, subdivision 4; 87A.02, subdivision 2; 97A.015, subdivisions 3a, 53; 97A.065, subdivision 6; 97A.085, by adding a subdivision; 97A.095, subdivisions 1, 2; 97A.137, subdivision 5; 97A.421, subdivision 3; 97A.441, subdivision 7; 97A.451, subdivisions 3, 4, by adding a subdivision; 97A.473, subdivisions 3, 5, 5a; 97A.475, subdivisions 2, 3, 3a, 4, 20; 97A.482; 97B.001, subdivision 7; 97B.031, subdivisions 1, 2; 97B.035, subdivision 1a; 97B.071; 97B.085, subdivision 3; 97B.328; 97B.601, subdivisions 3a, 4; 97B.603; 97B.605; 97B.671, subdivisions 3, 4; 97B.711, subdivision 1; 97B.805, subdivision 1; 97B.901; 97C.355, subdivision 1, by adding a subdivision; 97C.395, subdivision 1; 97C.515, subdivisions 2, 4, 5; 103G.005, by adding a subdivision; 103G.408; Minnesota Statutes 2011 Supplement, sections 97A.075, subdivision 1, by adding a subdivision; 97B.075; 97B.645, subdivision 9; 97B.667; proposing coding for new law in Minnesota Statutes, chapters 31; 87A; 97A; 97B; repealing Minnesota Statutes 2010, sections 17.035; 17.4993, subdivision 2; 87A.02, subdivision 1; 97A.045, subdivisions 8, 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.303; 97B.645, subdivision 2; 97C.031; 97C.515, subdivision 5.

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

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2223, A bill for an act relating to health licensing; changing licensing provisions for alcohol and drug counselors and licensed counselors; providing penalties; setting licensing fees; amending Minnesota Statutes 2010, sections 148B.5301, subdivisions 1, 4, by adding a subdivision; 148B.54, subdivisions 2, 3; proposing coding for new law as Minnesota Statutes, chapter 148F; repealing Minnesota Statutes 2010, sections 148C.01, subdivisions 1, 1a, 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 4, 4a, 5, 7, 9, 10, 11, 11a, 12, 12a, 13, 14, 15, 16, 17, 18; 148C.015; 148C.03, subdivisions 1, 4; 148C.0351, subdivisions 1, 3, 4; 148C.0355; 148C.04, subdivisions 1, 2, 3, 4, 5a, 6, 7; 148C.044; 148C.045; 148C.05, subdivisions 1, 1a, 5, 6; 148C.055; 148C.07; 148C.075; 148C.08; 148C.09, subdivisions 1, 1a, 2, 4; 148C.091; 148C.093; 148C.095; 148C.099; 148C.10, subdivisions 1, 2, 3; 148C.11; 148C.12, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; Minnesota Rules, parts 4747.0010; 4747.0020; 4747.0030, subparts 1, 2, 3, 4, 5, 7, 8, 9, 10, 15, 17, 18, 20, 21, 22, 24, 29; 4747.0040; 4747.0050; 4747.0060; 4747.0070, subparts 1, 2, 3, 6; 4747.0200; 4747.0400, subpart 1; 4747.0700; 4747.0800; 4747.0900; 4747.1100, subparts 1, 4, 5, 6, 7, 8, 9; 4747.1400, subparts 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13; 4747.1500; 6310.3100, subpart 2; 6310.3600; 6310.3700, subpart 1.

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

The report was adopted.

Abeler from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2232, A bill for an act relating to human services; requiring data sharing with the Department of Human Services; requiring investigation of public assistance fraud; requiring eligibility determinations; amending Minnesota Statutes 2010, section 256.01, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 20, after "a" insert "or d"

Page 1, line 21, after "chapter" insert "256D or"

Page 2, lines 28 and 31, delete "status" and insert "date"

Page 3, line 13, delete "April" and insert "December"

Page 3, line 15, delete "January" and insert "July"

With the recommendation that when so amended the bill pass.

The report was adopted.

Runbeck from the Property and Local Tax Division to which was referred:

H. F. No. 2320, A bill for an act relating to local government; authorizing Carlton County to levy a tax for certain cemetery purposes; amending Laws 1999, chapter 243, article 6, section 11.

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with House Concurrent Resolution No. 5, H. F. No. 2320 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 2398, A bill for an act relating to agriculture; modifying provisions related to pesticides, plants, nursery law, inspections, enforcements, seeds, commercial feed, food, animals, grain, and weights and measures; establishing Dairy Research, Teaching, and Consumer Education Authority; providing for food law enforcement; making technical and conforming changes; repealing obsolete provisions; extending certain exceptions to the minimum content requirements for biodiesel; imposing penalties; requiring reports; amending Minnesota Statutes 2010, sections 17.114, subdivisions 3, 4; 17.982, subdivision 1; 17.983; 18B.065, subdivision 2a; 18B.316, subdivision 6; 18G.02, subdivision 14; 18G.10, subdivision 7, by adding a subdivision; 18H.02, subdivision 14, by adding a subdivision; 18H.10; 18H.14; 18J.01; 18J.02; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 21.82, subdivisions 7, 8; 25.33, subdivisions 5, 13, 14; 25.36; 25.37; 28A.03, subdivisions 3, 5, 6; 28A.21, subdivision 6; 31.01, subdivisions 2, 3, 4, 21, 25, 28; 31.121; 31.123; 31.13; 31.94; 31A.02, subdivisions 13, 14, 15, 16; 31A.23; 32.01, subdivisions 11, 12; 35.0661, subdivisions 2, 3; 40A.17; 41A.12, subdivisions 2, 4; 223.16, subdivision 12; 223.17, subdivisions 1, 4, 9; 232.21, subdivisions 2, 6, 12; 232.22, subdivisions 3, 4, 5, 7; 232.23, subdivisions 2, 10; 232.24, subdivisions 1, 2; 239.092; 239.093; 239.77, subdivision 3; Laws 2010, chapter 228, section 4; Laws 2010, Second Special Session chapter 1, article 1, section 11; Laws 2011, chapter 14, section 6; proposing coding for new law as Minnesota Statutes, chapters 32C; 34A; repealing Minnesota Statutes 2010, sections 17.984; 17B.01; 17B.02; 17B.03; 17B.04; 17B.041; 17B.0451; 17B.048; 17B.05; 17B.06; 17B.07; 17B.10; 17B.11; 17B.12; 17B.13; 17B.14; 17B.15, subdivisions 1, 3; 17B.16; 17B.17; 17B.18; 17B.20; 17B.22, subdivisions 1, 2; 17B.28; 17B.29; 28.15; 28A.12; 28A.13; 29.28; 31.031; 31.041; 31.05; 31.14; 31.393; 31.58; 31.592; 31.621, subdivision 5; 31.631, subdivision 4; 31.633, subdivision 2; 31.681; 31.74, subdivision 3; 31.91; 31A.24; 31A.26; 32.078; 32.475, subdivision 7; 32.61; 32.90; 34.113; 35.243; 35.255; 35.67; 35.72, subdivisions 1, 2, 3, 4, 5; 223.16, subdivision 7; 223.18; 232.21, subdivision 4; 232.24, subdivision 3; 232.25; 233.01; 233.015; 233.017; 233.02; 233.03; 233.05; 233.06; 233.07; 233.08; 233.09; 233.10; 233.11; 233.12; 233.22; 233.23; 233.24; 233.33; 234.01; 234.03; 234.04; 234.05; 234.06; 234.08; 234.09; 234.10; 234.11; 234.12; 234.13; 234.14; 234.15; 234.16; 234.17; 234.18; 234.19; 234.20; 234.21; 234.22; 234.23; 234.24; 234.25; 234.27; 235.01; 235.02; 235.04; 235.05; 235.06; 235.07; 235.08; 235.09; 235.10; 235.13; 235.18; 236.01; 236.02; 236.03; 236.04; 236.05; 236.06; 236.07; 236.08; 236.09; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24; Minnesota Rules, parts 1505.0780; 1505.0810; 1511.0100; 1511.0110; 1511.0120; 1511.0130; 1511.0140; 1511.0150; 1511.0160; 1511.0170; 1540.0010, subpart 26; 1550.0930, subparts 3, 4, 5, 6, 7; 1550.1040, subparts 3, 4, 5, 6; 1550.1260, subparts 6, 7; 1562.0100, subparts 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25; 1562.0200; 1562.0400; 1562.0700; 1562.0900; 1562.1300; 1562.1800.

Reported the same back with the following amendments:

Page 32, lines 6 to 15, delete the new language and insert:

"\$200,000 is for the purposes of mental health counseling authorized under Minnesota Statutes, section 12A.04. Notwithstanding section 2, subdivision 1, \$150,000 of this appropriation is available to assist agricultural producers and their families located in any rural disaster area declared by the Federal Emergency Management Agency or the United States Department of Agriculture."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2437, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

Reported the same back with the following amendments:

Page 1, line 13, before "For" insert "(a)"

Page 1, line 14, delete "\$2,345.17" and insert "\$3,206.79"

Page 1, after line 14, insert:

"(b) For payment to Heather Buczynski for permanent injuries to her left ankle while performing sentence-to-service work in St. Louis County, \$3,000, and for payment to medical providers for treatment of Ms. Buczynski, \$2,268.82.

"(c) For payment to Nathan Clark for permanent injuries to his right hand while performing assigned duties at MCF-Rush City, \$825.

"(d) For payment to medical providers for treatment of Gregory Prozinski, who was injured while performing sentence-to-service work in Morrison County, \$1,295.48.

"(e) For payment to Chad Westring for wage loss resulting from permanent injuries to his spine while performing sentence-to-service work in Todd County, \$12,270.75.

"(f) For payment to William Williams for permanent injuries to his right hand suffered while performing work through the Institution/Community Work Crew program at MCF-Lino Lakes, \$990."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2580, A bill for an act relating to education; empowering parents to request a school district intervene in a "Priority" school; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

The report was adopted.

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

H. F. No. 2622, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and for other improvements of a capital nature with certain conditions; establishing programs; authorizing the sale and issuance of state bonds; modifying previous appropriations; authorizing Cook County to form a district for the construction of water facilities and provision of water service; authorizing the

commissioner of natural resources to make certain acquisitions of land or interests in land; appropriating money; amending Minnesota Statutes 2010, sections 16B.32, subdivisions 1, 1a; 462A.21, by adding a subdivision; Laws 2006, chapter 258, sections 7, subdivision 23, as amended; 17, subdivision 3; Laws 2008, chapter 179, sections 7, subdivision 27, as amended; 17, subdivision 4; 19, subdivision 4, as amended; 21, subdivision 15, as amended; Laws 2009, chapter 93, article 1, section 12, subdivision 2; Laws 2010, chapter 189, sections 7, subdivision 12; 18, subdivision 5; 24, subdivision 3; Laws 2011, First Special Session chapter 12, sections 3, subdivisions 7, 8; 14, subdivision 2; 19; 22; proposing coding for new law in Minnesota Statutes, chapters 16B; 116J; 462A; repealing Minnesota Rules, part 8895.0700, subpart 1.

Reported the same back with the following amendments:

Page 2, line 26, delete "298,000" and insert "281,000"

Page 2, line 27, delete "325,429,000" and insert "325,412,000"

Page 2, line 28, delete "260,277,000" and insert "250,260,000"

Page 2, line 30, delete "20,000,000" and insert "30,000,000"

Page 11, line 6, after the period, insert "Of this, \$25,000 is for a grant to the city of Anoka for predesign of the renovation of the Rum River Dam to serve as a barrier to invasive species."

Page 19, after line 6, insert:

**Subd. 8. St. Croix River Crossing**

1,000,000

For a grant to the city of Oak Park Heights, for capital improvement costs incurred by the city as a result of the trunk highway system project to construct a new bridge over the St. Croix River."

Page 24, delete subdivision 10

Page 29, line 6, delete "305,429,000" and insert "295,412,000"

Page 29, line 11, delete "20,000,000" and insert "30,000,000"

Page 33, line 33, delete "\$1,850,000" and insert "\$740,000"

Page 42, delete section 39

Page 48, after line 4, insert:

**"Subd. 6. Termination of appropriation of water from Poplar River. Notwithstanding any law to the contrary, 30 days after the works and systems to transport water from Lake Superior to Lutsen Mountains Corporation's snowmaking systems first become fully permitted and operational, the water district shall notify the commissioner of natural resources and all permits issued by the Department of Natural Resources to Lutsen Mountains Corporation to use or appropriate water from the Poplar River shall terminate. For the purposes of section 48, paragraph (b), the commissioner of natural resources shall notify the revisor of statutes in writing when the permits have been terminated."**

Page 48, delete section 49 and insert:

"Sec. 48. **REPEALER.**

(a) Minnesota Rules, part 8895.0700, subpart 1, is repealed.

(b) Laws 2011, chapter 107, section 101, is repealed effective the day the permits have been terminated under section 46, subdivision 6. The commissioner of natural resources shall notify the revisor of statutes in writing when the permits have been terminated."

Renumber the subdivisions and sections in sequence and correct the internal references

Adjust amounts accordingly

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

#### MINORITY REPORT

March 27, 2012

I, the undersigned, being a minority of the Committee on Ways and Means, recommend that H. F. No. 2622 do pass with the following amendments:

Delete everything after the enacting clause and insert:

#### Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown 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 spend 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, money appropriated in this act for a capital program or project may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget. 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**

<u>University of Minnesota</u>	<u>\$56,410,000</u>
<u>Minnesota State Colleges and Universities</u>	<u>170,735,000</u>
<u>Education</u>	<u>2,000,000</u>
<u>Minnesota State Academies</u>	<u>7,600,000</u>
<u>Perpich Center for Arts Education</u>	<u>263,000</u>
<u>Natural Resources</u>	<u>49,500,000</u>
<u>Pollution Control Agency</u>	<u>14,388,000</u>
<u>Board of Water and Soil Resources</u>	<u>21,000,000</u>
<u>Rural Finance Authority</u>	<u>33,000,000</u>

<u>Zoological Garden</u>	5,000,000
<u>Administration</u>	31,000,000
<u>Amateur Sports</u>	375,000
<u>Military Affairs</u>	19,000,000
<u>Public Safety</u>	3,600,000
<u>Transportation</u>	102,100,000
<u>Metropolitan Council</u>	57,100,000
<u>Human Services</u>	10,600,000
<u>Veterans Affairs</u>	8,085,000
<u>Corrections</u>	31,600,000
<u>Employment and Economic Development</u>	190,605,000
<u>Public Facilities Authority</u>	51,677,000
<u>Housing Finance Agency</u>	10,000,000
<u>Minnesota Historical Society</u>	13,107,000
<u>Bond Sale Expenses</u>	850,000
<b><u>TOTAL</u></b>	<b><u>\$889,595,000</u></b>
<u>Bond Proceeds Fund (General Fund Debt Service)</u>	745,835,000
<u>Bond Proceeds Fund (User Financed Debt Service)</u>	79,145,000
<u>State Transportation Fund</u>	30,000,000
<u>General Fund</u>	1,000,000
<u>Trunk Highway Fund</u>	17,500,000
<u>Trunk Highway Fund Bond Proceeds Account</u>	16,115,000

**APPROPRIATIONS**Sec. 2. **UNIVERSITY OF MINNESOTA**

Subdivision 1. **Total Appropriation** **\$56,410,000**

To the Board of Regents of the University of Minnesota for the purposes specified in this section.

Subd. 2. **Higher Education Asset Preservation and Replacement (HEAPR)** **35,000,000**

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

Subd. 3. **Duluth Campus**

**American Indian Learning Resource Center** **7,350,000**

To design, construct, furnish, and equip an American Indian Learning Resource Center to colocate existing programs and provide academic, classroom, computer lab, and other spaces.

**Subd. 4. Itasca Biological Station****Itasca Facility Improvements****4,060,000**

To design, construct, furnish, and equip a new technology-rich biological laboratory and classroom facility, and to design, construct, furnish, and equip the renovation of the historic Lakeside Lab and to remove obsolete single-function buildings at the University of Minnesota facility in Itasca State Park.

**Subd. 5. Twin Cities Campus****Combined Heat and Power Plant****10,000,000**

To predesign and design the renovation of the Old Main Steam Plant facility into a multi-utility plant to serve the Minneapolis campus.

**Subd. 6. University Share**

Except for Higher Education Asset Preservation and Replacement (HEAPR) under subdivision 2, 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. 7. Unspent Appropriations**

Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, 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 the chairs of the house of representatives and senate committees with jurisdiction over capital investment and higher education finance, and to the chairs of the house of representatives 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. Total Appropriation****\$170,735,000**

To the Board of Trustees of the Minnesota State Colleges and Universities for the purposes specified in this section.

**Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)** 35,000,000

For the purposes specified in Minnesota Statutes, section 135A.046.

**Subd. 3. Anoka-Ramsey Community College - Coon Rapids**

**Bioscience and Allied Health Addition** 980,000

To complete the design of and to renovate, furnish, and equip a science lab addition for the allied health programs, science, technology, engineering, and math initiatives.

**Subd. 4. Bemidji State University**

**Business Building Addition, Renovation, Design, and Demolition** 3,303,000

To complete the design of the renovation and addition for space for the business department, to demolish obsolete buildings, and to replace the HVAC system.

**Subd. 5. Central Lakes College, Staples**

**Main Campus Renovation** 3,458,000

To complete the design of and to renovate, furnish, and equip Staples Main campus spaces for science, technology, and math initiatives, agriculture and energy programs, and to replace HVAC systems.

**Subd. 6. Century College**

**Classroom Addition and Lab Renovation** 5,000,000

To design, construct, furnish, and equip a classroom addition with six technology-enhanced classrooms, to renovate lab spaces, and to replace the HVAC system.

**Subd. 7. Dakota County Technical College**

**Transportation and Emerging Lab Renovation** 7,230,000

To complete the design of and to renovate, furnish, and equip existing transportation and technical space to provide classrooms and lab spaces for flexible program use, and to replace the HVAC system.

**Subd. 8. Metropolitan State University, St. Paul**

**Science Education Center Construction**

31,000,000

To complete the design of and to construct, furnish, and equip the Science Education Center to support science, technology, engineering, and math initiatives and for allied health and teaching programs.

**Subd. 9. Minneapolis Community and Technical College**

**Workforce Program Renovation**

13,389,000

To renovate, furnish, and equip existing classroom, lab, and support space and infrastructure for the technical trade programs, science, technology, engineering, and math initiatives.

**Subd. 10. Minnesota State University, Mankato**

**Clinical Science Facility Design**

2,065,000

To complete the design for the Clinical Science Facility construction and renovation of existing space to colocate the Nursing, Dental Hygiene, and Speech, Language, and Hearing departments, clinics, and labs into one facility.

**Subd. 11. Minnesota West Community and Technical College - Worthington**

**Renovation and Addition**

4,606,000

To renovate, furnish, and equip existing classroom and lab spaces and to design, furnish, and equip a classroom, lab, and entryway addition and replace HVAC systems.

**Subd. 12. North Hennepin Community College - Brooklyn Park**

**Bioscience and Health Careers Addition**

26,292,000

To complete the design of and to construct, furnish, and equip the bioscience and allied health addition for existing and new bioscience and nursing programs.

**Subd. 13. Ridgewater College - Willmar**

**Technical Instruction Lab Renovation**

13,851,000

To complete the design of and to renovate, furnish, and equip classroom and student service spaces, to replace HVAC system, to construct, furnish, and equip an updated campus entry, and to demolish the Administration Building.

**Subd. 14. Rochester Community and Technical College****(a) Renovation and Addition for Workforce Center Colocation** 3,146,000

To complete the design of and to renovate, furnish, and equip existing Heintz Center space and to design, construct, furnish, and equip an addition to the Heintz Center for the offices and shared spaces and services of the Minnesota Workforce Center - Rochester, and to replace the HVAC system.

**(b) Classroom Renovation Design** 900,000

To complete the design for renovation of Plaza and Memorial Halls to support science, technology, and math initiatives and allied health programs, to replace the HVAC system, and to install a fire suppression system.

**Subd. 15. Saint Paul College****Health and Science Alliance Center Design** 1,500,000

To complete the design for an addition for the college's health and science programs, including the elimination of crowding in existing labs and the demolition of obsolete space.

**Subd. 16. South Central College - Faribault****Classroom Renovation and Addition** 13,315,000

To complete the design of and to renovate, furnish, and equip existing campus spaces and to design, furnish, and equip an addition for the library and learning resource center for science and health labs, technical programs, and science and math initiatives.

**Subd. 17. Southwest Minnesota State University****Science Lab Renovation Design** 500,000

To complete the design to renovate portions of the existing Science and Math Building and to construct a Plant Science Learning Center addition, replace the HVAC system, and reconfigure labs and classrooms to support biology, medical technology, cytotechnology, environmental science, and geology programs.

**Subd. 18. Systemwide Science, Technology, Engineering, and Math****Workforce Training Needs Renovations** 5,200,000

To design, renovate, furnish, and equip space to meet workforce training needs on ten campuses and remove obsolete spaces. This appropriation may be used at the following campuses: Bemidji

State University; Century College; Inver Hills Community College; Minnesota State Community and Technical College, Moorhead; Minnesota State University, Moorhead; Northeast Higher Education District, Hibbing Community College, Itasca Community College and Mesabi Range Community and Technical College; and Pine Technical College.

**Subd. 19. Debt Service**

(a) The Board of Trustees 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, and 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 management and budget shall notify the board of the amounts assessed for each year for the life of the bonds.

(b) The commissioner of management and budget 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 management and budget by December 1 each year. If the board fails to make a payment when due, the commissioner of management and budget 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 management and budget 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.

**Subd. 20. Unspent Appropriations**

(a) Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the board must use any money remaining in the appropriation for that project for Higher Education Asset Preservation and Replacement (HEAPR) under Minnesota Statutes, section 135A.046. The board must report by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investments and higher education finance, and to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee, on how the remaining money has been allocated or spent.

(b) The unspent portion of an appropriation for a project in this section that is complete is available for Higher Education Asset Preservation and Replacement (HEAPR) under this subdivision at the same campus as the project for which the original appropriation was made, and the debt service requirement under subdivision 9 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 4. **EDUCATION**

**\$2,000,000**

**Library Accessibility and Improvement Grants**

For library accessibility and improvement grants under Minnesota Statutes, section 134.45.

Sec. 5. **MINNESOTA STATE ACADEMIES**

Subdivision 1. **Total Appropriation**

**\$7,600,000**

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

Subd. 2. **Asset Preservation**

1,000,000

To the commissioner of administration for asset preservation on both campuses of the academies, to be spent in accordance with Minnesota Statutes, section 16B.307.

Subd. 3. **Technology Center**

6,150,000

To complete design of and to construct, furnish, and equip a technology center addition to Smith Hall on the Minnesota State Academy for the Deaf campus.

Subd. 4. **Frechette Hall, Scout Cabin, and Laundry Building Demolition**

450,000

To complete design, perform hazardous materials abatement, and to demolish Frechette Hall, the scout cabin, and the old laundry building on the Minnesota State Academy for the Deaf campus, dispose of any hazardous materials, and fill the site.

Sec. 6. **PERPICH CENTER FOR ARTS EDUCATION**

Subdivision 1. **Total Appropriation**

**\$263,000**

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

**Subd. 2. Loading Dock Repair**64,000To complete design of and repair the loading dock and dock steps.**Subd. 3. Road Repair**99,000To complete design and repair roadway.**Subd. 4. Storm Drainage**100,000To complete design of and install storm drainage on the northwest corner of campus.**Sec. 7. NATURAL RESOURCES****Subdivision 1. Total Appropriation****\$49,500,000**To the commissioner of natural resources for the purposes specified in this section. The appropriations in this section are subject to the requirements of the natural resources capital improvement program under Minnesota Statutes, section 86A.12, unless this section or the statutes referred to in this section provide more specific standards, criteria, or priorities for projects than Minnesota Statutes, section 86A.12.**Subd. 2. Natural Resources Asset Preservation**3,000,000For the renovation of state-owned facilities and recreational assets operated by the commissioner of natural resources, to be spent in accordance with Minnesota Statutes, section 84.946. The commissioner may use this appropriation to replace buildings if that is the most effective and the most energy-efficient and carbon-reducing method of renovation.**Subd. 3. Flood Hazard Mitigation Grants**20,000,000For 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 may be used for the following projects: Ada, Afton, Alvarado, Argyle, Austin, Borup, Brandt-Angus, Breckenridge, Brownton, Climax, Crookston, Delano, Felton, Georgetown, Granite Falls, Halstad, Hay Creek, Inver Grove Heights, Montevideo, Moorhead, Nielsville, North Ottawa, Oakport Township, Oslo, Redpath, Roseau, Rushford, and Shelly.For any project listed in this subdivision that the commissioner determines 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 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.

**Subd. 4. Roads and Bridges**

4,000,000

For the design, reconstruction, resurfacing, replacement, and construction of DNR-maintained roads, culverts, and bridges. Funds from this appropriation may be granted to Bush Creek Township for the design and construction administration of a new bridge on 125th Street in the township leading to the Walnut Lake Wildlife Management Area.

**Subd. 5. Groundwater Monitoring and Observation Wells**

500,000

To install new groundwater level observation wells to monitor and assess groundwater availability for water supply planning and to seal existing monitoring wells that are no longer functional.

**Subd. 6. Dam Repair, Reconstruction, and Removal**

5,000,000

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:

(a) Balsam Lake

(b) Brawner Lake

(c) Byllesby

(d) Champlin

(e) Coon Lake

(f) Coon Rapids

(g) Drayton

(h) Height of Land Lake

(i) Lake Bronson

(j) Lanesboro

(k) Lizzie Lake

(l) Millerville Lake

(m) Perkins Lake

(n) Pelican Lake

(o) Sand Hill River Lake

(p) Sauk River Lake

(q) Shady Lake

(r) Stalker Lake

(s) Sullivan Lake

(t) Emergency projects

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 list.

**Subd. 7. RIM Critical Habitat Match**

3,000,000

To provide the state match for the critical habitat private sector matching account under Minnesota Statutes, section 84.943.

**Subd. 8. Water Access Renewal/Aquatic Invasive Species Control**

7,000,000

To design and construct an Asian carp deterrent barrier to control the spread of Asian carp and to accelerate the renewal and rehabilitation of public water access site facilities to provide for aquatic invasive species management, including the installation of decontamination stations.

**Subd. 9. Parks and Trails Renewal and Development**

7,000,000

For renewal, modification, replacement, or development of buildings and recreational infrastructure in state parks, state recreation areas, state trails, small craft harbors/marinas, fishing pier sites, and state forests.

State trail project priorities include the Blufflands, Blazing Star, Brown's Creek, Casey Jones, Cuyuna, Gateway, Gitchi-Gami, Heartland, Mill Towns, Paul Bunyon, and Shooting Star state trails.

**Subd. 10. Unspent Appropriations**

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, other than an appropriation for flood hazard mitigation.

upon written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 84.946. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred for asset preservation.

Sec. 8. **POLLUTION CONTROL AGENCY**

Subdivision 1. **Total Appropriation**

**\$14,388,000**

To the Pollution Control Agency for the purposes specified in this section.

Subd. 2. **Closed Landfill Program**

6,000,000

To design and construct remedial systems and acquire land at landfills throughout the state in accordance with the closed landfill program under Minnesota Statutes, sections 115B.39 to 115B.42.

Subd. 3. **Capital Assistance Program**

5,600,000

For solid waste capital assistance grants to local governments for the construction of solid waste resource recovery facilities under Minnesota Statutes, section 115A.54.

Subd. 4. **Storm Water Program**

2,788,000

For grants to cities to fund removal of sediments from constructed storm water ponds. Eligible municipalities will apply for grant assistance of up to \$250,000 per pond, and the grants will require a 50 percent match from nonstate funding sources. Preference will be given to projects that alleviate a threat of flooding to residential properties and businesses and provide direct water quality benefits to an impaired water, or where the municipality has implemented measures to reduce the future accumulation of contaminants that resulted in increased costs for the removal of the sediments.

Sec. 9. **BOARD OF WATER AND SOIL RESOURCES**

Subdivision 1. **Total Appropriation**

**\$21,000,000**

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

Subd. 2. **RIM Conservation Reserve**

20,000,000

(a) To acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands; restore and enhance rivers and streams, riparian lands, and associated uplands in order to protect soil and water quality; support fish and wildlife habitat; reduce flood damage; and provide other public benefits.

The provisions of Minnesota Statutes, section 103F.515, apply to this appropriation, except that the board may establish alternative payment rates for easements and practices to establish restored native prairies, as defined in Minnesota Statutes, section 84.02, subdivision 5, and to protect uplands. Of this appropriation, up to ten percent may be used to implement the program.

(b) The board is authorized to enter into new agreements and amend past agreements with landowners as required by Minnesota Statutes, section 103F.515, subdivision 5, to allow for restoration, including overseeding and harvesting of native prairie vegetation for use for energy production in a manner that does not devalue the natural habitat, water quality benefits, or carbon sequestration functions of the area enrolled in the easement. This shall occur after seed production and minimize impacts on wildlife. Of this appropriation, up to five percent may be used for restoration, including overseeding.

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

1,000,000

To acquire land for wetland restoration or preservation to replace wetlands drained or filled as a result of the repair or reconstruction, replacement, or rehabilitation of existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m). The provisions of Minnesota Statutes, section 103F.515, apply to this appropriation, except that the board may establish alternative payment rates for easements and practices to establish restored native prairies, as defined in Minnesota Statutes, section 84.02, subdivision 5, and to protect uplands. 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.

**Sec. 10. RURAL FINANCE AUTHORITY**

**\$33,000,000**

For the purposes set forth in the Minnesota Constitution, article XI, section 5, paragraph (h), to the Rural Finance Authority to purchase participation interests in or to make direct agricultural loans to farmers under Minnesota Statutes, chapter 41B. This appropriation is for the beginning farmer program under Minnesota Statutes, section 41B.039; the loan restructuring program under Minnesota Statutes, section 41B.04; the seller-sponsored program under Minnesota Statutes, section 41B.042; the agricultural improvement loan program under Minnesota Statutes, section 41B.043; and the livestock expansion loan program under

Minnesota Statutes, section 41B.045. All debt service on bond proceeds used to finance this appropriation must be repaid by the Rural Finance Authority under Minnesota Statutes, section 16A.643. Loan participations must be priced to provide full interest and principal coverage and a reserve for potential losses. Priority for loans must be given first to basic beginning farmer loans, second to seller-sponsored loans, and third to agricultural improvement loans.

Sec. 11. **MINNESOTA ZOOLOGICAL GARDEN**

**\$5,000,000**

To the Minnesota Zoological Garden for capital asset preservation and betterments to infrastructure and exhibits at the Minnesota Zoo to be spent in accordance with Minnesota Statutes, section 16B.307.

Sec. 12. **ADMINISTRATION**

Subdivision 1. **Total Appropriation**

**\$31,000,000**

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

Subd. 2. **Capital Asset Preservation and Replacement Account (CAPRA)**

2,500,000

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

Subd. 3. **Asset Preservation**

15,000,000

For asset preservation studies and projects on properties managed by the commissioner. This appropriation must be spent in accordance with Minnesota Statutes, section 16B.307. This appropriation includes up to \$13,500,000 for asset preservation of the State Capitol Building and up to \$7,500,000 to complete an electrical upgrade at the Centennial Office Building that will address safety hazards and other requirements. Any remaining funds will be used to complete other asset preservation work in facilities under the custodial control of the Department of Administration.

Subd. 4. **University Avenue Tunnel**

6,600,000

To complete design and construction of the University Avenue pedestrian and materials handling tunnel and for related improvements.

**Subd. 5. Capitol Campus Parking Replacement**900,000

For predesign and design of a parking facility to meet parking requirements at the Capitol campus. The bonds for this project shall be paid through user fees.

**Subd. 6. Agency Relocation**1,000,000

This appropriation is from the general fund for relocation of state agencies as determined by the commissioner of administration.

**Subd. 7. Hennepin County, Washburn Center for Children**5,000,000

For a grant to Hennepin County to acquire and prepare a site for and to predesign, design, construct, furnish, and equip a new Washburn Center for Children that will be used to provide mental health services to children. The county is authorized to take actions and enter into agreements needed to perform the functions set forth in this section, and the agreements may include provisions and conditions that the county negotiates. The county may enter into a lease or management contract for the new center with a nonprofit entity. The lease or management contract must comply with the requirements of Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed or expended from nonstate resources.

**Sec. 13. AMATEUR SPORTS****\$375,000**

To the Minnesota Amateur Sports Commission to replace HVAC heating and cooling units in the Indoor Sports Hall at the National Sports Center in Blaine.

**Sec. 14. MILITARY AFFAIRS****Subdivision 1. Total Appropriation****\$19,000,000**

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

**Subd. 2. Asset Preservation**5,000,000

For asset preservation improvements and betterments of a capital nature at military affairs facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Camp Ripley Education Center Addition**14,000,000

To complete the construction, furnishing, and equipping of an addition to the Camp Ripley Education Center (Building #6-76). The addition will include lodging, classroom, and dining facilities.

**Subd. 4. Unspent Appropriations**

The unspent portion of an appropriation for a project in this section that is complete, upon written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

**Sec. 15. PUBLIC SAFETY**

**Subdivision 1. Total Appropriation** **\$3,600,000**

To the commissioner of administration, or another named agency, for the purposes specified in this section.

**Subd. 2. State Emergency Operations Center** 2,000,000

To complete site preparation and design for the State Emergency Operations Center in Arden Hills.

**Subd. 3. Ortonville Emergency Operations Center** 1,600,000

For a grant to the city of Ortonville to acquire land in the city of Ortonville and prepare the site for a new emergency operations center, including demolition of a building on that site, and to design, construct, furnish, and equip the emergency operations center.

**Sec. 16. TRANSPORTATION**

**Subdivision 1. Total Appropriation** **\$102,100,000**

This appropriation is to the commissioner of transportation for the purposes specified in this section.

**Subd. 2. Local Bridge Replacement and Rehabilitation** 20,000,000

This appropriation is from the bond proceeds account in the state transportation fund to match federal money and to replace or rehabilitate local deficient bridges as provided in Minnesota Statutes, section 174.50. To the extent practicable, the commissioner shall expend the funds as provided under Minnesota Statutes, section 174.50, subdivisions 6c and 7, paragraph (c).

Political subdivisions may use grants made under this subdivision to construct or reconstruct bridges, including but not limited to:

(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 economical than replacement of the existing bridge.

**Subd. 3. Local Road Improvements**

10,000,000

Approximately one-half of the appropriation is for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, and one-half is for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a.

This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50.

**Subd. 4. Rail Service Improvement Program**

1,000,000

For the rail service improvement program to be spent for the purposes set forth in Minnesota Statutes, section 222.50, subdivision 7.

**Subd. 5. Rail Capacity Improvements**

10,000,000

To design and construct capital improvements that reduce rail congestion, improve on-time performance, and improve the efficiency of rail service along the existing freight railroad corridor between downtown St. Paul and the city of Hastings.

**Subd. 6. Minnesota Valley Railroad Track Rehabilitation**

5,000,000

For a grant to the Minnesota Valley Regional Rail Authority to rehabilitate and make capital improvements to railroad track from Norwood-Young America to Hanley Falls. A grant under this subdivision is in addition to any grant, loan, or loan guarantee for this project made by the commissioner under Minnesota Statutes, sections 222.46 to 222.62.

**Subd. 7. Railroad Warning Devices Replacement**2,500,000

To design, construct, and equip the replacement of active highway rail grade crossing warning safety devices that have reached the end of their useful life.

**Subd. 8. Greater Minnesota Transit**10,000,000

For capital assistance for publicly owned greater Minnesota transit systems to be used to design, construct, and equip transit capital facilities under Minnesota Statutes, section 174.24, subdivision 3c. This appropriation includes funding for the following projects: to design, remodel, and equip the former MnDOT district office in Mankato into a bus maintenance and storage facility; design, construct, and equip a multimodal transportation terminal in Duluth; and design, construct, and equip an operations center office and additional vehicle storage in St. Cloud.

Money from this appropriation may be used to pay up to 80 percent of the nonfederal share of these facilities.

**Subd. 9. Port Development Assistance**4,000,000

For grants under Minnesota Statutes, chapter 457A. Any improvements made with the proceeds of these grants must be publicly owned.

**Subd. 10. I-35W Storm Tunnel, Minneapolis**4,000,000

For a grant to the city of Minneapolis to design and construct capital asset preservation improvements and betterments to the marked Interstate Highway 35W north and south storm tunnel systems to provide drainage for the interstate right-of-way as well as portions of southwest and northeast Minneapolis which drain into the tunnel.

**Subd. 11. Safe Routes to School**2,000,000

For grants under the safe routes to school program in Minnesota Statutes, section 174.40.

**Subd. 12. Rochester Maintenance Facility**16,100,000

To design, construct, furnish, and equip the maintenance facility in Rochester and corresponding remodeling of the existing district headquarters building.

This appropriation is from the bond proceeds account in the trunk highway fund.

**Subd. 13. Willmar District Headquarters**7,500,000

To design, construct, furnish, and equip a maintenance facility addition to the existing Willmar district headquarters building, and corresponding remodeling of the headquarters building.

This appropriation is for fiscal year 2013 from the trunk highway fund and is available until expended.

**Subd. 14. Plymouth Truck Station**5,600,000

To construct and equip a new truck station and bridge crew building in Plymouth.

This appropriation is for fiscal year 2013 from the trunk highway fund and is available until expended.

**Subd. 15. Cambridge Truck Station**3,300,000

To design, construct, furnish, and equip a new truck station facility in Cambridge, including ancillary buildings and site improvements.

This appropriation is for fiscal year 2013 from the trunk highway fund and is available until expended.

**Subd. 16. Crookston, Eden Prairie, and Mendota Truck Station Design**1,100,000

To design new additions to the existing truck station buildings in Crookston, Eden Prairie, and Mendota.

This appropriation is for fiscal year 2013 from the trunk highway fund and is available until expended.

**Sec. 17. METROPOLITAN COUNCIL****Subdivision 1. Total Appropriation****\$57,100,000**

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

**Subd. 2. Southwest Corridor Light Rail Transit (LRT)**24,000,000

To perform environmental studies and preliminary engineering for, acquire property or an interest in property for, and design the Southwest Corridor light rail transit line.

**Subd. 3. Transit Capital Improvement Program**14,000,000

To the Metropolitan Council or for the Council to grant to Anoka County Regional Railroad Authority, Dakota County, Dakota County Regional Railroad Authority, Hennepin County, Hennepin

County Regional Railroad Authority, Ramsey County Regional Railroad Authority, or Washington County Regional Railroad Authority to perform environmental studies, preliminary engineering, acquire property or an interest in property, design or construct transitway facilities and infrastructure, including roadways, for the following transitway projects: Northstar Ramsey station, Gateway (I-94 East) corridor, Minneapolis Interchange facility, Red Rock corridor, Newport park-and-ride and station, Rush Line corridor, Robert Street corridor, 35W South Bus Rapid Transit, and Cedar Avenue Bus Rapid Transit.

**Subd. 4. Metropolitan Regional Parks Capital Improvements**

10,000,000

For 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. This appropriation must not be used to purchase easements.

**Subd. 5. Minneapolis Park and Recreation Board - Phillips Community Center Pool Renovation**

2,100,000

For a grant to the Minneapolis Park and Recreation Board to predesign, design, engineer, reconstruct, renovate, furnish, and equip the Phillips Community Center indoor competitive swimming pool and to predesign, design, engineer, and construct an additional indoor multipurpose family pool and facilities associated with an aquatic center in the community center, subject to Minnesota Statutes, section 16A.695.

**Subd. 6. Metropolitan Cities Inflow and Infiltration Grants**

7,000,000

For grants to cities within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, for capital improvements in municipal wastewater collection systems to reduce the amount of inflow and infiltration to the Metropolitan Council's metropolitan sanitary sewer disposal system. To be eligible for a grant, a city must be identified by the Metropolitan Council as a contributor of excessive inflow or infiltration and must be subject to the council's inflow and infiltration surcharge. Grants from this appropriation are for up to 50 percent of the cost to mitigate inflow and infiltration in the publicly owned municipal wastewater collection systems. The council must award grants based on applications from eligible cities that identify eligible capital costs and include a timeline for inflow and infiltration mitigation construction, pursuant to guidelines established by the council.

Sec. 18. **HUMAN SERVICES**

Subdivision 1. **Total Appropriation**

**\$10,600,000**

To the commissioner of administration, or another named agency, for the purposes specified in this section.

Subd. 2. **Asset Preservation**

2,500,000

For asset preservation improvements and betterments of a capital nature at Department of Human Services facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

Subd. 3. **Minnesota Security Hospital - Phase I predesign and design**

4,700,000

To predesign and design the first phase of a two-phase project to remodel existing, and to develop new, residential, program, activity, and ancillary facilities for the Minnesota Security Hospital on the upper campus of the St. Peter Regional Treatment Center.

Subd. 4. **Early Childhood Learning and Child Protection Facilities**

3,100,000

To the commissioner of human services for grants to construct and renovate facilities for programs under Minnesota Statutes, section 256E.37.

Subd. 5. **Remembering with Dignity**

300,000

For grave markers or memorial monuments for unmarked graves of deceased residents of state hospitals or regional treatment centers.

Sec. 19. **VETERANS AFFAIRS**

Subdivision 1. **Total Appropriation**

**\$8,085,000**

To the commissioner of administration for the purposes specified in this section. The commissioner must allocate money appropriated in this section so as to maximize the use of all available federal funding.

Subd. 2. **Asset Preservation**

5,000,000

For asset preservation improvements and betterments of a capital nature at veterans homes and cemeteries statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Minneapolis Veterans Home Tuckpointing** 2,100,000

To predesign, design and repair joint on all masonry clad buildings on the Minneapolis campus.

**Subd. 4. Silver Bay Veterans Home Resident's Porches** 600,000

To predesign, design and construct two four-season porches for the special care households.

**Subd. 5. Fixed Track Trolley Lifts** 385,000

To furnish and install fixed track trolley lifts in 25 percent of skilled nursing resident rooms throughout all Veterans Homes.

**Sec. 20. CORRECTIONS**

**Subdivision 1. Total Appropriation** **\$31,600,000**

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

**Subd. 2. Asset Preservation** 8,000,000

For improvements and betterments of a capital nature at Minnesota correctional facilities statewide, in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Minnesota Correctional Facility - Shakopee**

**(a) Perimeter Security Fence** 5,000,000

To design, construct, and equip a fence of decorative iron pickets and masonry piers that will provide essential components of effective and reliable escape detection and intrusion, including but not limited to, installation of a fence protection alarm system, additional lighting and security cameras, and renovations of existing facilities required to accommodate the technology and functionality of the new system.

**(b) Escape Alert** 1,700,000

To acquire and install an escape alert system throughout the MCF-Shakopee facility.

**Subd. 4. Minnesota Correctional Facility - St. Cloud** 16,900,000

**New Intake, Health Services, and Loading Dock**

To design the entire project, and to construct, furnish, and equip a new health services unit, and the civil, mechanical, electrical and security components necessary to support the health services unit and the later phases of the project.

**Subd. 5. Unspent Appropriations**

The unspent portion of an appropriation for a project in this section that is complete, upon written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307, at the same correctional facility as the project for which the original appropriation was made. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

**Sec. 21. EMPLOYMENT AND ECONOMIC DEVELOPMENT****Subdivision 1. Total Appropriation****\$190,605,000**

To the commissioner of employment and economic development for the purposes specified in this section.

**Subd. 2. Greater Minnesota Business Development Public Infrastructure Grant Program**5,000,000

For grants under Minnesota Statutes, section 116J.431.

**Subd. 3. Redevelopment Account**5,000,000

For purposes of the redevelopment account under Minnesota Statutes, sections 116J.571 to 116J.575.

**Subd. 4. Transportation Economic Development Program**10,000,000

For grants under Minnesota Statutes, section 116J.436. Of this appropriation, \$5,200,000 is for a grant to Ramsey County to complete final design of the interchange of marked Interstate Highway 694 (I-694) and Rice Street and for associated improvements to the through-lanes of I-694 and areas of Rice Street adjacent to the interchange in Ramsey County.

**Subd. 5. Austin - Research and Technology Center**13,500,000

For a grant to the city of Austin to design and construct a new building addition to the Hormel Institute, including research labs, research technology space, and support offices. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 6. Bemidji - Headwaters Regional Center**475,000

For a grant to the city of Bemidji to predesign and design the Headwaters Regional Center for Science, History, Culture, and the Arts, subject to Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 7. Bemidji - Lakeland Public Television Media Center**3,000,000

For a grant to the city of Bemidji to construct, furnish, and equip a regional public television station in the city of Bemidji. This appropriation is not available until the commissioner determines that at least a 25 percent match has been committed to the project from nonstate sources.

**Subd. 8. Duluth - Wade Stadium**4,700,000

For a grant to the city of Duluth to design, construct, furnish, and equip improvements to the grandstand and field at Wade Stadium, including improvements to the field's drainage, prior to its resurfacing. There must be at least \$1 of nonstate money committed to the project for every \$2.50 of state money.

**Subd. 9. Hennepin County - Transportation Interchange**24,000,000

For a grant to the Hennepin County Regional Railroad Authority for environmental analysis, engineering, design, acquisition of real property or interests in real property, site preparation for, and construction of the Minneapolis Transportation Interchange Facility located in the vicinity of the confluence of the Hiawatha light rail line and the Northstar commuter rail line.

**Subd. 10. Hennepin County - I-35W and Lake Street Transit Station**6,750,000

For a grant to Hennepin County for design of a transit station in the Lake Street area at marked Interstate Highway 35W (I-35W) in the city of Minneapolis.

**Subd. 11. Itasca County - Regional Fire Station**1,200,000

For a grant to Itasca County to acquire land along Trunk Highway 169 in Itasca County for a new consolidated regional fire station serving the cities of Calumet and Marble, and Greenway township, and to predesign, design, construct, furnish, and equip the new facility. The county may convey any property acquired with the appropriation to a public regional fire protection entity created by the communities to be served by the new fire station.

**Subd. 12. Mankato - Civic Center and All Seasons Arena**14,500,000

For a grant to the city of Mankato to design, construct, furnish, and equip the expansion of the Civic Center auditorium, including a performing arts theater, and the remodeling and expansion of the Civic Center and All Seasons Arenas, which must include the Southern Minnesota Women's Hockey Exposition Center, for joint use by the city and Minnesota State University, Mankato. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 13. Maplewood - Harriet Tubman Center East**3,435,000

For a grant to the city of Maplewood to purchase, renovate, and make health, safety, and security improvements to the former St. Paul's Monastery to provide housing and various support programs for individuals and families in crisis. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 14. Minneapolis - Sculpture Garden Renovation**8,500,000

For a grant to the city of Minneapolis to preserve and renovate the Sculpture Garden, including a new HVAC system and mechanical plant in the Cowles Conservatory, increased Americans with Disabilities Act accessibility, new irrigation and drainage systems, and repair or replacement of lighting and security, stairways, sidewalks, walkways, and retaining walls. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 15. Rochester - Mayo Civic Center Complex**29,000,000

For a grant to the city of Rochester to design, construct, furnish, and equip the renovation and expansion of the Mayo Civic Center Complex. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

**Subd. 16. Saint Cloud - Civic Center Expansion**7,100,000

For a grant to the city of Saint Cloud to predesign, design, construct, furnish, and equip an expansion of the Saint Cloud Civic Center, including a parking facility and pedestrian skyway connection. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources. Amounts expended by the city of Saint Cloud for project costs since July 1, 2010, shall count toward the matching requirement.

**Subd. 17. Saint Paul - Minnesota Telecenter Building Renovation**8,000,000

For a grant to the city of Saint Paul to construct and renovate the Minnesota Telecenter Building in downtown St. Paul. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

**Subd. 18. Saint Paul - Minnesota Children's Museum**10,000,000

For a grant to the city of Saint Paul to design, construct, furnish, and equip an expansion and renovation of the Minnesota Children's Museum, subject to Minnesota Statutes, section 16A.695. The expansion and exhibit upgrades should incorporate the latest research on early learning, allow for new state-of-the art education facilities for Minnesota's early childhood educators, and increase the capacity of visitors to galleries and programming areas. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

**Subd. 19. Saint Paul - Regional Ballpark**27,000,000

For a grant to the city of Saint Paul to acquire land or an interest in land, complete site preparation, and to predesign, design, construct, furnish, and equip a regional ballpark and related public infrastructure in the city of Saint Paul. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

The city may employ or contract with persons, firms, or corporations to perform one or more or all of the functions of architect, engineer, or construction manager with respect to all or any part of the regional ballpark and related public infrastructure. The city may deliver the project through either a design-build or construction manager at-risk method. Alternatively, at the request of a minor league baseball team, and with the consent of the city, the city may authorize the team to provide for the design and construction for the ballpark and related public infrastructure, subject to the terms of this subdivision. To the extent practicable and at the discretion of the city, the city may have such rights and exercise such powers, with respect to the acquisition, construction, use, and operation of the regional ballpark, as are granted to the Minnesota Ballpark Authority under Minnesota Statutes, section 473.756. No consent or approval of another political subdivision is required for the effectiveness or the exercise by the city of such rights or powers.

**Subd. 20. Saint Paul - University Enterprise Laboratories**9,000,000

For a grant to the Saint Paul Port Authority to construct, furnish, and equip an addition to the University Enterprise Laboratories building in Saint Paul, subject to Minnesota Statutes, section 16A.695.

**Subd. 21. Stewartville - Fire Station Expansion****485,000**

For a grant to the city of Stewartville to complete design work and engineering, and to construct, furnish, and equip an expansion and renovation of the city fire station. This appropriation is not available until at least an equal amount is committed to the project from nonstate sources.

**Sec. 22. PUBLIC FACILITIES AUTHORITY****Subdivision 1. Total Appropriation****\$51,677,000**

To the Public Facilities Authority for the purposes specified in this section.

**Subd. 2. State Match for Federal Grants****17,077,000**

To match federal grants for the clean water revolving fund under Minnesota Statutes, section 446A.07, and the drinking water revolving fund under Minnesota Statutes, section 446A.081.

This appropriation must be used for qualified capital projects.

**Subd. 3. Wastewater Infrastructure Funding Program****31,000,000**

For grants to eligible municipalities under the wastewater infrastructure funding program under Minnesota Statutes, section 446A.072.

\$5,000,000 is for a grant to the Central Iron Range Sanitary Sewer District to supplement previous wastewater infrastructure funding grants to design, construct, furnish, and equip new wastewater treatment facilities, lift stations, and force mains. This grant is not subject to the limitations on the availability or amount of the grant in Minnesota Statutes, section 446A.072.

**Subd. 4. Lutsen Lake Superior Water Project****3,600,000**

For a grant to the Lake Superior-Poplar River Water District to acquire property interests, engineer, design, permit, and construct works and systems to transport and treat water from Lake Superior through the Poplar River Valley to serve domestic and irrigation water users and commercial, stock watering, and industrial users. This appropriation is not available until the authority has determined that at least \$1,200,000 in nonstate match has been committed to the project. Expenditures made on or after October 1, 2011, shall count towards the nonstate match.

Sec. 23. **HOUSING FINANCE AGENCY****\$10,000,000**

To the Housing Finance Agency to finance the rehabilitation of public housing under Minnesota Statutes, section 462A.202, subdivision 3a. For purposes of this section, "public housing" means housing for low-income persons and households financed by the federal government and owned and operated by public housing authorities and agencies formed by cities and counties. Eligible public housing authorities must have a public housing assessment system rating of standard or above. Priority must be given to proposals that maximize federal or local resources to finance the capital costs. The priority in Minnesota Statutes, section 462A.202, subdivision 3a, for projects to increase the supply of affordable housing and the restrictions of Minnesota Statutes, section 462A.202, subdivision 7, do not apply to this appropriation.

Sec. 24. **MINNESOTA HISTORICAL SOCIETY**Subdivision 1. **Total Appropriation****\$13,107,000**

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

Subd. 2. **Asset Preservation**

3,250,000

For capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments, to be spent in accordance with Minnesota Statutes, section 16B.307. 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, as provided in Minnesota Statutes, section 138.0525.

Subd. 4. **Oliver H. Kelley Historical Site**

8,857,000

To complete design and to construct, furnish, and equip the renovation of the Oliver H. Kelley Historical Site, including the site's visitor center and other essential visitor services and site operations facilities.

Sec. 25. **BOND SALE EXPENSES****\$850,000**

(a) \$835,000 is from the bond proceeds fund to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

(b) \$15,000 is from the bond proceeds account in the trunk highway fund to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, section 167.50, subdivision 4.

Sec. 26. **BOND SALE AUTHORIZATION.**

Subdivision 1. **Bond proceeds fund.** To provide the money appropriated in this act from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$824,980,000 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. **Transportation fund.** To provide the money appropriated in this act from the state transportation fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$30,000,000 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.

Subd. 3. **Trunk highway fund bond proceeds account.** To provide the money appropriated in this act from the bond proceeds account in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$16,115,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be credited to the bond proceeds account in the trunk highway fund.

Sec. 27. Minnesota Statutes 2010, section 16B.32, subdivision 1, is amended to read:

Subdivision 1. **Alternative energy sources.** Plans prepared by the commissioner for a new building or for a renovation of 50 percent or more of an existing building or its energy systems must include designs which use ~~active and passive solar energy systems~~, earth sheltered construction, and other alternative energy sources where feasible.

Sec. 28. Minnesota Statutes 2010, section 16B.32, subdivision 1a, is amended to read:

Subd. 1a. **Onsite energy generation from renewable sources.** A state agency that prepares a predesign for a new building must consider meeting at least two percent of the energy needs of the building from ~~renewable sources~~ wind energy located on the building site. ~~For purposes of this subdivision, "renewable sources" are limited to wind and the sun.~~ The predesign must include an explicit cost and price analysis of complying with the two-percent requirement compared with the present and future costs of energy supplied by a public utility from a location away from the building site and the present and future costs of controlling carbon emissions. If the analysis concludes that the building should not meet at least two percent of its energy needs from ~~renewable sources~~ wind energy located on the building site, the analysis must provide explicit reasons why not. The building may not receive further state appropriations for design or construction unless at least two percent of its energy needs are designed to be met from ~~renewable sources~~ wind energy, unless the commissioner finds that the reasons given by the agency for not meeting the two-percent requirement were supported by evidence in the record.

Sec. 29. **[16B.323] SOLAR ENERGY IN STATE BUILDINGS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Made in Minnesota" means the manufacture in this state of:

(i) components of a solar thermal system certified by the Solar Rating and Certification Corporation; or

(ii) solar photovoltaic modules that:

(1) are manufactured at a manufacturing facility that is registered and authorized to manufacture those solar photovoltaic modules by Underwriters Laboratory, CSA International, Intertek, or an equivalent independent testing agency;

(2) bear certification marks from Underwriters Laboratory, CSA International, Intertek, or an equivalent independent testing agency; and

(3) meet the requirements of section 116C.7791, subdivision 3, paragraph (a), clauses (1), (5), and (6).

For the purposes of clause (ii), "manufactured" has the meaning given in section 116C.7791, subdivision 1, paragraph (b), clauses (1) and (2).

(c) "Major renovation" means a substantial addition to an existing building, or a substantial change to the interior configuration or the energy system of an existing building.

(d) "Solar energy system" means solar photovoltaic modules alone or installed in conjunction with a solar thermal system.

(e) "Solar photovoltaic module" has the meaning given in section 116C.7791, subdivision 1, paragraph (e).

(f) "Solar thermal system" has the meaning given "qualifying solar thermal project" in section 216B.2411, subdivision 2, paragraph (e).

(g) "State building" means a building whose construction or renovation is paid wholly or in part by the state, from any source of funds.

**Subd. 2. Percent of appropriation for solar energy.** (a) Any appropriation made for the construction or major renovation of a state building, except as provided in paragraph (c), must include an amount equal to five percent of the appropriation for the purchase and installation of "Made in Minnesota" solar energy systems on or adjacent to the state building.

(b) An appropriation made under this section may not be used to purchase and install:

(i) solar photovoltaic modules on a single building that, in aggregate, exceed a capacity of 40 kilowatts; or

(ii) a solar thermal system that does not operate conjointly with photovoltaic modules on the same building. Purchase and installation of a solar thermal system may account for no more than 25 percent of the total appropriation for a building made under this section.

(c) The commissioner may exempt a major renovation of a state building from the requirements of this section if the commissioner finds that the structural soundness or other physical condition of the state building to be renovated makes the installation of a solar energy system infeasible.

Sec. 30. **[116J.436] TRANSPORTATION ECONOMIC DEVELOPMENT INFRASTRUCTURE PROGRAM.**

Subdivision 1. **Grant program established; purpose.** The transportation economic development infrastructure program is created to foster interagency coordination between the Departments of Transportation and Employment and Economic Development to finance infrastructure to create economic development opportunities, jobs, and improve all types of transportation systems statewide.

Subd. 2. **Eligible projects.** Funds appropriated for the program must be used to fund construction, reconstruction, and infrastructure improvements that will promote economic development, increase employment, and improve transportation systems to accommodate private investment and job creation.

Subd. 3. **Trunk highway projects.** Money in the program shall not be used on trunk highway improvements, but can be used for needed infrastructure improvements and nontrunk highway improvements in coordination with trunk highway improvement projects undertaken by the Department of Transportation.

Subd. 4. **Application.** The commissioners of transportation and employment and economic development shall design an application process and selection process to distribute funding to local units of government for publicly owned infrastructure using criteria that take into account: job creation; increase in local tax base; level of private investment; leverage of nonstate funds; improvement to the transportation system to serve the project area; and appropriate geographic balance between the metropolitan area and greater Minnesota.

Sec. 31. **[174.40] SAFE ROUTES TO SCHOOL PROGRAM.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Bond eligible cost" means expenditures under this section for acquisition of land or permanent easements, predesign, design, preliminary and final engineering, environmental analysis, construction, and reconstruction of publicly owned infrastructure in this state with a useful life of at least ten years that provides for nonmotorized transportation to and from public schools; preparation of land for which a route to school is established, including demolition of structures and remediation of any hazardous conditions on the land; and the unpaid principal on debt issued by a political subdivision for a safe routes to school project.

(c) "Federal program" means the safe routes to school program under Title I, section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, Public Law 109-59.

(d) "School" means a public school, as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school operated under section 124D.10.

Subd. 2. **Program creation.** (a) A safe routes to school program is established to provide assistance in capital investments for safe and appealing nonmotorized transportation to and from a school. The commissioner shall develop and implement the safe routes to school program as provided in this section. Financial assistance under this section is to supplement or replace aid for infrastructure projects under the federal program.

(b) The commissioner may provide grants or other financial assistance for a safe routes to school project at the commissioner's discretion, subject to the requirements of this section.

Subd. 3. **Safe routes to school accounts.** (a) A safe routes to school account is established in the bond proceeds fund. The account consists of state bond proceeds appropriated to the commissioner. Money in the account may only be expended on bond-eligible costs of a project receiving financial assistance as provided under this section. All uses of funds from the account must be for publicly owned property.

(b) A safe routes to school account is established in the general fund. The account consists of funds as provided by law, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account may only be expended on a project receiving financial assistance as provided under this section.

Subd. 4. **State general obligation bond funds.** Minnesota Constitution, article XI, section 5, clause (a), requires that state general obligation bonds be issued to finance only the acquisition or betterment of public land, buildings, and other public improvements of a capital nature. The legislature has determined that many school transportation infrastructure projects will constitute betterments and capital improvements within the meaning of the Minnesota Constitution and capital expenditures under generally accepted accounting principles, and will be financed more efficiently and economically under this section than by direct appropriations for specific projects.

Subd. 5. **Program administration.** (a) The commissioner shall establish general program requirements and a competitive process for financial assistance, including but not limited to eligibility requirements for grant recipients and projects; procedures for solicitation of grants; application requirements; procedures for payment of financial assistance awards; and a schedule for application, evaluation, and award of financial assistance.

(b) An application must include:

(1) a detailed and specific description of the project;

(2) an estimate, along with necessary supporting evidence, of the total costs for the project and the allocation of identified and proposed funding sources for the project;

(3) an assessment of the need for and benefits of the project;

(4) a resolution adopted by the school board of the school for which a safe routes to school grant is requested, certifying that (i) the school board supports the project, and (ii) funds, if any, required to be supplied by the school district to complete the project are available and committed;

(5) a timeline indicating the major milestones of the project and their anticipated completion dates; and

(6) any additional information or material the commissioner prescribes.

(c) The commissioner shall make reasonable efforts to (1) publicize each solicitation for applications among all eligible recipients, and (2) provide technical and informational assistance in creating and submitting applications.

(d) By January 1, 2013, the commissioner of transportation shall publish and maintain a manual on the safe routes to school program that assists applicants for and recipients of financial assistance. The manual must include identification of eligibility and general program requirements, explanation of the application process, and review of criteria for evaluation of projects.

Subd. 6. **Evaluation criteria.** The commissioner shall establish criteria for evaluation of applications and selection of projects. The criteria must include:

(1) establishment or capital improvement of transportation infrastructure that improves safety and encourages nonmotorized transportation to and from a school;

(2) compliance with all applicable requirements for capital infrastructure projects established by the Federal Highway Administration, U. S. Department of Transportation, for the federal program; and

(3) other components as determined by the commissioner.

Subd. 7. **Grant cancellation.** If, five years after execution of a grant agreement, the commissioner determines that the grantee has not proceeded in a timely manner with implementation of the project funded, the commissioner must cancel the grant and the grantee must repay to the commissioner all grant money paid to the grantee. Section 16A.642 applies to any appropriations made from the bond proceeds fund to the commissioner under this section that have not been awarded as financial assistance.

Subd. 8. **Legislative report.** By November 1 annually, the commissioner shall submit a report on the safe routes to school program to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation policy and finance. The report must at a minimum:

(1) summarize program implementation;

(2) provide an overview of grant evaluation and criteria used in project selection;

(3) provide a brief description of each project funded in the previous fiscal year, including the amount of money provided from each safe routes to school account under this section and the amount provided under the federal program;

(4) summarize the status of the federal program or successor legislation; and

(5) identify any recommendations for legislative changes, including proposals to improve program effectiveness.

Sec. 32. Minnesota Statutes 2010, section 462A.21, is amended by adding a subdivision to read:

Subd. 33. **Housing infrastructure bonds account.** The agency may establish a housing infrastructure bond account as a separate account within the housing development fund. Proceeds of housing infrastructure bonds and payments made by the state under section 462A.37 may be credited to the account. The agency may transfer the proceeds of housing infrastructure bonds to other accounts within the housing development fund that it determines appropriate to accomplish the purposes for which the bonds are authorized under section 462A.37.

Sec. 33. **[462A.37] HOUSING INFRASTRUCTURE BONDS; AUTHORIZATION; STANDING APPROPRIATION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Abandoned property" has the meaning given in section 117.025, subdivision 5.

(c) "Community land trust" means an entity that meets the requirements of section 462A.31, subdivisions 1 and 2.

(d) "Debt service" means the amount payable in any fiscal year of principal, premium, if any, and interest on housing infrastructure bonds and the fees, charges, and expenses related to the bonds.

(e) "Foreclosed property" means residential property where foreclosure proceedings have been initiated or have been completed and title transferred or where title is transferred in lieu of foreclosure.

(f) "Housing infrastructure bonds" means bonds issued by the agency under chapter 462A that are qualified 501(c)(3) bonds, within the meaning of Section 145(a) of the Internal Revenue Code, or are tax-exempt bonds that are not private activity bonds, within the meaning of Section 141(a) of the Internal Revenue Code, for the purpose of financing or refinancing affordable housing authorized under this chapter.

(g) "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended.

(h) "Supportive housing" means housing that is not time-limited and provides or coordinates with linkages to services necessary for residents to maintain housing stability and maximize opportunities for education and employment.

Subd. 2. **Authorization.** (a) The agency may issue up to \$25,000,000 in aggregate principal amount of housing infrastructure bonds in one or more series to which the payment made under this section may be pledged. The housing infrastructure bonds authorized in this subdivision may be issued to fund loans, on terms and conditions the agency deems appropriate, made for one or more of the following purposes:

(1) to finance the costs of the construction, acquisition, and rehabilitation of (i) supportive housing for individuals and families who are without a permanent residence, or (ii) culturally specific supportive housing for girls and women to provide them protection from and the means to escape exploitation and trafficking;

(2) to finance the costs of the acquisition and rehabilitation of foreclosed or abandoned housing to be used for affordable rental housing and the costs of new construction of rental housing on abandoned or foreclosed property where the existing structures will be demolished or removed;

(3) to finance that portion of the costs of acquisition of abandoned or foreclosed property that is attributable to the land to be leased by community land trusts to low- and moderate-income homebuyers; and

(4) to finance the costs of acquisition and rehabilitation of federally assisted rental housing and for the refinancing of costs of the construction, acquisition, and rehabilitation of federally assisted rental housing, including providing funds to refund, in whole or in part, outstanding bonds previously issued by the agency or another governmental unit to finance or refinance such costs.

(b) Among comparable proposals for permanent supportive housing, preference shall be given to permanent supportive housing for individuals or families who: (1) either have been without a permanent residence for at least 12 months or at least four times in the last three years; or (2) are at significant risk of lacking a permanent residence for 12 months or at least four times in the last three years.

Subd. 3. **No full faith and credit.** The housing infrastructure bonds are not public debt of the state, and the full faith and credit and taxing powers of the state are not pledged to the payment of the housing infrastructure bonds or to any payment that the state agrees to make under this section. The bonds must contain a conspicuous statement to that effect.

Subd. 4. **Appropriation; payment to agency or trustee.** (a) The agency must certify annually to the commissioner of management and budget the actual amount of annual debt service on each series of bonds issued under subdivision 2.

(b) Each July 15, beginning in 2013 and through 2035, if any housing infrastructure bonds issued under subdivision 2 remain outstanding, the commissioner of management and budget must transfer to the affordable housing bond account established under section 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$1,850,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) The agency may pledge to the payment of the housing infrastructure bonds the payments to be made by the state under this section.

Sec. 34. Laws 2006, chapter 258, section 7, subdivision 23, as amended by Laws 2010, chapter 399, section 2, is amended to read:

**Subd. 23. Trail connections**

2,010,000

For matching grants under Minnesota Statutes, section 85.019, subdivision 4c.

\$500,000 is for a grant to Carlton County to predesign, design, and construct a nonmotorized pedestrian trail connection to the Willard Munger State Trail from the city of Carlton through the city of Scanlon continuing to the city of Cloquet, along the St. Louis River in Carlton County.

\$260,000 is to provide the state match for the cost of the Soo Line Multiuse Recreational Bridge project over marked Trunk Highway 169 in Mille Lacs County.

\$175,000 is for a grant to the city of Bowlus in Morrison County to design, construct, furnish, and equip a trailhead center at the head of the Soo Line Recreational Trail.

\$125,000 is for a grant to Morrison County to predesign, design, construct, furnish, and equip a park-and-ride lot and restroom building adjacent to the Soo Line Recreational Trail at U.S. Highway 10.

\$950,000 is for a grant to the St. Louis and Lake Counties Regional Railroad Authority for land acquisition, engineering, construction, furnishing, and equipping of a ~~19-mile "Boundary Waters Connection" of the Mesabi Trail from Bearhead State Park to the International Wolf Center in Ely. This appropriation is contingent upon a matching contribution of \$950,000 from other sources, public or private.~~ segment of the Mesabi Trail from County Road 697 in Breitung Township east through Vermilion State Park. Notwithstanding Minnesota Statutes, section 85.019, no local match shall be required for this grant. Notwithstanding Minnesota Statutes, section 16A.642, the bond authorization and appropriation of bond proceeds for this project are available until June 30, 2014.

Sec. 35. Laws 2006, chapter 258, section 17, subdivision 3, is amended to read:

**Subd. 3. Cedar Avenue Bus Rapid Transit (BRT)**

5,000,000

To the Metropolitan Council or for a grant to Dakota County for environmental studies, preliminary engineering, bus lane improvements, and transit station construction and improvements in the Cedar Avenue Bus Rapid Transit Corridor.

This appropriation may not be spent for capital improvements within a trunk highway right-of-way.

Sec. 36. Laws 2008, chapter 179, section 7, subdivision 27, as amended by Laws 2010, chapter 189, section 56, and Laws 2010, chapter 399, section 4, is amended to read:

**Subd. 27. State Trail Acquisition, Rehabilitation, and Development**

15,320,000

To acquire land for and to construct and renovate state trails under Minnesota Statutes, section 85.015.

\$970,000 is for the Chester Woods Trail from Rochester to Dover. Notwithstanding Minnesota Statutes, section 16A.642, the bond authorization and appropriation of bond proceeds for this project are available until June 30, 2016.

\$700,000 is for the Casey Jones Trail.

\$750,000 is for the Gateway Trail, to replace an at-grade crossing of the Gateway Trail at Highway 120 with a grade-separated crossing.

\$1,600,000 is for the Gitchi-Gami Trail between Silver Bay and Tettegouche State Park.

\$1,500,000 is for the Great River Ridge Trail from Plainview to Elgin to Eyota.

\$1,500,000 is for the Heartland Trail.

\$500,000 is for the Mill Towns Trail from Lake Byllesby Park to Cannon Falls.

\$150,000 is for the Mill Towns Trail within the city of Faribault.

\$1,500,000 is for the Minnesota River Trail from Appleton to Milan and to the Marsh Lake Dam. Notwithstanding Minnesota Statutes, section 16A.642, the bond authorization and appropriation of bond proceeds for this project are available until December 30, 2014.

\$2,000,000 is for the Paul Bunyan Trail from Walker to Guthrie.

\$250,000 is for the Root River Trail from Preston to Forestville State Park.

\$100,000 is for the Root River Trail, the eastern extension.

\$250,000 is for the Root River Trail, the eastern extension Wagon Wheel.

\$550,000 is to connect the Stagecoach Trail with the Douglas Trail in Olmsted County.

\$3,000,000 is to rehabilitate state trails.

For any project listed in this subdivision that the commissioner determines is not ready to proceed, the commissioner may allocate that project's money to another state trail project in this subdivision. The chairs of the house and senate committees with jurisdiction over environment and natural resources and legislators from the affected legislative districts must be notified of any changes.

Sec. 37. Laws 2008, chapter 179, section 17, subdivision 4, is amended to read:

**Subd. 4. Cedar Avenue Bus Rapid Transit** 4,000,000

To the Metropolitan Council or to the Council to grant to Dakota County, the Dakota County Regional Railroad Authority, or the Minnesota Valley Transit Authority to acquire land, or an interest in land, and to for design, environmental studies, preliminary engineering, bus lane improvements, layover and maintenance facilities, and transit station construction and improvements in the Cedar Avenue Bus Rapid Transit corridor in Dakota County. This appropriation may not be spent for capital improvements within a trunk highway right-of-way. This appropriation is added to the appropriation in Laws 2006, chapter 258, section 17, subdivision 3.

Sec. 38. Laws 2008, chapter 179, section 19, subdivision 4, as amended by Laws 2011, First Special Session chapter 12, section 34, is amended to read:

**Subd. 4. Minneapolis Veterans Home Campus**

**Building 17 HVAC Replacement** 1,155,000

To predesign, design, and construct improvements to heating, ventilation, air conditioning, and lighting systems and associated areas serving the south wing of Building 17. Any unspent funds from this appropriation may be used for the purposes provided under Laws 2010, chapter 189, section 19, subdivision 4, as amended by Laws 2010, chapter 399, section 8, and Laws 2011, First Special Session chapter 12, section 46.

Sec. 39. Laws 2008, chapter 179, section 21, subdivision 15, as amended by Laws 2008, chapter 365, section 22, and Laws 2008, chapter 370, section 6, is amended to read:

**Subd. 15. St. Cloud State University - National Hockey Center ; HEAPR** 6,500,000

To the Board of Trustees of the Minnesota State Colleges and Universities to predesign, design, construct, furnish, and equip the renovation of and addition to the National Hockey Center or for

higher education asset preservation and replacement (HEAPR) pursuant to Minnesota Statutes, section 135A.046, at St. Cloud State University or systemwide. The board may use university and nonstate money for the remainder of the cost of the construction of the National Hockey Center project. Notwithstanding Minnesota Statutes, section 16A.642, the bond authorization and appropriation of bond proceeds in this subdivision are available until June 30, 2016.

Sec. 40. Laws 2009, chapter 93, article 1, section 12, subdivision 2, is amended to read:

**Subd. 2. Transit Capital Improvement Program**

21,000,000

(a) To the Metropolitan Council. \$8,500,000 is for the state's share of costs for the Central Corridor light rail line for one or more of the following activities: preliminary engineering, final design, property acquisition, including improvements and betterments of a capital nature, relocation of utilities owned by public entities, and construction.

(b) Any remaining money from this appropriation is to implement one or more of the following capital improvements, which are not listed in a ranked order of priority. The council shall determine project priorities after consultation with the Counties Transit Improvement Board, and other stakeholders, as appropriate. The council shall seek geographic balance in the allotment of this appropriation where possible and maximize the use of all available federal money from the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and any other available federal money.

(1) Bottineau Boulevard Transit Way

For a grant to the Hennepin County Regional Railroad Authority for environmental work for Bottineau Transit Way corridor from the Hiawatha light rail and Northstar intermodal transit station in downtown Minneapolis to the vicinity of the Target development in northern Brooklyn Park or the Arbor Lakes retail area in Maple Grove.

(2) Cedar Avenue Bus Rapid Transit

To the Metropolitan Council or to the Council for a grant to Dakota County, the Dakota County Regional Rail Railroad Authority, or the Minnesota Valley Transit Authority to acquire real property and construct, for preliminary engineering, and to design and construct transit stations, layover and maintenance facilities, and roadway improvements for shoulder running bus lanes on County State-Aid Highway 23 in Apple Valley and Lakeville for the Cedar Avenue Bus Rapid Transit Way (BRT) in Dakota County.

(3) I-94 Corridor Transit Way

(i) For a grant to Washington County Regional Rail Authority for environmental work and preliminary engineering of transportation and transit improvements, including busways, park-and-rides, or rail transit, in the marked Interstate Highway 94 corridor.

(ii) To acquire property and construct transportation and transit improvements, including busways, park-and-rides, or rail transit, in the marked Interstate Highway 94 corridor.

(4) Red Rock Corridor Transit Way

To design, construct, and furnish park-and-ride lots for the Red Rock Corridor Transit Way between Hastings and Minneapolis via St. Paul, and any extension between Hastings and Red Wing.

(5) Riverview Corridor Transit Way

For a grant to the Ramsey County Regional Railroad Authority for environmental work and preliminary engineering for bus rapid transit in the Riverview corridor between the east side of St. Paul and the Minneapolis-St. Paul International Airport and the Mall of America.

(6) Robert Street Corridor Transit Way

To design and construct new passenger shelters and a bus layover facility, including rest rooms, break areas, and a passenger shelter, in the Robert Street Corridor Transit Way along or parallel to U. S. Highway 52 and Robert Street from within the city of St. Paul to Dakota County Road 42 in Rosemount.

(7) Rush Line Corridor Transit Way

For a grant to the Ramsey County Regional Railroad Authority to acquire land for, design, and construct park-and-ride or park-and-pool lots located along the Rush Line Corridor along I-35E/I-35 and Highway 61 from the Union Depot in downtown St. Paul to Hinckley.

(8) Southwest Corridor Transit Way

To prepare an environmental impact statement (EIS) and for preliminary engineering for the Southwest Transit Way Corridor, from the Hiawatha light rail in downtown Minneapolis to the vicinity of the Southwest Station transit hub in Eden Prairie. The Metropolitan Council may grant a portion of this appropriation to the Hennepin County Regional Railroad Authority for the EIS work.

## (9) Union Depot

For a grant to the Ramsey County Regional Railroad Authority to acquire land and structures, to renovate structures, and for design, engineering, and construction to revitalize Union Depot for use as a multimodal transit center in St. Paul. The center must be designed so that it facilitates a potential future connection of high-speed rail to Minneapolis.

(c) Of this amount, \$313,000 is for preliminary engineering and final design for betterments in the State Capitol area related to the Central Corridor light rail transit project. This money is not included in the Central Corridor light rail transit project budget.

Sec. 41. Laws 2010, chapter 189, section 7, subdivision 12, is amended to read:

Subd. 12. **Shade Tree Program**

3,000,000

For Department of Natural Resources expenditures on state lands, if recommended by an adjacent or coterminous unit of local government, and for grants to cities, counties, townships, and park and recreation boards in cities of the first class for the planting of publicly owned shade trees on public land to provide environmental benefits; replace trees lost to forest pests, disease or storm; or to establish a more diverse community forest better able to withstand disease and forest pests. The commissioner must give priority to grant requests to remove and replace trees with active infestations of emerald ash borer. For purposes of this appropriation, "shade tree" means a woody perennial grown primarily for aesthetic or environmental purposes with minimal to residual timber value and no intent to harvest the tree for its wood. Any tree planted with funding under this subdivision must be a species native to Minnesota.

Sec. 42. Laws 2010, chapter 189, section 18, subdivision 5, is amended to read:

Subd. 5. **Minnesota Sex Offender Program Treatment Facilities - Moose Lake**

47,500,000

To complete design for and to construct, furnish, and equip phase 2 of the Minnesota sex offender treatment program at Moose Lake. Upon substantial completion of this project, the unspent portion of this appropriation is available for asset preservation projects for the Moose Lake campus of the Minnesota sex offender program, including design and construction of a replacement water tower, abatement of hazardous materials, and the demolition of the existing water tower serving the Moose Lake sex offender program and the Department of Corrections Moose Lake facility. The water tower project must be cost-shared with the Department of Corrections.

Sec. 43. Laws 2010, chapter 189, section 24, subdivision 3, is amended to read:

**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, as provided in Minnesota Statutes, section 138.0525.

~~\$150,000 is for a grant to the city of South St. Paul to renovate the historically significant 1941 Navy Hangar at 310 Airport Road at Fleming Field in the city to meet life safety and building code requirements, subject to Minnesota Statutes, section 16A.695. No local match is required for this grant.~~

Sec. 44. Laws 2011, First Special Session chapter 12, section 3, subdivision 7, is amended to read:

**Subd. 7. Normandale Community College**

**Academic Partnership Center and Student Services**

21,984,000

To design, construct, furnish, and equip a new building for classrooms and offices ~~and to design, construct, furnish, and equip the renovation of the Student Services Building.~~

Sec. 45. Laws 2011, First Special Session chapter 12, section 3, subdivision 8, is amended to read:

**Subd. 8. NHED Mesabi Range Community and Technical College, Virginia**

**Iron Range Engineering Program Facilities**

3,000,000

To predesign, design, construct, furnish, and equip an addition to and renovation of existing space for the Iron Range engineering program, including laboratory spaces, other learning spaces, and improvements to the entrance, ~~and to acquire a privately owned housing facility on the campus.~~

Sec. 46. Laws 2011, First Special Session chapter 12, section 14, subdivision 2, is amended to read:

**Subd. 2. Transit Capital Improvement Program**

20,000,000

To the Metropolitan Council or for the Council to grant to Anoka County Regional Railroad Authority, Dakota County, Dakota County Regional Railroad Authority, Hennepin County, Hennepin County Regional Railroad Authority, Minnesota Valley Transit Authority, Ramsey County Regional Railroad Authority, or Washington County Regional Railroad Authority to perform environmental studies, preliminary engineering, acquire property or an interest in property, design or construct transitway facilities and infrastructure, including roadways, for the following transitway projects: Northstar Ramsey station, Gateway (I-94 East)

corridor, Minneapolis Interchange facility, Red Rock corridor, Newport park-and-ride and station, Rush Line corridor, Robert Street corridor, 35W South Bus Rapid Transit, and Cedar Avenue Bus Rapid Transit.

Sec. 47. Laws 2011, First Special Session chapter 12, section 19, is amended to read:

Sec. 19. **PUBLIC FACILITIES AUTHORITY**

**\$20,000,000**

**Wastewater Infrastructure Funding Program**

To the Public Facilities Authority for grants to eligible municipalities under the wastewater infrastructure funding program under Minnesota Statutes, section 446A.072.

Notwithstanding the criteria and requirements of Minnesota Statutes, section 446A.072, up to \$1,000,000 of this appropriation is for a grant to the city of Albert Lea to design, construct, and equip water and sewer utilities in the area of Broadway Avenue and Main Street. This project may include demolition of deteriorating concrete curbs, gutters, sidewalks, and streets above the utilities, and the construction costs to replace and rehabilitate the infrastructure.

Sec. 48. Laws 2011, First Special Session chapter 12, section 22, is amended to read:

Sec. 22. **BOND SALE SCHEDULE.**

The commissioner of management and budget shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2013, no more than ~~\$1,200,858,000~~ \$..... 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. Of the amount transferred, \$..... is from the general fund and \$635,744,000 is from the tobacco settlement bond proceeds fund. During the biennium, before each sale of state general obligation bonds, the commissioner of management and budget 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. 49. **LAKE SUPERIOR-POPLAR RIVER WATER DISTRICT.**

Subdivision 1. Establishment. The Lake Superior-Poplar River Water District is created as a municipal corporation, having the powers provided under Minnesota Statutes, chapters 110A; 429, notwithstanding any provision of chapter 110A to the contrary; and 444. Notwithstanding any law to the contrary, the district shall not have the power to issue general obligation bonds. Minnesota Statutes, sections 110A.04, 110A.07, and 110A.09 to 110A.18, shall not apply to the district or to the board created by this act.

Subd. 2. Definitions. For purposes of applying Minnesota Statutes, chapter 110A, to this act, "works" and "systems" shall include irrigation purposes, "court" is deemed to refer to the board of county commissioners; and "secretary of state" is deemed to refer to the county auditor.

Subd. 3. **Territory included in district.** The territory of the district shall include all lands within Sections 20, 21, 28, 29, 32, and 33 of Township 60 North, Range 3 West of the Fourth Principal Meridian. Additional territory may be added as provided in Minnesota Statutes, sections 110A.19 to 110A.22.

Subd. 4. **Payment of costs.** No person shall be obligated to purchase or be entitled to receive water from the district unless that person is a party to a contract to purchase water from the district. Excluding any initial capital investment funded by the state, all capital and operating expenses of the district shall be paid by the users in proportion to their use of water. The cost of distribution lines: (1) departing from the main water pipe from Lake Superior to the domestic water treatment plant to any user; or (2) from the water treatment plant to any user, shall be paid for by the user of the water either at the time of installation or by user charges that allow the district to recoup the full cost of the distribution lines and the cost of financing. Subject to this subdivision and the availability of water under any applicable permit with a state or federal agency, any owner of land within the district may contract with the district for the purchase of water.

Subd. 5. **Board of directors; elections.** (a) The district shall be governed by a board of directors which shall have not less than three nor more than 13 members. The district's initial directors shall be appointed by the Cook County Board of Commissioners, with one director representing the domestic water users to serve for three years; up to two directors representing the irrigation water users, one to serve for two years and one to serve for three years; and up to two directors representing the commercial, stock watering, and industrial users, one to serve for one year and one to serve for two years.

(b) The district's establishment shall take effect upon the Cook County Board of Commissioners' appointment of the initial directors. The initial directors shall meet for the purposes of organization within 30 days of their appointment. Thereafter, except as otherwise provided in this subdivision, directors shall be elected in accordance with Minnesota Statutes, section 110A.24, from election divisions comprised of domestic water users; irrigation water users, and commercial, stock watering, and industrial users. Each use classification shall be entitled to elect one director, plus one additional director if its expected water usage for the following fiscal year exceeds ten percent of total water usage. Each water user within each use classification shall be entitled to cast one vote for each one percent of expected water usage for the following fiscal year. A homeowner's association shall vote on behalf of its members if duly authorized by appropriate action by the association's members. Prior to each election, the board of directors shall determine the use classifications entitled to vote, the expected water use percentage of each user and of use classification for the following fiscal year, and the number of directors each such use classification is entitled to elect. The elections shall be conducted and supervised by the board of directors and ratified by the Cook County Board of Commissioners.

Subd. 6. **Termination of appropriation of water from Poplar River.** Notwithstanding any law to the contrary, 30 days after the works and systems to transport water from Lake Superior to Lutsen Mountains Corporation's snowmaking systems first become fully permitted and operational, the water district shall notify the commissioner of natural resources and all permits issued by the Department of Natural Resources to Lutsen Mountains Corporation to use or appropriate water from the Poplar River shall terminate. For the purposes of section 51, paragraph (b), the commissioner of natural resources shall notify the revisor of statutes in writing when the permits have been terminated.

**EFFECTIVE DATE; LOCAL APPROVAL.** This section is effective the day after the governing body of Cook County and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 50. **ACQUISITIONS FOR CANISTEO PROJECT.**

The commissioner of natural resources shall acquire, without undue delay, the land or interests in land that are needed to construct a conveyance system and other betterments to accommodate the water level and outflow of water level from the Canistee mine pit. The commissioner may acquire the land or interests in land by eminent domain, including use of the possession procedures under Minnesota Statutes, section 117.042.

Sec. 51. **REPEALER.**

(a) Minnesota Rules, part 8895.0700, subpart 1, is repealed.

(b) Laws 2011, chapter 107, section 101, is repealed effective the day the permits have been terminated under section 49, subdivision 6. The commissioner of natural resources shall notify the revisor of statutes in writing when the permits have been terminated.

Sec. 52. **EFFECTIVE DATE.**

Except as otherwise provided, this act is effective the day following final enactment."

Amend the title accordingly

Adjust amounts accordingly

Signed:

LYNDON CARLSON

Carlson moved that the Minority Report on H. F. No. 2622 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

Moran was excused for the remainder of today's session.

## LAY ON THE TABLE

Dean moved that the Minority Report on H. F. No. 2622 be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Dean motion and the roll was called. There were 71 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Bills	Doepke	Gunther	Kieffer	Lohmer
Anderson, B.	Buesgens	Downey	Hackbarth	Kiel	Loon
Anderson, D.	Cornish	Drazkowski	Hamilton	Kiffmeyer	Mack
Anderson, P.	Crawford	Erickson	Hancock	Kriesel	Mazorol
Anderson, S.	Daudt	Fabian	Holberg	Lanning	McDonald
Barrett	Davids	Franson	Hoppe	Leidiger	McElpatrick
Beard	Dean	Garofalo	Howes	LeMieur	McFarlane
Benson, M.	Dettmer	Gruenhagen	Kelly	Lenczewski	McNamara

Murdock	O'Driscoll	Runbeck	Shimanski	Torkelson	Westrom
Murray	Peppin	Sanders	Smith	Urdahl	Woodard
Myhra	Petersen, B.	Schomacker	Stensrud	Vogel	Spk. Zellers
Nornes	Quam	Scott	Swedzinski	Wardlow	

Those who voted in the negative were:

Allen	Eken	Hilty	Laine	Mullery	Rukavina
Anzelc	Falk	Hornstein	Lesch	Murphy, E.	Scalze
Atkins	Fritz	Hortman	Liebling	Murphy, M.	Simon
Banaian	Gauthier	Hosch	Lillie	Nelson	Slawik
Benson, J.	Gottwalt	Huntley	Loeffler	Norton	Slocum
Brynaert	Greene	Johnson	Mahoney	Paymar	Thissen
Carlson	Greiling	Kahn	Mariani	Pelowski	Tillberry
Clark	Hansen	Kath	Marquart	Persell	Wagenius
Davnie	Hausman	Knuth	Melin	Peterson, S.	Ward
Dittrich	Hilstrom	Koenen	Morrow	Poppe	

The motion prevailed and the Minority Report on H. F. No. 2622 was laid on the table.

The question recurred on the adoption of the Majority Report from the Committee on Ways and Means relating to H. F. No. 2622.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Majority Report from the Committee on Ways and Means relating to H. F. No. 2622 and the roll was called. There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Gunther	Leidiger	Myhra	Stensrud
Anderson, B.	Davids	Hackbarth	LeMieur	Nornes	Swedzinski
Anderson, D.	Dean	Hamilton	Lohmer	O'Driscoll	Torkelson
Anderson, P.	Dettmer	Hancock	Loon	Petersen, B.	Urdahl
Anderson, S.	Doepke	Hoppe	Mack	Peterson, S.	Vogel
Anzelc	Downey	Howes	Mazorol	Quam	Westrom
Barrett	Drazkowski	Kelly	McDonald	Runbeck	Woodard
Beard	Erickson	Kieffer	McElfrick	Sanders	Spk. Zellers
Benson, M.	Fabian	Kiel	McFarlane	Schomacker	
Bills	Franson	Kiffmeyer	McNamara	Scott	
Cornish	Garofalo	Kriesel	Murdock	Shimanski	
Crawford	Gruenhagen	Lanning	Murray	Smith	

Those who voted in the negative were:

Allen	Clark	Gottwalt	Hornstein	Knuth	Loeffler
Atkins	Davnie	Greene	Hortman	Koenen	Mahoney
Banaian	Dittrich	Greiling	Hosch	Laine	Mariani
Benson, J.	Eken	Hansen	Huntley	Lenczewski	Marquart
Brynaert	Falk	Hausman	Johnson	Lesch	Melin
Buesgens	Fritz	Hilstrom	Kahn	Liebling	Morrow
Carlson	Gauthier	Hilty	Kath	Lillie	Mullery

Murphy, E.	Paymar	Poppe	Slawik	Wagenius
Murphy, M.	Pelowski	Rukavina	Slocum	Ward
Nelson	Peppin	Scalze	Thissen	Wardlow
Norton	Persell	Simon	Tillberry	

The Majority Report on H. F. No. 2622 was adopted.

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

H. F. No. 2729, A bill for an act relating to early childhood education; appropriating money for the parent-child home program; amending Laws 2011, First Special Session chapter 11, article 7, section 2, subdivision 8.

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

The report was adopted.

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

H. F. No. 2731, A bill for an act relating to energy; requiring an assessment and grant for the purpose of community energy technical assistance and outreach.

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

The report was adopted.

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

H. F. No. 2949, A bill for an act relating to education; modifying certain early childhood and kindergarten through grade 12 policy and finance provisions; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 120B.13, subdivision 4; 122A.61, subdivision 1; 124D.09, subdivisions 9, 10, 12, 24; 135A.101, subdivision 1; 471.975; Minnesota Statutes 2011 Supplement, sections 120B.07; 120B.08; 120B.09; 120B.36, subdivision 1; 124D.09, subdivision 5; 126C.126; 126C.40, subdivision 1; Laws 2011, First Special Session chapter 11, article 5, section 11; article 7, section 2, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 123B; repealing Minnesota Statutes 2010, sections 124D.09, subdivision 23; 127A.095, subdivision 3.

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

The report was adopted.

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

S. F. No. 506, A bill for an act relating to courts; increasing conciliation court civil claim limit; appropriating money; amending Minnesota Statutes 2010, section 491A.01, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 491A.01, subdivision 3, is amended to read:

Subd. 3. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5, the conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if the amount of money or property that is the subject matter of the claim does not exceed: (1) ~~\$7,500;~~ ~~(2) \$4,000;~~ \$10,000 or \$5,000 if the claim involves a consumer credit transaction; or ~~(3) (2)~~ (2) \$15,000; if the claim involves money or personal property subject to forfeiture under section 609.5311, 609.5312, 609.5314, or 609.5318. "Consumer credit transaction" means a sale of personal property, or a loan arranged to facilitate the purchase of personal property, in which:

(1) credit is granted by a seller or a lender who regularly engages as a seller or lender in credit transactions of the same kind;

(2) the buyer is a natural person;

(3) the claimant is the seller or lender in the transaction; and

(4) the personal property is purchased primarily for a personal, family, or household purpose and not for a commercial, agricultural, or business purpose.

(b) Except as otherwise provided in this subdivision and subdivisions 5 to 10, the territorial jurisdiction of conciliation court is coextensive with the county in which the court is established. The summons in a conciliation court action under subdivisions 6 to 10 may be served anywhere in the state, and the summons in a conciliation court action under subdivision 7, paragraph (b), may be served outside the state in the manner provided by law. The court administrator shall serve the summons in a conciliation court action by first class mail, except that if the amount of money or property that is the subject of the claim exceeds \$2,500, the summons must be served by the plaintiff by certified mail, and service on nonresident defendants must be made in accordance with applicable law or rule. Subpoenas to secure the attendance of nonparty witnesses and the production of documents at trial may be served anywhere within the state in the manner provided by law.

When a court administrator is required to summon the defendant by certified mail under this paragraph, the summons may be made by personal service in the manner provided in the Rules of Civil Procedure for personal service of a summons of the district court as an alternative to service by certified mail.

**EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to claims filed on or after that date.

Sec. 2. **REVISOR'S INSTRUCTION.**

The revisor shall correct the threshold jurisdictional monetary amount wherever it appears in Minnesota Statutes consistent with changes in section 1.

**EFFECTIVE DATE.** This section is effective August 1, 2012."

Amend the title as follows:

Page 1, lines 2 to 3, delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1528, A bill for an act relating to education; providing 21st century tools for teachers; encouraging students to take one online course; requiring a report; amending Minnesota Statutes 2010, sections 124D.095, subdivision 10; 126C.15, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 120B.024, is amended to read:

**120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS.**

(a) Students beginning 9th grade in the 2004-2005 school year and later must successfully complete the following high school level course credits for graduation:

(1) four credits of language arts;

(2) three credits of mathematics, encompassing at least algebra, geometry, statistics, and probability sufficient to satisfy the academic standard;

(3) three credits of science, including at least one credit in biology;

(4) three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics or three credits of social studies encompassing at least United States history, geography, government and citizenship, and world history, and one-half credit of economics taught in a school's social studies, agriculture education, or business department;

(5) one credit in the arts; and

(6) a minimum of seven elective course credits.

A course credit is equivalent to a student successfully completing an academic year of study or a student mastering the applicable subject matter, as determined by the local school district.

(b) High school students must successfully complete at least one course credit under paragraph (a) that includes digital learning as defined in section 124D.095 to graduate. Where appropriate, a school district may comply with this requirement by adopting a comparable, locally established alternate plan to accommodate an eligible student with disabilities or an English-language learner enrolled in school for three school years or less.

(c) An agriculture science course may fulfill a science credit requirement in addition to the specified science credits in biology and chemistry or physics under paragraph (a), clause (3).

(~~e~~) (d) A career and technical education course may fulfill a science, mathematics, or arts credit requirement in addition to the specified science, mathematics, or arts credits under paragraph (a), clause (2), (3), or (5).

**EFFECTIVE DATE.** This section is effective for all students entering grade 9 in the 2013-2014 school year and later.

Sec. 2. Minnesota Statutes 2010, section 122A.18, is amended by adding a subdivision to read:

Subd. 3a. **Technology strategies.** All colleges and universities approved by the Board of Teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

**EFFECTIVE DATE.** This section is effective for candidates entering a teacher preparation program after June 30, 2014.

Sec. 3. Minnesota Statutes 2010, section 122A.60, subdivision 1a, is amended to read:

Subd. 1a. **Effective staff development activities.** (a) Staff development activities must:

- (1) focus on the school classroom and research-based strategies that improve student learning;
- (2) provide opportunities for teachers to practice and improve their instructional skills over time;
- (3) provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
- (4) enhance teacher content knowledge and instructional skills to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
- (5) align with state and local academic standards;
- (6) provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and
- (7) align with the plan of the district or site for an alternative teacher professional pay system.

Staff development activities may include curriculum development and curriculum training programs, and activities that provide teachers and other members of site-based teams training to enhance team performance. The school district also may implement other staff development activities required by law and activities associated with professional teacher compensation models.

(b) Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under section 122A.61.

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

Sec. 4. Minnesota Statutes 2010, section 122A.60, subdivision 3, is amended to read:

Subd. 3. **Staff development outcomes.** The advisory staff development committee must adopt a staff development plan for improving student achievement. The plan must be consistent with education outcomes that the school board determines. The plan must include ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:

- (1) improve student achievement of state and local education standards in all areas of the curriculum by using best practices methods;

(2) effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;

(3) provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with the state education diversity rule and the district's education diversity plan;

(4) improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;

(5) effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution; ~~and~~

(6) effectively deliver digital and blended learning and curriculum and engage students with technology; and

(7) provide teachers and other members of site-based management teams with appropriate management and financial management skills.

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

Sec. 5. Minnesota Statutes 2010, section 124D.095, subdivision 2, is amended to read:

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Digital learning" is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning.

(b) "Blended learning" is a form of digital learning that occurs when: a student learns part time in a supervised physical setting and part time through digital delivery of instruction; or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.

(c) "Online learning" is ~~an interactive course or program that delivers instruction from a teacher to a student by computer; is combined with other traditional delivery methods that include frequent student assessment and may include actual teacher contact time; and meets or exceeds state academic standards~~ a form of digital learning delivered by an approved online learning provider under paragraph (d).

(~~b~~) (d) "Online learning provider" is a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by the department to provide online learning courses.

(~~e~~) (e) "Student" is a Minnesota resident enrolled in a school under section 120A.22, subdivision 4, in kindergarten through grade 12.

(~~d~~) (f) "Online learning student" is a student enrolled in an online learning course or program delivered by an online learning provider under paragraph (~~b~~) (d).

(~~e~~) (g) "Enrolling district" means the school district or charter school in which a student is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

(~~f~~) (h) "Supplemental online learning" means an online learning course taken in place of a course period ~~during the regular school day~~ at a local district school.

~~(g)~~ (i) "Full-time online learning provider" means an enrolling school authorized by the department to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.

~~(h)~~ (j) "Online learning course syllabus" is a written document that an online learning provider transmits to the enrolling district using a format prescribed by the commissioner to identify the state academic standards embedded in an online course, the course content outline, required course assessments, expectations for actual teacher contact time and other student-to-teacher communications, and the academic support available to the online learning student.

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

Sec. 6. Minnesota Statutes 2010, section 124D.095, subdivision 4, is amended to read:

Subd. 4. **Online learning parameters.** (a) An online learning student must receive academic credit for completing the requirements of an online learning course or program. Secondary credits granted to an online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including online learning students, and must continue to provide nonacademic services to online learning students. If a student completes an online learning course or program that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met. The enrolling district must use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for transfer students under section 124D.03, subdivision 9. The enrolling district may reduce the course schedule of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider that is not the enrolling district.

(b) An online learning student may:

(1) enroll in supplemental online learning courses equal to a maximum of 50 percent of the student's full schedule of courses per term during a single school year and the student may exceed the supplemental online learning registration limit if the enrolling district permits supplemental online learning enrollment above the limit, or if the enrolling district and the online learning provider agree to the instructional services;

(2) complete course work at a grade level that is different from the student's current grade level; and

(3) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) An online learning student has the same access to the computer hardware and education software available in a school as all other students in the enrolling district. An online learning provider must assist an online learning student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software for online learning purposes.

(d) An enrolling district may offer online digital learning to its enrolled students. Such online digital learning does not generate online learning funds under this section. An enrolling district that offers online digital learning only to its enrolled students is not subject to the reporting requirements or review criteria under subdivision 7, unless the enrolling district is a full-time online learning provider. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license.

(e) Both full-time and supplemental online learning providers are subject to the reporting requirements and review criteria under subdivision 7. A teacher holding a Minnesota license must assemble and deliver instruction to online learning students. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license. Unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program.

(f) To enroll in more than 50 percent of the student's full schedule of courses per term in online learning, the student must qualify to exceed the supplemental online learning registration limit under paragraph (b) or apply to enroll in an approved full-time online learning program, consistent with subdivision 3, paragraph (a). Full-time online learning students may enroll in classes at a local school under a contract for instructional services between the online learning provider and the school district.

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

Sec. 7. Minnesota Statutes 2010, section 124D.095, subdivision 7, is amended to read:

Subd. 7. **Department of Education.** (a) The department must review and approve or disapprove online learning providers within 90 calendar days of receiving an online learning provider's completed application. The commissioner, using research-based standards of quality for online learning programs, must review all approved online learning providers on a cyclical three-year basis. Approved online learning providers annually must submit program data to, confirm statements of assurances for, and provide program updates including a current course list to the commissioner.

(b) The online learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under subdivision 4, paragraph (d), must give the commissioner written assurance that: (1) all courses meet state academic standards; and (2) the online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online learning course syllabus that meets the commissioner's requirements. Once an online learning provider is approved under this paragraph, all of its online learning course offerings are eligible for payment under this section unless a course is successfully challenged by an enrolling district or the department under paragraph ~~(b)~~ (c).

~~(b)~~ (c) An enrolling district may challenge the validity of a course offered by an online learning provider. The department must review such challenges based on the certification procedures under paragraph ~~(a)~~ (b). The department may initiate its own review of the validity of an online learning course offered by an online learning provider.

~~(e)~~ (d) The department may collect a fee not to exceed \$250 for ~~certifying~~ approving online learning providers or \$50 per course for reviewing a challenge by an enrolling district.

~~(d)~~ (e) The department must develop, publish, and maintain a list of ~~approved~~ online learning providers ~~and online learning courses and programs~~ that it has reviewed and ~~certified~~ approved.

(f) The department may review a complaint about an online learning provider, or a complaint about a provider based on the provider's response to notice of a violation. If the department determines that an online learning provider violated a law or rule, the department may:

(1) create a compliance plan for the provider; or

(2) withhold funds from the provider under sections 124D.095, 124D.10, subdivision 8, and 127A.42. The department must notify an online learning provider in writing about withholding funds and provide detailed calculations.

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

Sec. 8. Minnesota Statutes 2010, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Any of the following may be provided to meet these learners' needs:

- (1) direct instructional services under the assurance of mastery program according to section 124D.66;
- (2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;
- (3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;
- (4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance-based contract with a community-based organization;
- (5) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60, for teachers, teacher aides, principals, and other personnel to improve their ability to identify the needs of these learners and provide appropriate remediation, intervention, accommodations, or modifications;
- (6) instructional materials, digital learning, and technology appropriate for meeting the individual needs of these learners;
- (7) programs to reduce truancy, encourage completion of high school, enhance self-concept, provide health services, provide nutrition services, provide a safe and secure learning environment, provide coordination for pupils receiving services from other governmental agencies, provide psychological services to determine the level of social, emotional, cognitive, and intellectual development, and provide counseling services, guidance services, and social work services;
- (8) bilingual programs, bicultural programs, and programs for learners of limited English proficiency;
- (9) all day kindergarten;
- (10) extended school day and extended school year programs; and
- (11) substantial parent involvement in developing and implementing remedial education or intervention plans for a learner, including learning contracts between the school, the learner, and the parent that establish achievement goals and responsibilities of the learner and the learner's parent or guardian."

Delete the title and insert:

"A bill for an act relating to education; modifying online learning parameters; modifying graduation requirements; providing for digital learning; amending Minnesota Statutes 2010, sections 120B.024; 122A.18, by adding a subdivision; 122A.60, subdivisions 1a, 3; 124D.095, subdivisions 2, 4, 7; 126C.15, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1787, 1972, 1975, 1993, 2097, 2171, 2223, 2232, 2398, 2437, 2580, 2622, 2729, 2731 and 2949 were read for the second time.

### **SECOND READING OF SENATE BILLS**

S. F. Nos. 248, 1626, 1717, 1815, 1860, 1875, 1911, 1948, 1964, 2014, 2069, 2084, 2137, 2173, 2273, 2297, 2334, 2392, 2394, 506 and 1528 were read for the second time.

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Mack introduced:

H. F. No. 2980, A bill for an act relating to health; requiring development of public education for and a plan to reduce the prevalence of maternal depression; requiring the commissioners of human services and health to provide technical assistance related to maternal depression screening and referrals; amending Minnesota Statutes 2010, sections 145.906; 256B.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Quam and Benson, M., introduced:

H. F. No. 2981, A bill for an act relating to unemployment compensation; modifying definition of noncovered employment; amending Minnesota Statutes 2011 Supplement, section 268.035, subdivision 20.

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

Lesch introduced:

H. F. No. 2982, A bill for an act relating to employment; prohibiting employers from requesting or requiring social network user names, passwords, or related information; amending Minnesota Statutes 2010, section 181.53.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2291, A bill for an act relating to education finance; creating a process for adjusting adult basic education contact hours lost due to a service disruption; amending Minnesota Statutes 2010, sections 124D.518, subdivision 3, by adding a subdivision; 124D.531, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1586, A bill for an act relating to public safety; adding a felony-level penalty and affirmative defenses to the vulnerable adult neglect crime; amending Minnesota Statutes 2010, section 609.233.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Limmer, Ortman and Ingebrigtsen.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Gottwalt moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1586. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1567.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

CAL R. LUDEMAN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1567

A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; modifying requirements for water supply plans; modifying terms for certain permits; appropriating money; amending Minnesota Statutes 2010, sections 41A.10, subdivision 1; 84.027, by adding a subdivision; 103G.291, subdivisions 3, 4; 115.03, by adding a subdivision; 116.07, subdivision 4a, by adding a subdivision; 116D.04, by adding a subdivision; 116J.03, by adding subdivisions; 116J.035, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 84.027, subdivision 14a; 116.03, subdivision 2b; 116D.04, subdivision 2a; repealing Minnesota Statutes 2010, section 103G.291, subdivision 4.

March 28, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

The Honorable Kurt Zellers  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1567 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1567 be further amended as follows:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1 PERMITTING

Section 1. Minnesota Statutes 2011 Supplement, section 84.027, subdivision 14a, is amended to read:

Subd. 14a. **Permitting efficiency.** (a) It is the goal of the state that environmental and resource management permits be issued or denied within 150 days of the submission of a ~~substantially completed~~ permit application. The commissioner of natural resources shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on meeting the goal in paragraph (a). The reports are due February 1 and August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal, ~~steps that will be taken to complete action on the application, and the expected timeline.~~ In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from

initial submission of the application to the day of determination that the application is complete. The report for August 1 each year must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the department's Web site and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over natural resources policy and finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the department.

(d) Beginning July 1, 2011, within 30 business days of application for a permit subject to paragraph (a), the commissioner of natural resources shall notify the project proposer, in writing, ~~of whether or not the permit application is complete enough for processing. If the permit is incomplete, the commissioner must identify where whether the application is complete or incomplete. If the commissioner determines that an application is incomplete, the notice to the applicant must enumerate all deficiencies exist, citing specific provisions of the applicable rules and statutes, and advise the applicant on how they the deficiencies can be remedied. A resubmittal of the application begins a new 30-day review period. If the commissioner fails to notify the project proposer of completeness within 30 business days, the application is deemed to be substantially complete and subject to the 150-day permitting review period in paragraph (a) from the date it was submitted.~~ This paragraph does not apply to an application for a permit that is subject to a grant or loan agreement under chapter 446A.

Sec. 2. Minnesota Statutes 2010, section 103G.291, subdivision 3, is amended to read:

Subd. 3. **Water supply plans; demand reduction.** (a) Every public water supplier serving more than 1,000 people must submit a water supply plan to the commissioner for approval by January 1, 1996. In accordance with guidelines developed by the commissioner, the plan must address projected demands, adequacy of the water supply system and planned improvements, existing and future water sources, natural resource impacts or limitations, emergency preparedness, water conservation, supply and demand reduction measures, and allocation priorities that are consistent with section 103G.261. Public water suppliers must update their plan and, upon notification, submit it to the commissioner for approval every ten years.

(b) The water supply plan in paragraph (a) is required for all communities in the metropolitan area, as defined in section 473.121, with a municipal water supply system and is a required element of the local comprehensive plan required under section 473.859. Water supply plans or updates submitted after December 31, 2008, must be consistent with the metropolitan area master water supply plan required under section 473.1565, subdivision 1, paragraph (a), clause (2).

(c) Public water suppliers serving more than 1,000 people must ~~employ~~ encourage water conservation by employing water use demand reduction measures, ~~including a conservation rate structure, as defined in subdivision 4, paragraph (a), unless exempted under subdivision 4, paragraph (c), before requesting approval from the commissioner of health under section 144.383, paragraph (a), to construct a public water supply well or requesting an increase in the authorized volume of appropriation. Demand reduction measures must include evaluation of conservation rate structures and a public education program that may include a toilet and showerhead retrofit program.~~ The commissioner of natural resources and the water supplier shall use a collaborative process to achieve demand reduction measures as a part of a water supply plan review process.

(d) Public water suppliers serving more than 1,000 people must submit records that indicate the number of connections and amount of use by customer category and volume of water unaccounted for with the annual report of water use required under section 103G.281, subdivision 3.

(e) For the purposes of this section, "public water supplier" means an entity that owns, manages, or operates a public water supply, as defined in section 144.382, subdivision 4.

Sec. 3. Minnesota Statutes 2010, section 103G.291, subdivision 4, is amended to read:

Subd. 4. ~~Conservation rate structure required~~ **Demand reduction measures.** (a) For the purposes of this section, "demand reduction measures" means measures that reduce water demand, water losses, peak water demands, and nonessential water uses. Demand reduction measures must include a conservation rate structure, or a uniform rate structure with a conservation program that achieves demand reduction. A "conservation rate structure" means a rate structure that encourages conservation and may include increasing block rates, seasonal rates, time of use rates, individualized goal rates, or excess use rates. If a conservation rate is applied to multifamily dwellings, the rate structure must consider each residential unit as an individual user in multiple family dwellings.

(b) To encourage conservation, a public water supplier serving more than 1,000 people ~~in the metropolitan area, as defined in section 473.121, subdivision 2, shall use a conservation rate structure by January 1, 2010. All remaining public water suppliers serving more than 1,000 people shall use a conservation rate structure must implement demand reduction measures~~ by January 1, ~~2013~~ 2015.

~~(c) A public water supplier without the proper measuring equipment to track the amount of water used by its users, as of July 1, 2008, is exempt from this subdivision and the conservation rate structure requirement under subdivision 3, paragraph (c).~~

Sec. 4. Minnesota Statutes 2010, section 115.03, is amended by adding a subdivision to read:

Subd. 8b. **Permit duration; state disposal system permits; feedlots.** State disposal system permits that are issued without a national pollutant discharge elimination system permit to feedlots shall be issued for a term of ten years. A feedlot with a permit under this subdivision is required to be in compliance with agency rules. A facility or operation change may require a permit modification if required under agency rules.

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

Sec. 5. Minnesota Statutes 2011 Supplement, section 116.03, subdivision 2b, is amended to read:

Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and resource management permits be issued or denied within 150 days of the submission of a ~~substantially completed~~ permit application. The commissioner of the Pollution Control Agency shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on meeting the goal in paragraph (a). The reports are due February 1 and August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal, ~~steps that will be taken to complete action on the application, and the expected timeline.~~ In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete. The report for August 1 each year must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the agency's Web site and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over environment policy and finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the agency.

(d) Beginning July 1, 2011, within 30 business days of application for a permit subject to paragraph (a), the commissioner of the Pollution Control Agency shall notify the project proposer, in writing, ~~of whether or not the permit application is complete enough for processing. If the permit is incomplete, the commissioner must identify~~

~~where whether the application is complete or incomplete. If the commissioner determines that an application is incomplete, the notice to the applicant must enumerate all deficiencies exist, citing specific provisions of the applicable rules and statutes, and advise the applicant on how they the deficiencies can be remedied. A resubmittal of the application begins a new 30 day review period. If the commissioner fails to notify the project proposer of completeness within 30 business days, the application is deemed to be substantially complete and subject to the 150-day permitting review period in paragraph (a) from the date it was submitted. This paragraph does not apply to an application for a permit that is subject to a grant or loan agreement under chapter 446A.~~

(e) For purposes of this subdivision, "permit professional" means an individual not employed by the Pollution Control Agency who:

(1) has a professional license issued by the state of Minnesota in the subject area of the permit;

(2) has at least ten years of experience in the subject area of the permit; and

(3) abides by the duty of candor applicable to employees of the Pollution Control Agency under agency rules and complies with all applicable requirements under chapter 326.

(f) Upon the agency's request, an applicant relying on a permit professional must participate in a meeting with the agency before submitting an application:

(1) at least two weeks prior to the preapplication meeting, the applicant must submit at least the following:

(i) project description, including, but not limited to, scope of work, primary emissions points, discharge outfalls, and water intake points;

(ii) location of the project, including county, municipality, and location on the site;

(iii) business schedule for project completion; and

(iv) other information requested by the agency at least four weeks prior to the scheduled meeting; and

(2) during the preapplication meeting, the agency shall provide for the applicant at least the following:

(i) an overview of the permit review program;

(ii) a determination of which specific application or applications will be necessary to complete the project;

(iii) a statement notifying the applicant if the specific permit being sought requires a mandatory public hearing or comment period;

(iv) a review of the timetable established in the permit review program for the specific permit being sought; and

(v) a determination of what information must be included in the application, including a description of any required modeling or testing.

(g) The applicant may select a permit professional to undertake the preparation of the permit application and draft permit.

(h) If a preapplication meeting was held, the agency shall, within seven business days of receipt of an application, notify the applicant and submitting permit professional that the application is complete or is denied, specifying the deficiencies of the application.

(i) Upon receipt of notice that the application is complete, the permit professional shall submit to the agency a timetable for submitting a draft permit. The permit professional shall submit a draft permit on or before the date provided in the timetable. Within 60 days after the close of the public comment period, the commissioner shall notify the applicant whether the permit can be issued.

(j) Nothing in this section shall be construed to modify:

(1) any requirement of law that is necessary to retain federal delegation to or assumption by the state; or

(2) the authority to implement a federal law or program.

(k) The permit application and draft permit shall identify or include as an appendix all studies and other sources of information used to substantiate the analysis contained in the permit application and draft period. The commissioner shall request additional studies, if needed, and the project proposer shall submit all additional studies and information necessary for the commissioner to perform the commissioner's responsibility to review, modify, and determine the completeness of the application and approve the draft permit.

Sec. 6. Minnesota Statutes 2010, section 116.07, subdivision 4a, is amended to read:

Subd. 4a. **Permits.** (a) The Pollution Control Agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, or for the sources or emissions of noise pollution.

The Pollution Control Agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the storage, collection, transportation, processing, or disposal of waste, or for the installation or operation of any system or facility, or any part thereof, related to the storage, collection, transportation, processing, or disposal of waste.

The agency may not issue a permit to a facility without analyzing and considering the cumulative levels and effects of past and current environmental pollution from all sources on the environment and residents of the geographic area within which the facility's emissions are likely to be deposited, provided that the facility is located in a community in a city of the first class in Hennepin County that meets all of the following conditions:

(1) is within a half mile of a site designated by the federal government as an EPA superfund site due to residential arsenic contamination;

(2) a majority of the population are low-income persons of color and American Indians;

(3) a disproportionate percent of the children have childhood lead poisoning, asthma, or other environmentally related health problems;

(4) is located in a city that has experienced numerous air quality alert days of dangerous air quality for sensitive populations between February 2007 and February 2008; and

(5) is located near the junctions of several heavily trafficked state and county highways and two one-way streets which carry both truck and auto traffic.

The Pollution Control Agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

(b) The Pollution Control Agency has the authority for approval over the siting, expansion, or operation of a solid waste facility with regard to environmental issues. However, the agency's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter precludes, or shall be construed to preclude, a county from enforcing land use controls, regulations, and ordinances existing at the time of the permit application and adopted pursuant to sections 366.10 to 366.181, 394.21 to 394.37, or 462.351 to 462.365, with regard to the siting, expansion, or operation of a solid waste facility.

(c) Except as prohibited by federal law, a person may commence construction, reconstruction, replacement, or modification of any facility prior to the issuance of a construction permit by the agency.

Sec. 7. Minnesota Statutes 2010, section 116.07, is amended by adding a subdivision to read:

Subd. 7e. **Manure digester permits.** Except for areas within the metropolitan area, as defined in section 473.121, subdivision 2, or within cities of the first or second class, an air emission permit is not required for a manure digester and associated electrical generation equipment that process manure from the farm or provide for backup power for the farm.

Sec. 8. Minnesota Statutes 2010, section 116J.035, is amended by adding a subdivision to read:

Subd. 8. **Minnesota Business First Stop.** (a) The commissioner of employment and economic development shall, through the multiagency collaboration called "Minnesota Business First Stop," ensure the coordination, implementation, and administration of state permits, including:

(1) establishing a mechanism in state government that will coordinate administrative decision-making procedures and related quasijudicial and judicial review pertaining to permits related to the state's air, land, and water resources;

(2) providing coordination and understanding between federal, state, and local governmental units in the administration of the various programs relating to air, water, and land resources;

(3) identifying all existing state permits and other approvals, compliance schedules, or other programs that pertain to the use of natural resources and protection of the environment; and

(4) recommending legislative or administrative modifications to existing permit programs to increase their efficiency and utility.

(b) A person proposing a project may apply to Minnesota Business First Stop for assistance in obtaining necessary state permits and other approvals. Upon request, the commissioner shall to the extent practicable:

(1) provide a list of all federal, state, and local permits and other required approvals for the project;

(2) provide a plan that will coordinate federal, state, and local administrative decision-making practices, including monitoring, analysis and reporting, public comments and hearings, and issuances of permits and approvals;

(3) provide a timeline for the issuance of all federal, state, and local permits and other approvals required for the project;

(4) coordinate the execution of any memorandum of understanding between the person proposing a project and any federal, state, or local agency;

(5) coordinate all federal, state, or local public comment periods and hearings; and

(6) provide other assistance requested to facilitate final approval and issuance of all federal, state, and local permits and other approvals required for the project.

(c) Notwithstanding section 16A.1283, as necessary, the commissioner may negotiate a schedule to assess the project proposer for reasonable costs that any state agency incurs in coordinating the implementation and administration of state permits, and the proposer shall pay the assessed costs to the commissioner. Money received by the environmental permits coordinator must be credited to an account in the special revenue fund and is appropriated to the commissioner to cover the assessed costs incurred.

(d) The coordination of implementation and administration of state permits is not governmental action under section 116D.04.

## ARTICLE 2 ENVIRONMENTAL REVIEW

Section 1. Minnesota Statutes 2010, section 41A.10, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 103F.518, the terms defined in this subdivision have the meanings given them.

(a) "Cellulosic biofuel" means transportation fuel derived from cellulosic materials.

(b) "Cellulosic material" means an agricultural or wood feedstock primarily comprised of cellulose, hemicellulose, or lignin or a combination of those ingredients grown on agricultural lands or harvested on timber lands.

(c) "Agricultural land" means land used for horticultural, row, close grown, pasture, and hayland crops; growing nursery stocks; animal feedlots; farm yards; associated building sites; and public and private drainage systems and field roads located on any of that land.

(d) "Cellulosic biofuel facility" means a facility at which cellulosic biofuel is produced.

(e) "Perennial crops" means agriculturally produced plants that have a life cycle of at least three years at the location where the plants are being cultivated.

(f) "Perennial cropping system" means an agricultural production system that utilizes a perennial crop.

(g) "Native species" means a plant species which was present in a defined area of Minnesota prior to European settlement (circa 1850). A defined area may be an ecological classification province. Wild-type varieties therefore are regional or local ecotypes that have not undergone a selection process.

(h) "Diverse native prairie" means a prairie planted from a mix of local Minnesota native prairie species. A selection from all available native prairie species may be made so as to match species appropriate to local site conditions.

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

Sec. 2. Minnesota Statutes 2011 Supplement, 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.~~

(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. A mandatory environmental assessment worksheet shall not be required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.105, subdivision 1a, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment worksheet is prepared shall be the state agency with the greatest responsibility for supervising or approving the project as a whole.

A mandatory environmental impact statement shall not be required for a facility or plant located outside the seven-county metropolitan area that produces less than 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, if the facility or plant is: an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.105, subdivision 1a, clause (1); or a cellulosic biofuel facility, as defined in section 41A.10, subdivision 1, paragraph (d).

(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 100 individuals who reside or own property in the state, 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) The responsible governmental unit shall, to the extent practicable, avoid duplication and ensure coordination between state and federal environmental review and between environmental review and environmental permitting. 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. When an environmental impact statement is prepared for a project requiring multiple permits for which two or more agencies' decision processes include either mandatory or discretionary hearings before a hearing officer prior to the agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the contrary, conduct the hearings in a single consolidated hearing process if requested by the proposer. All agencies having jurisdiction over a permit that is included in the consolidated hearing shall participate. The responsible governmental unit shall establish appropriate procedures for the consolidated hearing process, including procedures to ensure that the consolidated hearing process is consistent with the applicable requirements for each permit regarding the rights and duties of parties to the hearing, and shall utilize the earliest applicable hearing procedure to initiate the hearing. The procedures of section 116C.28, subdivision 2, apply to the consolidated hearing.

(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. 3. Minnesota Statutes 2010, section 116D.04, is amended by adding a subdivision to read:

Subd. 5b. **Review of environmental assessment worksheets and environmental impact statements.** By December 1, 2012, and every five years thereafter, the Environmental Quality Board, Pollution Control Agency, Department of Natural Resources, and Department of Transportation, after consultation with political subdivisions, shall submit to the governor and the chairs of the house of representatives and senate committees having jurisdiction over environment and natural resources a list of mandatory environmental assessment worksheet and mandatory environmental impact statement categories for which the agency or a political subdivision is designated as the responsible government unit, and for each worksheet or statement category, a document including:

- (1) intended historical purposes of the category;
- (2) whether projects that fall within the category are also subject to local, state, or federal permits; and
- (3) an analysis of whether the mandatory category should be modified, eliminated, or unchanged based on its relationship to existing permits or other federal, state, or local laws or ordinances.

Sec. 4. **PILOT PROGRAM FOR ALTERNATIVE FORM OF ENVIRONMENTAL REVIEW.**

(a) The commissioner of the Pollution Control Agency and the commissioner of natural resources may jointly conduct a pilot program for an alternative form of environmental review as specified in this section. This pilot program is in addition to the alternate forms of environmental review that are authorized under Minnesota Statutes, section 116D.04, subdivision 4a. Minnesota Rules, part 4410.3600, does not apply to the pilot program authorized in this section.

(b) The commissioners may select up to three projects to be processed under the pilot program. The environmental review work for each project must commence before January 1, 2014, to remain eligible for proceeding under this program.

(c) The pilot program procedures are as follows:

- (1) an environmental assessment worksheet is not required;
- (2) a scoping document must be prepared that identifies the issues to be analyzed, the alternatives to be considered, and the studies to be undertaken. The scoping document results must be published at the same time as the notice of preparation of the pilot program impact statement;
- (3) any person may submit written comments within 20 days of publication of the notice for preparation of the pilot program impact statement. The responsible governmental unit must consider modifying the scope of the project based on the comments;
- (4) the pilot program impact statement must be an analytical, rather than an encyclopedic, document that describes the proposed action in detail, analyzes the action's significant environmental impacts, discusses appropriate alternatives to the proposed action and the alternatives' impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The pilot program impact statement must also analyze those economic, employment, and sociological effects that cannot be avoided should the action be implemented;

(5) if an impact analysis is needed for permitting, the impact analysis may be summarized for inclusion in the draft pilot program impact statement rather than the full modeling and analysis being contained within the draft pilot program impact statement. An impact analysis must identify the regulatory requirements, types of impact, and mitigation methods; and

(6) the responsible governmental unit must follow the procedural notice requirements for a draft environmental impact statement, final environmental impact statement, and notice of determination of adequacy for an environmental impact statement.

(d) A project proposed to be processed under the pilot program must meet all of the following criteria:

(1) the project meets or exceeds the threshold of a project requiring a mandatory environmental impact statement, or the project proposer and the responsible governmental unit agree to prepare a pilot program impact statement;

(2) if a combustion source, other than an internal combustion engine, is part of the project, natural gas is the only fuel that may supply the burners;

(3) the project does not have any known projected drawdown effect on private wells;

(4) Class I air modeling demonstrates that the project will not cause adverse impacts; and

(5) the project is subject to Code of Federal Regulations, title 40, section 52.21, and the reviews required for a PSD (prevention of significant deterioration) permit, including control technology, ambient air, and Class I area impact analysis.

(e) A project may not be processed under the pilot program if the project:

(1) requires a federal environmental impact statement;

(2) is for mining metallic minerals by open pit or underground methods or is a new facility for processing metallic minerals mined by open pit or underground methods;

(3) is for mining nonferrous metallic minerals or is a new facility for processing nonferrous metallic minerals;

(4) combusts solid waste or hazardous waste;

(5) is located in a karst area; or

(6) would result in a direct discharge of process water to surface water.

(f) For the selected projects, the responsible governmental unit must prepare the pilot program impact statement according to this section. Notwithstanding Minnesota Statutes, section 116D.04, subdivision 2a, paragraph (i), the proposers of the specific project selected for the pilot program may not prepare or submit a preliminary draft pilot program impact statement.

(g) Minnesota Statutes, sections 116D.04, subdivisions 2b and 10, and 116D.045, apply to the pilot program under this section.

(h) By January 15, 2016, the commissioners shall report to the Environmental Quality Board on the outcomes of the pilot program and include any recommendations for statute or rule changes.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; modifying requirements for water supply plans; modifying terms for certain permits; appropriating money; amending Minnesota Statutes 2010, sections 41A.10, subdivision 1; 103G.291, subdivisions 3, 4; 115.03, by adding a subdivision; 116.07, subdivision 4a, by adding a subdivision; 116D.04, by adding a subdivision; 116J.035, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 84.027, subdivision 14a; 116.03, subdivision 2b; 116D.04, subdivision 2a."

We request the adoption of this report and repassage of the bill.

Senate Conferees: BILL G. INGEBRIGTSEN, PAUL GAZELKA, JOHN J. CARLSON, JOHN C. PEDERSON and LEROY A. STUMPF.

House Conferees: DAN FABIAN, DAVID HANCOCK, DENNY MCNAMARA, PAUL TORKELSON and DAVID DILL.

Fabian moved that the report of the Conference Committee on S. F. No. 1567 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1567, A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; modifying requirements for water supply plans; modifying terms for certain permits; appropriating money; amending Minnesota Statutes 2010, sections 41A.10, subdivision 1; 84.027, by adding a subdivision; 103G.291, subdivisions 3, 4; 115.03, by adding a subdivision; 116.07, subdivision 4a, by adding a subdivision; 116D.04, by adding a subdivision; 116J.03, by adding subdivisions; 116J.035, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 84.027, subdivision 14a; 116.03, subdivision 2b; 116D.04, subdivision 2a; repealing Minnesota Statutes 2010, section 103G.291, subdivision 4.

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. There were 92 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Hancock	Lohmer	Norton	Smith
Anderson, D.	Dettmer	Holberg	Loon	O'Driscoll	Stensrud
Anderson, P.	Dittrich	Hoppe	Mack	Pelowski	Swedzinski
Anderson, S.	Doepke	Hosch	Mahoney	Peppin	Thissen
Anzelc	Downey	Howes	Marquart	Persell	Torkelson
Atkins	Drazkowski	Huntley	Mazorol	Petersen, B.	Urdahl
Banaian	Eken	Kath	McDonald	Peterson, S.	Vogel
Barrett	Erickson	Kelly	McElfrick	Poppe	Ward
Beard	Fabian	Kieffer	McFarlane	Quam	Wardlow
Benson, M.	Franson	Kiel	McNamara	Rukavina	Westrom
Bills	Garofalo	Kiffmeyer	Melin	Runbeck	Woodard
Buesgens	Gottwalt	Koenen	Morrow	Sanders	Spk. Zellers
Cornish	Gruenhagen	Kriesel	Murdock	Schomacker	
Crawford	Gunther	Lanning	Murray	Scott	
Daudt	Hackbarth	Leidiger	Myhra	Shimanski	
Davids	Hamilton	LeMieur	Nornes	Simon	

Those who voted in the negative were:

Abeler	Fritz	Hornstein	Lesch	Murphy, M.	Wagenius
Allen	Gauthier	Hortman	Liebling	Nelson	
Benson, J.	Greene	Johnson	Lillie	Paymar	
Brynaert	Greiling	Kahn	Loeffler	Scalze	
Carlson	Hansen	Knuth	Mariani	Slawik	
Davnie	Hausman	Laine	Mullery	Slocum	
Falk	Hilty	Lenczewski	Murphy, E.	Tillberry	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1543, 1621, 1673, 1809, 2000 and 2313.

CAL R. LUDEMAN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 1543, A bill for an act relating to human services; providing medical assistance coverage for community paramedic services; amending Minnesota Statutes 2010, section 256B.0625, by adding a subdivision.

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

S. F. No. 1621, A bill for an act relating to human services; modifying child care accreditation provisions; amending Minnesota Statutes 2010, section 119B.13, subdivision 3a.

The bill was read for the first time.

Peppin moved that S. F. No. 1621 and H. F. No. 2097, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1673, A bill for an act relating to performance bonds; modifying a cost threshold relating to public works contracts; exempting road maintenance on township roads from performance bond requirements; amending Minnesota Statutes 2010, section 574.26, subdivisions 1a, 2.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1809, A bill for an act relating to health; removing requirements for implementation of evidence-based strategies as part of hospital community benefit programs and health maintenance organizations collaboration plans; changing requirements for development of health care costs and quality outcome standards; providing for use and

public release of certain health care data; amending Minnesota Statutes 2010, sections 62U.04, subdivisions 1, 2, 4, 5; 256B.0754, subdivision 2; Minnesota Statutes 2011 Supplement, section 62U.04, subdivisions 3, 9; Laws 2011, First Special Session chapter 9, article 10, section 4, subdivision 2.

The bill was read for the first time.

Gottwalt moved that S. F. No. 1809 and H. F. No. 2237, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2000, A bill for an act relating to mortgages; modifying provisions relating to foreclosure consultants; amending Minnesota Statutes 2010, section 325N.01.

The bill was read for the first time.

Kieffer moved that S. F. No. 2000 and H. F. No. 2308, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2313, A bill for an act relating to insurance; permitting certain entities to administer unified personal health premium accounts; amending Minnesota Statutes 2011 Supplement, section 256L.031, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 62V; repealing Minnesota Statutes 2010, section 62L.12, subdivisions 3, 4.

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

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Dean from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, March 29, 2012:

S. F. No. 2069; H. F. Nos. 1416 and 2160; S. F. No. 2392; H. F. Nos. 1134, 2341 and 2634; S. F. No. 1750; H. F. Nos. 2409 and 2359; S. F. Nos. 2273, 2297 and 1964; H. F. Nos. 2373, 682 and 2939; S. F. Nos. 2014 and 1626; H. F. Nos. 1236 and 1607; S. F. No. 2394; and H. F. Nos. 1175 and 2128.

Thissen was excused between the hours of 1:50 p.m. and 2:10 p.m.

#### CALENDAR FOR THE DAY

H. F. No. 389 was reported to the House.

#### MOTION FOR RECONSIDERATION

Beard moved that the action whereby H. F. No. 389 was given its third reading on Thursday, March 8, 2012, be now reconsidered. The motion prevailed.

Nelson moved to amend H. F. No. 389, the first engrossment, as follows:

Page 3, line 14, delete "and by a two-thirds vote"

Page 3, line 17, reinstate the stricken "and to"

Page 3, line 18, reinstate the stricken language

Page 3, delete lines 22 to 29

Page 4, line 2, delete the new language

Page 4, line 6, delete the new language

Page 4, delete lines 7 to 14

Page 4, line 16, delete "(c)" and insert "(b)"

Page 4, line 20, reinstate the stricken language and delete the new language

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 389, A bill for an act relating to local government; providing for interim zoning; providing for municipal development land dedication and fees; amending Minnesota Statutes 2010, sections 394.25, subdivision 7; 394.34; 462.355, subdivision 4; 462.358, subdivisions 2a, 2c, by adding subdivisions; repealing Minnesota Statutes 2010, section 462.358, subdivision 2b.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 76 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gruenhagen	Kriesel	Murdock	Scott
Anderson, B.	Daudt	Gunther	Lanning	Murray	Shimanski
Anderson, D.	Davids	Hackbarth	Leidiger	Myhra	Smith
Anderson, P.	Dean	Hamilton	LeMieur	Nelson	Stensrud
Anderson, S.	Dettmer	Hancock	Lohmer	Nornes	Swedzinski
Atkins	Doepke	Holberg	Loon	Norton	Torkelson
Banaian	Downey	Hoppe	Mack	O'Driscoll	Vogel
Barrett	Drazkowski	Howes	Mahoney	Peppin	Wardlow
Beard	Erickson	Huntley	Mazorol	Petersen, B.	Westrom
Benson, M.	Fabian	Kelly	McDonald	Quam	Woodard
Bills	Franson	Kieffer	McElpatrick	Runbeck	Spk. Zellers
Buesgens	Garofalo	Kiel	McFarlane	Sanders	
Cornish	Gottwalt	Kiffmeyer	McNamara	Schomacker	

Those who voted in the negative were:

Allen	Falk	Hornstein	Lenczewski	Mullery	Scalze
Anzelc	Fritz	Hortman	Lesch	Murphy, E.	Simon
Benson, J.	Gauthier	Hosch	Liebling	Murphy, M.	Slawik
Brynaert	Greene	Johnson	Lillie	Paymar	Slocum
Carlson	Greiling	Kahn	Loeffler	Pelowski	Tillberry
Clark	Hansen	Kath	Mariani	Persell	Urdahl
Davnie	Hausman	Knuth	Marquart	Peterson, S.	Wagenius
Dittrich	Hilstrom	Koenen	Melin	Poppe	Ward
Eken	Hilty	Laine	Morrow	Rukavina	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1974, A bill for an act relating to public employment; providing that certain contract terms do not continue in effect after expiration of a collective bargaining agreement; amending Minnesota Statutes 2010, section 179A.20, subdivision 6, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler	Dauids	Gunther	Leidiger	Myhra	Swedzinski
Anderson, B.	Dean	Hackbarth	LeMieur	Nornes	Torkelson
Anderson, D.	Dettmer	Hamilton	Lohmer	O'Driscoll	Urdahl
Anderson, P.	Doepke	Hancock	Loon	Peppin	Vogel
Anderson, S.	Downey	Holberg	Mack	Petersen, B.	Wardlow
Barrett	Drazkowski	Hoppe	Mazorol	Quam	Westrom
Beard	Erickson	Kelly	McDonald	Runbeck	Woodard
Benson, M.	Fabian	Kieffer	McElfratrick	Sanders	Spk. Zellers
Bills	Franson	Kiel	McFarlane	Schomacker	
Buesgens	Garofalo	Kiffmeyer	McNamara	Scott	
Crawford	Gottwalt	Kriesel	Murdock	Shimanski	
Daudt	Gruenhagen	Lanning	Murray	Stensrud	

Those who voted in the negative were:

Allen	Eken	Hortman	Lesch	Murphy, M.	Slawik
Anzelc	Falk	Hosch	Liebling	Nelson	Slocum
Atkins	Fritz	Howes	Lillie	Norton	Smith
Banaian	Gauthier	Huntley	Loeffler	Paymar	Thissen
Benson, J.	Greene	Johnson	Mahoney	Pelowski	Tillberry
Brynaert	Greiling	Kahn	Mariani	Persell	Wagenius
Carlson	Hansen	Kath	Marquart	Peterson, S.	Ward
Clark	Hausman	Knuth	Melin	Poppe	Winkler
Cornish	Hilstrom	Koenen	Morrow	Rukavina	
Davnie	Hilty	Laine	Mullery	Scalze	
Dittrich	Hornstein	Lenczewski	Murphy, E.	Simon	

The bill was passed and its title agreed to.

H. F. No. 2160, A bill for an act relating to public safety; permitting law enforcement to take fingerprints of an offender interacting with the criminal justice system for any offense to eliminate a suspense record; amending Minnesota Statutes 2011 Supplement, section 299C.10, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hilty	LeMieur	Murray	Slocum
Anderson, B.	Dittrich	Holberg	Lenczewski	Myhra	Smith
Anderson, D.	Doepke	Hoppe	Lesch	Nelson	Stensrud
Anderson, P.	Downey	Hornstein	Lillie	Nornes	Swedzinski
Anzelc	Drazkowski	Hortman	Loeffler	Norton	Thissen
Atkins	Eken	Hosch	Lohmer	O'Driscoll	Tillberry
Banaian	Erickson	Howes	Loon	Pelowski	Torkelson
Barrett	Fabian	Huntley	Mack	Peppin	Urdahl
Beard	Franson	Kahn	Mahoney	Persell	Vogel
Benson, J.	Fritz	Kath	Marquart	Petersen, B.	Wagenius
Benson, M.	Garofalo	Kelly	Mazorol	Peterson, S.	Ward
Brynaert	Gottwalt	Kieffer	McDonald	Poppe	Wardlow
Carlson	Greene	Kiel	McElpatrick	Quam	Westrom
Clark	Greiling	Kiffmeyer	McFarlane	Runbeck	Winkler
Cornish	Gruenhagen	Knuth	McNamara	Sanders	Woodard
Crawford	Gunther	Koenen	Morrow	Schomacker	Spk. Zellers
Daudt	Hamilton	Kriesel	Mullery	Scott	
Davids	Hancock	Laine	Murdock	Shimanski	
Davnie	Hansen	Lanning	Murphy, E.	Simon	
Dean	Hilstrom	Leidiger	Murphy, M.	Slawik	

Those who voted in the negative were:

Allen	Bills	Falk	Hackbarth	Liebling	Rukavina
Anderson, S.	Buesgens	Gauthier	Hausman	Melin	Scalze

The bill was passed and its title agreed to.

H. F. No. 2373, A bill for an act relating to public safety; extending the felony of fraudulent or other improper finance statements to include retaliation against a sheriff or county recorder for performance of official duties regarding real property; amending Minnesota Statutes 2010, section 609.7475, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, D.	Anzelc	Barrett	Benson, M.	Buesgens
Allen	Anderson, P.	Atkins	Beard	Bills	Carlson
Anderson, B.	Anderson, S.	Banaian	Benson, J.	Brynaert	Clark

Cornish	Gottwalt	Kahn	Loon	Norton	Swedzinski
Crawford	Greene	Kath	Mack	O'Driscoll	Thissen
Daudt	Greiling	Kelly	Mahoney	Pelowski	Tillberry
Davids	Gruenhagen	Kieffer	Marquart	Persell	Torkelson
Davnie	Gunther	Kiel	Mazorol	Petersen, B.	Urdahl
Dean	Hackbarth	Kiffmeyer	McDonald	Peterson, S.	Vogel
Dettmer	Hamilton	Knuth	McElfrick	Poppe	Wagenius
Dittrich	Hancock	Koenen	McFarlane	Quam	Ward
Doepke	Hansen	Kriesel	McNamara	Runbeck	Wardlow
Downey	Hilstrom	Laine	Morrow	Sanders	Westrom
Drazkowski	Hilty	Lanning	Mullery	Scalze	Winkler
Eken	Holberg	Leidiger	Murdock	Schomacker	Woodard
Erickson	Hoppe	LeMieur	Murphy, E.	Scott	Spk. Zellers
Fabian	Hornstein	Lenczewski	Murphy, M.	Shimanski	
Franson	Hosch	Lesch	Murray	Simon	
Fritz	Howes	Lillie	Myhra	Slawik	
Garofalo	Huntley	Loeffler	Nelson	Smith	
Gauthier	Johnson	Lohmer	Nornes	Stensrud	

Those who voted in the negative were:

Falk	Hortman	Mariani	Peppin	Slocum
Hausman	Liebling	Melin	Rukavina	

The bill was passed and its title agreed to.

The Speaker called Davids to the Chair.

H. F. No. 2939, A bill for an act relating to education finance; modifying certain petition requirements for proposals for detachment and annexation; amending Minnesota Statutes 2010, section 123A.45, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Gunther	Lanning	Myhra	Swedzinski
Anderson, B.	Davids	Hackbarth	Leidiger	Nornes	Torkelson
Anderson, D.	Dean	Hamilton	LeMieur	Norton	Urdahl
Anderson, P.	Dettmer	Hancock	Lohmer	O'Driscoll	Vogel
Anzalc	Dittrich	Holberg	Loon	Peppin	Wardlow
Banaian	Downey	Hoppe	Mack	Petersen, B.	Westrom
Barrett	Drazkowski	Hortman	Mazorol	Quam	Woodard
Beard	Erickson	Howes	McDonald	Runbeck	Spk. Zellers
Benson, M.	Fabian	Kelly	McElfrick	Sanders	
Bills	Franson	Kieffer	McFarlane	Schomacker	
Buesgens	Garofalo	Kiel	McNamara	Scott	
Cornish	Gottwalt	Kiffmeyer	Murdock	Shimanski	
Crawford	Gruenhagen	Kriesel	Murray	Smith	

Those who voted in the negative were:

Allen	Falk	Hosch	Liebling	Murphy, M.	Slocum
Anderson, S.	Fritz	Huntley	Lillie	Nelson	Stensrud
Atkins	Gauthier	Johnson	Loeffler	Paymar	Thissen
Benson, J.	Greene	Kahn	Mahoney	Pelowski	Tillberry
Brynaert	Greiling	Kath	Mariani	Persell	Wagenius
Carlson	Hansen	Knuth	Marquart	Peterson, S.	Ward
Clark	Hausman	Koenen	Melin	Poppe	Winkler
Davnie	Hilstrom	Laine	Morrow	Scalze	
Doepke	Hilty	Lenczewski	Mullery	Simon	
Eken	Hornstein	Lesch	Murphy, E.	Slawik	

The bill was passed and its title agreed to.

H. F. No. 2634, A bill for an act relating to environment; providing for alternative local standards for subsurface sewage treatment systems; requiring rulemaking; amending Minnesota Statutes 2010, section 115.55, subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hackbarth	Leidiger	Murphy, M.	Simon
Anderson, B.	Dettmer	Hamilton	LeMieur	Murray	Slawik
Anderson, D.	Doepke	Hancock	Lohmer	Myhra	Smith
Anderson, P.	Downey	Holberg	Loon	Nornes	Stensrud
Anderson, S.	Drazkowski	Hoppe	Mack	O'Driscoll	Swedzinski
Anzelc	Eken	Howes	Marquart	Peppin	Torkelson
Barrett	Erickson	Kath	Mazorol	Petersen, B.	Urdahl
Beard	Fabian	Kelly	McDonald	Quam	Vogel
Bills	Franson	Kieffer	McElfrick	Rukavina	Wardlow
Buesgens	Fritz	Kiel	McFarlane	Runbeck	Westrom
Cornish	Garofalo	Kiffmeyer	McNamara	Sanders	Woodard
Crawford	Gottwalt	Koenen	Melin	Schomacker	Spk. Zellers
Daudt	Gruenhagen	Kriesel	Morrow	Scott	
Davids	Gunther	Lanning	Murdock	Shimanski	

Those who voted in the negative were:

Allen	Dittrich	Hilty	Laine	Mullery	Poppe
Atkins	Falk	Hornstein	Lenczewski	Murphy, E.	Scalze
Benson, J.	Gauthier	Hortman	Lesch	Nelson	Slocum
Benson, M.	Greene	Hosch	Liebling	Norton	Thissen
Brynaert	Greiling	Huntley	Lillie	Paymar	Tillberry
Carlson	Hansen	Johnson	Loeffler	Pelowski	Wagenius
Clark	Hausman	Kahn	Mahoney	Persell	Ward
Davnie	Hilstrom	Knuth	Mariani	Peterson, S.	Winkler

The bill was passed and its title agreed to.

**ANNOUNCEMENT BY THE SPEAKER**

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1586:

Gottwalt, Peppin and Hilstrom.

Dean 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 Messages from the Senate.

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2793, A bill for an act relating to transportation; traffic regulations; allowing vehicle combination to transport property and equipment; amending Minnesota Statutes 2010, section 169.81, subdivision 3.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1903, A bill for an act relating to veterans; honor guard stipends; amending Minnesota Statutes 2010, section 197.231.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2253, A bill for an act relating to human services; allowing out-of-state residential mental health treatment for certain children; amending Minnesota Statutes 2010, section 256B.0945, subdivision 1.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2455, A bill for an act relating to the city of Montgomery; authorizing the city to convey property for less than market value.

The Senate has appointed as such committee:

Senators DeKruif, Daley and Reinert.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 247, A bill for an act relating to insurance; regulating service cooperative refunds; requiring local government employees to approve participation in or withdrawal from the public employees insurance program; amending Minnesota Statutes 2010, sections 43A.316, subdivision 5; 123A.21, by adding a subdivision; 471.611, subdivision 2.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Dahms, Robling and Sheran.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Petersen, B., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 247. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1524, 1754, 1793, 1856, 1981, 2181, 2271, 2316 and 2354.

CAL R. LUDEMAN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 1524, A bill for an act relating to occupations and professions; modifying licensing provisions and fees for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2010, sections 326.02, subdivision 3; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.105; 326.107, subdivisions 1, 2, 7; 326.12, subdivision 2.

The bill was read for the first time.

Gunther moved that S. F. No. 1524 and H. F. No. 1787, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1754, A bill for an act relating to lawful gambling; increasing the allowable per diem reimbursement from lawful gambling net profits for military marching, color guard, or honor guard units; amending Minnesota Statutes 2010, section 349.12, subdivision 25.

The bill was read for the first time.

Dettmer moved that S. F. No. 1754 and H. F. No. 2259, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1793, A bill for an act relating to insurance; modifying the definition of a health plan company; proposing coding for new law in Minnesota Statutes, chapter 645.

The bill was read for the first time.

Sanders moved that S. F. No. 1793 and H. F. No. 1998, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1856, A bill for an act relating to lawful gambling; allowing licensed organizations to contribute net profits from lawful gambling to 501(c)(19) organizations; amending Minnesota Statutes 2010, section 349.12, subdivision 25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

S. F. No. 1981, A bill for an act relating to police officers; providing for uniform procedures for police civilian review authorities; amending Minnesota Statutes 2010, section 626.89, subdivision 2, by adding a subdivision.

The bill was read for the first time.

Shimanski moved that S. F. No. 1981 and H. F. No. 2409, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2181, A bill for an act relating to energy; regulating the renewable development account; amending Minnesota Statutes 2010, section 116C.779, subdivision 2; Minnesota Statutes 2011 Supplement, section 116C.779, subdivision 1; repealing Laws 2003, First Special Session chapter 11, article 2, section 17.

The bill was read for the first time.

Beard moved that S. F. No. 2181 and H. F. No. 2650, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2271, A bill for an act relating to the military; allowing issuance of state awards to nonmembers of the Minnesota National Guard; amending Minnesota Statutes 2010, section 192.23.

The bill was read for the first time.

Anderson, B., moved that S. F. No. 2271 and H. F. No. 2494, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2316, A bill for an act relating to veterans; veterans preference; modifying appointment procedure for removal hearing board; amending Minnesota Statutes 2010, section 197.46.

The bill was read for the first time.

Anderson, B., moved that S. F. No. 2316 and H. F. No. 2495, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2354, A bill for an act relating to state government; veterans; providing noncompetitive appointment of certain disabled veterans; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the first time.

Anderson, B., moved that S. F. No. 2354 and H. F. No. 2493, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CALENDAR FOR THE DAY

H. F. No. 1416 was reported to the House.

Melin and Gruenhagen moved to amend H. F. No. 1416, the second engrossment, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2010, section 192.261, subdivision 1, is amended to read:

Subdivision 1. **Leave of absence without pay.** Subject to the conditions hereinafter prescribed, any officer or employee of the state or of any political subdivision, municipal corporation, or other public agency of the state:

(1) who engages in active service in time of war or other emergency declared by proper authority in any of the military or naval forces of the state or of the United States for which leave is not otherwise allowed by law; or

(2) during convalescence for an injury or disease incurred during active service, as documented by a line-of-duty determination form signed by proper military authority, and any other documentation as reasonably requested by the employer;

shall be entitled to leave of absence from the officer's or employee's public office or employment without pay during such service or convalescence, with right of reinstatement as hereinafter provided. Such leave of absence without pay, whether heretofore or hereafter, shall not extend beyond four years plus such additional time in each case as such an officer or employee may be required to serve pursuant to law. This shall not be construed to preclude the allowance of leave with pay for such service to any person entitled thereto under section 43A.183, 192.26, or 471.975. Nothing in this section contained shall affect any of the provisions or application of section 352.27 nor of section 192.26 to 192.264, or any laws amendatory thereof, insofar as such sections pertain to the state employees retirement association or its members. "Active service" has the meaning given in section 190.05, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hosch was excused between the hours of 4:35 p.m. and 8:30 p.m.

Tillberry was excused for the remainder of today's session.

H. F. No. 1416, A bill for an act relating to military affairs; extending reemployment rights protections to certain nonpublic employees; amending Minnesota Statutes 2010, section 192.261, subdivisions 1, 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, D.	Anzalc	Barrett	Benson, M.	Buesgens
Allen	Anderson, P.	Atkins	Beard	Bills	Carlson
Anderson, B.	Anderson, S.	Banaian	Benson, J.	Brynaert	Champion

Clark	Gauthier	Johnson	Lohmer	Nelson	Simon
Cornish	Gottwalt	Kahn	Loon	Nornes	Slawik
Crawford	Greene	Kath	Mack	Norton	Slocum
Daudt	Greiling	Kelly	Mahoney	O'Driscoll	Smith
Davids	Gruenhagen	Kieffer	Mariani	Paymar	Stensrud
Davnie	Gunther	Kiel	Marquart	Pelowski	Swedzinski
Dean	Hackbarth	Kiffmeyer	Mazorol	Peppin	Thissen
Dettmer	Hamilton	Knuth	McDonald	Persell	Torkelson
Dittrich	Hancock	Koenen	McElfatrick	Petersen, B.	Urdahl
Doepke	Hansen	Kriesel	McFarlane	Peterson, S.	Vogel
Downey	Hausman	Laine	McNamara	Poppe	Wagenius
Drazkowski	Hilstrom	Lanning	Melin	Quam	Ward
Eken	Hilty	Leidiger	Morrow	Rukavina	Wardlow
Erickson	Holberg	LeMieur	Mullery	Runbeck	Westrom
Fabian	Hoppe	Lenczewski	Murdock	Sanders	Winkler
Falk	Hornstein	Lesch	Murphy, E.	Scalze	Woodard
Franson	Hortman	Liebling	Murphy, M.	Schomacker	Spk. Zellers
Fritz	Howes	Lillie	Murray	Scott	
Garofalo	Huntley	Loeffler	Myhra	Shimanski	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1607 was reported to the House.

H. F. No. 1607 was read for the third time.

Woodard moved that H. F. No. 1607 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 1175 was reported to the House.

Winkler moved to amend H. F. No. 1175 as follows:

Page 1, after line 16, insert:

"Sec. 2. **DEPUTY REGISTRAR; GOLDEN VALLEY.**

(a) Within 21 days following receipt of the notification specified under paragraph (b), the commissioner of public safety shall provisionally reinstate the deputy registrar located in the city of Golden Valley and allow the office to reopen.

(b) The city of Golden Valley may submit a notification to the commissioner of public safety regarding the status of the deputy registrar office, which must include:

(1) a summary of findings from an internal investigation of the office related to suspension of deputy registrar services;

(2) a review of recommendations from a preliminary audit of office procedures and financial practices; and

(3) a review of identified changes to staffing, training, supervision, office procedures, and financial practices implemented or planned to be implemented as part of reopening the office.

(c) The commissioner of public safety may require the deputy registrar to:

(1) file a bond in the form and manner prescribed by the commissioner, including as a condition of commencing service to the general public; and

(2) comply with any deputy registrar best practices established by the commissioner.

(d) Nothing in this section prevents the commissioner of public safety or the Office of Administrative Hearings, as appropriate, from imposing sanctions subsequent to the provisional reinstatement under this section, including but not limited to additional or permanent office closure, or payment of a fine.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Mazorol was excused for the remainder of today's session.

H. F. No. 1175, A bill for an act relating to motor vehicles; authorizing additional deputy registrar of motor vehicles for Scott County; providing for provisional reinstatement of the Golden Valley deputy registrar.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Erickson	Hansen	Kiel	Loon
Allen	Carlson	Fabian	Hausman	Kiffmeyer	Mack
Anderson, B.	Champion	Falk	Hilstrom	Knuth	Mahoney
Anderson, D.	Clark	Franson	Hilty	Koenen	Mariani
Anderson, P.	Cornish	Fritz	Holberg	Kriesel	Marquart
Anderson, S.	Crawford	Garofalo	Hoppe	Laine	McDonald
Anzelc	Daudt	Gauthier	Hornstein	Lanning	McElpatrick
Atkins	Davids	Gottwalt	Hortman	Leidiger	McFarlane
Banaian	Davnie	Greene	Howes	LeMieur	McNamara
Barrett	Dean	Greiling	Huntley	Lenczewski	Melin
Beard	Dettmer	Gruenhagen	Johnson	Lesch	Morrow
Benson, J.	Doepke	Gunther	Kahn	Liebling	Mullery
Benson, M.	Downey	Hackbarth	Kath	Lillie	Murdock
Bills	Drazkowski	Hamilton	Kelly	Loeffler	Murphy, E.
Brynaert	Eken	Hancock	Kieffer	Lohmer	Murphy, M.

Murray	Pelowski	Runbeck	Slawik	Urdahl	Woodard
Myhra	Peppin	Sanders	Slocum	Vogel	Spk. Zellers
Nelson	Persell	Scalze	Smith	Wagenius	
Nornes	Peterson, S.	Schomacker	Stensrud	Ward	
Norton	Poppe	Scott	Swedzinski	Wardlow	
O'Driscoll	Quam	Shimanski	Thissen	Westrom	
Paymar	Rukavina	Simon	Torkelson	Winkler	

Those who voted in the negative were:

Dittrich                      Petersen, B.

The bill was passed, as amended, and its title agreed to.

H. F. No. 1992, A bill for an act relating to transportation; motor carriers; prohibiting indemnity provisions in motor carrier contracts; proposing coding for new law in Minnesota Statutes, chapter 221.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Hamilton	Laine	Murphy, E.	Shimanski
Allen	Davnie	Hancock	Lanning	Murphy, M.	Simon
Anderson, B.	Dean	Hansen	Leidiger	Murray	Slawik
Anderson, D.	Dettmer	Hausman	LeMieur	Myhra	Slocum
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Nelson	Smith
Anderson, S.	Doepke	Hilty	Lesch	Nornes	Stensrud
Anzelc	Downey	Holberg	Liebling	Norton	Swedzinski
Atkins	Drazkowski	Hoppe	Lillie	O'Driscoll	Thissen
Banaian	Eken	Hornstein	Loeffler	Paymar	Torkelson
Barrett	Erickson	Hortman	Lohmer	Pelowski	Urdahl
Beard	Fabian	Howes	Loon	Peppin	Vogel
Benson, J.	Falk	Huntley	Mack	Persell	Wagenius
Benson, M.	Franson	Johnson	Mahoney	Petersen, B.	Ward
Bills	Fritz	Kahn	Marquart	Peterson, S.	Wardlow
Brynaert	Garofalo	Kath	McDonald	Poppe	Westrom
Buesgens	Gauthier	Kelly	McElfrick	Quam	Winkler
Carlson	Gottwalt	Kieffer	McFarlane	Rukavina	Woodard
Champion	Greene	Kiel	McNamara	Runbeck	Spk. Zellers
Clark	Greiling	Kiffmeyer	Melin	Sanders	
Cornish	Gruenhagen	Knuth	Morrow	Scalze	
Crawford	Gunther	Koenen	Mullery	Schomacker	
Daudt	Hackbarth	Kriesel	Murdock	Scott	

The bill was passed and its title agreed to.

#### MOTION FOR RECONSIDERATION

Gruenhagen moved that the vote whereby H. F. No. 1416, as amended, was passed earlier today be now reconsidered. The motion prevailed.

H. F. No. 1416, as amended, was reported to the House.

Gruenhagen moved that H. F. No. 1416, as amended, be continued on the Calendar for the Day. The motion prevailed.

The Speaker called Davids to the Chair.

H. F. No. 2128, A bill for an act relating to health; licensing emergency medical personnel; making changes to the Cooper/Sams volunteer ambulance program; amending Minnesota Statutes 2010, sections 144E.001, subdivisions 1b, 3a, 4a, 4b, 5c, 5d, 5e, 6, 11, 14, by adding subdivisions; 144E.01, subdivision 1; 144E.101, subdivisions 2, 6, 7, 9, 10, 12; 144E.103; 144E.127, subdivision 2; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2, 3, 5, by adding a subdivision; 144E.275, subdivision 3; 144E.28, subdivisions 1, 5, 7; 144E.283; 144E.285; 144E.286, subdivision 3; 144E.29; 144E.30, subdivision 3; 144E.305, subdivision 2; 144E.31; 144E.32, subdivision 2; 144E.35, subdivision 1; 144E.41; 144E.52; Minnesota Statutes 2011 Supplement, sections 144E.001, subdivision 5f; 144E.28, subdivision 9; repealing Minnesota Rules, parts 4690.0100, subparts 16, 17; 4690.1400.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Hamilton	Laine	Murdock	Scott
Allen	Davnie	Hancock	Lanning	Murphy, E.	Shimanski
Anderson, B.	Dean	Hansen	Leidiger	Murphy, M.	Simon
Anderson, D.	Dettmer	Hausman	LeMieur	Murray	Slawik
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Myhra	Slocum
Anderson, S.	Doepke	Hilty	Lesch	Nelson	Smith
Anzelc	Downey	Holberg	Liebling	Nornes	Stensrud
Atkins	Drazkowski	Hoppe	Lillie	Norton	Swedzinski
Banaian	Eken	Hornstein	Loeffler	O'Driscoll	Thissen
Barrett	Erickson	Hortman	Lohmer	Paymar	Torkelson
Beard	Fabian	Howes	Loon	Pelowski	Urdahl
Benson, J.	Falk	Huntley	Mack	Peppin	Vogel
Benson, M.	Franson	Johnson	Mahoney	Persell	Wagenius
Bills	Fritz	Kahn	Mariani	Petersen, B.	Ward
Brynaert	Garofalo	Kath	Marquart	Peterson, S.	Wardlow
Buesgens	Gauthier	Kelly	McDonald	Poppe	Westrom
Carlson	Gottwalt	Kieffer	McElpatrick	Quam	Winkler
Champion	Greene	Kiel	McFarlane	Rukavina	Woodard
Clark	Greiling	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Cornish	Gruenhagen	Knuth	Melin	Sanders	
Crawford	Gunther	Koenen	Morrow	Scalze	
Daut	Hackbarth	Kriesel	Mullery	Schomacker	

The bill was passed and its title agreed to.

H. F. No. 2506 was reported to the House.

Atkins offered an amendment to H. F. No. 2506.

Falk offered an amendment to the Atkins amendment to H. F. No. 2506.

#### POINT OF ORDER

Buesgens raised a point of order pursuant to rule 3.21 that the Falk amendment to the Atkins amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Falk amendment to the Atkins amendment out of order.

Falk appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Kiffmeyer	McNamara	Scott
Anderson, B.	Daudt	Gruenhagen	Kriesel	Murdock	Shimanski
Anderson, D.	Davids	Gunther	Lanning	Murray	Smith
Anderson, P.	Dean	Hackbarth	Leidiger	Myhra	Stensrud
Anderson, S.	Dettmer	Hamilton	LeMieur	Nornes	Swedzinski
Banaian	Doepke	Hancock	Lenczewski	O'Driscoll	Torkelson
Barrett	Downey	Holberg	Lohmer	Peppin	Urdahl
Beard	Drazkowski	Hoppe	Loon	Petersen, B.	Vogel
Benson, M.	Erickson	Howes	Mack	Quam	Wardlow
Bills	Fabian	Kelly	McDonald	Runbeck	Westrom
Buesgens	Franson	Kieffer	McElfatrick	Sanders	Woodard
Cornish	Garofalo	Kiel	McFarlane	Schomacker	Spk. Zellers

Those who voted in the negative were:

Allen	Eken	Hornstein	Liebling	Murphy, M.	Simon
Anzelc	Falk	Hortman	Lillie	Nelson	Slawik
Atkins	Fritz	Huntley	Loeffler	Norton	Slocum
Benson, J.	Gauthier	Johnson	Mahoney	Paymar	Thissen
Brynaert	Greene	Kahn	Mariani	Pelowski	Wagenius
Carlson	Greiling	Kath	Marquart	Persell	Ward
Champion	Hansen	Knuth	Melin	Peterson, S.	Winkler
Clark	Hausman	Koenen	Morrow	Poppe	
Davnie	Hilstrom	Laine	Mullery	Rukavina	
Dittrich	Hilty	Lesch	Murphy, E.	Scalze	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

## POINT OF ORDER

Holberg raised a point of order pursuant to rule 3.21 that the Atkins amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Atkins amendment out of order.

Atkins appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 73 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Gruenhagen	Kriesel	Myhra	Swedzinski
Anderson, B.	Davids	Gunther	Lanning	Nornes	Torkelson
Anderson, D.	Dean	Hackbarth	Leidiger	O'Driscoll	Urdahl
Anderson, P.	Dettmer	Hamilton	LeMieur	Peppin	Vogel
Anderson, S.	Dittrich	Hancock	Lohmer	Petersen, B.	Wardlow
Banaian	Doepke	Holberg	Loon	Quam	Westrom
Barrett	Downey	Hoppe	Mack	Runbeck	Woodard
Beard	Drazkowski	Hortman	McDonald	Sanders	Spk. Zellers
Benson, M.	Erickson	Howes	McElfratrick	Schomacker	
Bills	Fabian	Kelly	McFarlane	Scott	
Buesgens	Franson	Kieffer	McNamara	Shimanski	
Cornish	Garofalo	Kiel	Murdock	Smith	
Crawford	Gottwalt	Kiffmeyer	Murray	Stensrud	

Those who voted in the negative were:

Allen	Falk	Huntley	Lillie	Norton	Slocum
Anzelc	Fritz	Johnson	Loeffler	Paymar	Thissen
Atkins	Gauthier	Kahn	Mahoney	Pelowski	Wagenius
Benson, J.	Greene	Kath	Mariani	Persell	Ward
Brynaert	Greiling	Knuth	Marquart	Peterson, S.	Winkler
Carlson	Hansen	Koenen	Melin	Poppe	
Champion	Hausman	Laine	Morrow	Rukavina	
Clark	Hilstrom	Lenczewski	Mullery	Scalze	
Davnie	Hilty	Lesch	Murphy, E.	Simon	
Eken	Hornstein	Liebling	Nelson	Slawik	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

Loon, Erickson, Stensrud and Doepke offered an amendment to H. F. No. 2506.

## POINT OF ORDER

Morrow raised a point of order pursuant to rule 3.21 that the Loon et al amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Loon et al amendment out of order.

H. F. No. 2506, A bill for an act relating to education; striking the requirement to allocate portions of reserved staff development revenue for particular purposes; amending Minnesota Statutes 2010, section 122A.61, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 78 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Kiel	Morrow	Schomacker
Anderson, B.	Daudt	Greiling	Kiffmeyer	Murdock	Scott
Anderson, D.	Davids	Gruenhagen	Kriesel	Murray	Shimanski
Anderson, P.	Dean	Gunther	Lanning	Myhra	Smith
Anderson, S.	Dettmer	Hackbarth	Leidiger	Nornes	Stensrud
Banaian	Dittrich	Hamilton	LeMieur	Norton	Swedzinski
Barrett	Doepke	Hancock	Lohmer	O'Driscoll	Torkelson
Beard	Downey	Holberg	Loon	Peppin	Urdahl
Benson, J.	Drazkowski	Hoppe	Mack	Petersen, B.	Vogel
Benson, M.	Erickson	Howes	McDonald	Quam	Wardlow
Bills	Fabian	Kath	McElpatrick	Runbeck	Westrom
Buesgens	Franson	Kelly	McFarlane	Sanders	Woodard
Cornish	Garofalo	Kieffer	McNamara	Scalze	Spk. Zellers

Those who voted in the negative were:

Allen	Falk	Hortman	Liebling	Murphy, M.	Slawik
Anzelc	Fritz	Huntley	Lillie	Nelson	Slocum
Atkins	Gauthier	Johnson	Loeffler	Paymar	Thissen
Brynaert	Greene	Kahn	Mahoney	Pelowski	Wagenius
Carlson	Hansen	Knuth	Mariani	Persell	Ward
Champion	Hausman	Koenen	Marquart	Peterson, S.	Winkler
Clark	Hilstrom	Laine	Melin	Poppe	
Davnie	Hilty	Lenczewski	Mullery	Rukavina	
Eken	Hornstein	Lesch	Murphy, E.	Simon	

The bill was passed and its title agreed to.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 247:

Hoppe, Brynaert and Greiling.

Dean moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

#### FISCAL CALENDAR

Pursuant to rule 1.22, Holberg requested immediate consideration of H. F. No. 2294.

H. F. No. 2294 was reported to the House.

Dittrich was excused for the remainder of today's session.

Abeler moved to amend H. F. No. 2294, the second engrossment, as follows:

Page 2, after line 3, insert:

"Section 1. Minnesota Statutes 2011 Supplement, section 62E.14, subdivision 4g, is amended to read:

Subd. 4g. **Waiver of preexisting conditions for persons covered by healthy Minnesota contribution program.** A person may enroll in the comprehensive plan with a waiver of the preexisting condition limitation in subdivision 3 if the person is eligible for the healthy Minnesota contribution program, and has been denied coverage as described under section 256L.031, subdivision 6. The six-month durational residency requirement specified in section 62E.02, subdivision 13, does not apply to individuals enrolled in the healthy Minnesota contribution program.

Sec. 2. Minnesota Statutes 2011 Supplement, section 256B.0625, subdivision 8, is amended to read:

Subd. 8. **Physical therapy.** (a) Medical assistance covers physical therapy and related services. Specialized maintenance therapy is covered for recipients age 20 and under.

(b) Authorization by the commissioner is required to provide medically necessary services to a recipient. If a final authorization decision is not made by the commissioner within ten working days, the request shall be considered to be approved. Any authorization system for physical therapy and related services must incorporate independent peer review of authorization denials and service level reductions. Services provided by a physical therapy assistant shall be reimbursed at the same rate as services performed by a physical therapist when the services of the physical therapy assistant are provided under the direction of a physical therapist who is on the premises. Services provided by a physical therapy assistant that are provided under the direction of a physical therapist who is not on the premises shall be reimbursed at 65 percent of the physical therapist rate.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 3. Minnesota Statutes 2011 Supplement, section 256B.0625, subdivision 8a, is amended to read:

Subd. 8a. **Occupational therapy.** (a) Medical assistance covers occupational therapy and related services. Specialized maintenance therapy is covered for recipients age 20 and under.

(b) Authorization by the commissioner is required to provide medically necessary services to a recipient. If a final authorization decision is not made by the commissioner within ten working days, the request shall be considered to be approved. Any authorization system for occupational therapy and related services must incorporate independent peer review of authorization denials and service level reductions. Services provided by an occupational therapy assistant shall be reimbursed at the same rate as services performed by an occupational therapist when the services of the occupational therapy assistant are provided under the direction of the occupational therapist who is on the premises. Services provided by an occupational therapy assistant that are provided under the direction of an occupational therapist who is not on the premises shall be reimbursed at 65 percent of the occupational therapist rate.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 4. Minnesota Statutes 2011 Supplement, section 256B.0625, subdivision 8b, is amended to read:

Subd. 8b. **Speech-language pathology and audiology services.** (a) Medical assistance covers speech-language pathology and related services. Specialized maintenance therapy is covered for recipients age 20 and under.

(b) Authorization by the commissioner is required to provide medically necessary speech-language pathology services to a recipient. If a final authorization decision is not made by the commissioner within ten working days, the request shall be considered to be approved. Any authorization system for speech-language pathology and related services must incorporate independent peer review of authorization denials and service level reductions.

(c) Medical assistance covers audiology services and related services. Services provided by a person who has been issued a temporary registration under section 148.5161 shall be reimbursed at the same rate as services performed by a speech-language pathologist or audiologist as long as the requirements of section 148.5161, subdivision 3, are met.

**EFFECTIVE DATE.** This section is effective July 1, 2012."

Page 5, line 20, delete "65" and insert "80.4"

Page 14, after line 25, insert:

"Sec. 14. Minnesota Statutes 2011 Supplement, section 256L.031, subdivision 2, is amended to read:

Subd. 2. **Use of defined contribution; health plan requirements.** (a) An enrollee may use up to the monthly defined contribution to pay premiums for coverage under a health plan as defined in section 62A.011, subdivision 3, or as provided in section 256L.031, subdivision 6.

(b) An enrollee must select a health plan within ~~three~~ four calendar months of approval of MinnesotaCare eligibility. If a health plan is not selected and purchased within this time period, the enrollee must reapply and must meet all eligibility criteria. The commissioner may determine criteria under which an enrollee has more than four calendar months to select a health plan.

(c) ~~A health plan~~ Coverage purchased under this section must:

- (1) ~~provide coverage for~~ include mental health and chemical dependency treatment services; and
- (2) comply with the coverage limitations specified in section 256L.03, subdivision 1, the second paragraph.

Sec. 15. Minnesota Statutes 2011 Supplement, section 256L.031, subdivision 3, is amended to read:

Subd. 3. **Determination of defined contribution amount.** (a) The commissioner shall determine the defined contribution sliding scale using the base contribution specified in ~~paragraph (b)~~ this paragraph for the specified age ranges. The commissioner shall use a sliding scale for defined contributions that provides:

- (1) persons with household incomes equal to 200 percent of the federal poverty guidelines with a defined contribution of 93 percent of the base contribution;
- (2) persons with household incomes equal to 250 percent of the federal poverty guidelines with a defined contribution of 80 percent of the base contribution; and

(3) persons with household incomes in evenly spaced increments between the percentages of the federal poverty guideline or income level specified in clauses (1) and (2) with a base contribution that is a percentage interpolated from the defined contribution percentages specified in clauses (1) and (2).

19 - 29	\$125
30 - 34	\$135
35 - 39	\$140
40 - 44	\$175
45 - 49	\$215
50 - 54	\$295
55 - 59	\$345
60+	\$360

(b) The commissioner shall multiply the defined contribution amounts developed under paragraph (a) by 1.20 for enrollees ~~who are denied coverage under an individual health plan by a health plan company and~~ who purchase coverage through the Minnesota Comprehensive Health Association.

Sec. 16. Minnesota Statutes 2011 Supplement, section 256L.031, subdivision 6, is amended to read:

Subd. 6. **Minnesota Comprehensive Health Association (MCHA).** Beginning July 1, 2012, MinnesotaCare enrollees ~~who are denied coverage in the individual health market by a health plan company in accordance with section 62A.65~~ are eligible for coverage through a health plan offered by the Minnesota Comprehensive Health Association ~~and~~ may enroll in MCHA in accordance with section 62E.14. Any difference between the revenue and actual covered losses to MCHA related to the implementation of this section are appropriated annually to the commissioner of human services from the health care access fund and shall be paid to MCHA.

Sec. 17. Minnesota Statutes 2010, section 256L.07, subdivision 3, is amended to read:

Subd. 3. **Other health coverage.** (a) Families and individuals enrolled in the MinnesotaCare program must have no health coverage while enrolled or for at least four months prior to application and renewal. Children enrolled in the original children's health plan and children in families with income equal to or less than 150 percent of the federal poverty guidelines, who have other health insurance, are eligible if the coverage:

(1) lacks two or more of the following:

(i) basic hospital insurance;

(ii) medical-surgical insurance;

(iii) prescription drug coverage;

(iv) dental coverage; or

(v) vision coverage;

(2) requires a deductible of \$100 or more per person per year; or

(3) lacks coverage because the child has exceeded the maximum coverage for a particular diagnosis or the policy excludes a particular diagnosis.

The commissioner may change this eligibility criterion for sliding scale premiums in order to remain within the limits of available appropriations. The requirement of no health coverage does not apply to newborns.

(b) ~~Coverage purchased as provided under section 256L.031, subdivision 2, medical assistance, general assistance medical care,~~ and the Civilian Health and Medical Program of the Uniformed Service, CHAMPUS, or other coverage provided under United States Code, title 10, subtitle A, part II, chapter 55, are not considered insurance or health coverage for purposes of the four-month requirement described in this subdivision.

(c) For purposes of this subdivision, an applicant or enrollee who is entitled to Medicare Part A or enrolled in Medicare Part B coverage under title XVIII of the Social Security Act, United States Code, title 42, sections 1395c to 1395w-152, is considered to have health coverage. An applicant or enrollee who is entitled to premium-free Medicare Part A may not refuse to apply for or enroll in Medicare coverage to establish eligibility for MinnesotaCare.

(d) Applicants who were recipients of medical assistance ~~or general assistance medical care~~ within one month of application must meet the provisions of this subdivision and subdivision 2.

(e) Cost-effective health insurance that was paid for by medical assistance is not considered health coverage for purposes of the four-month requirement under this section, except if the insurance continued after medical assistance no longer considered it cost-effective or after medical assistance closed."

Page 18, line 5, delete "and" and after "Minnesota" insert ", and Minnesota-based entities with demonstrated expertise in data-driven wellness, disease, and care management,"

Page 35, line 10, delete the new language

Page 35, line 11, before the period, insert "for the purposes of treatment, payment, or health care operations"

Page 35, after line 11, insert:

"Sec. 15. Minnesota Statutes 2010, section 144.298, subdivision 2, is amended to read:

Subd. 2. **Liability of provider or other person.** A person who does any of the following is liable to the patient for compensatory damages caused by an unauthorized release or access, plus costs and reasonable attorney fees:

(1) negligently or intentionally requests or releases a health record in violation of sections 144.291 to 144.297;

(2) forges a signature on a consent form or materially alters the consent form of another person without the person's consent; ~~or~~

(3) obtains a consent form or the health records of another person under false pretenses; or

(4) intentionally accesses a health record in violation of sections 144.291 to 144.297."

Page 40, line 15, after "(a)" insert "or (d)"

Page 40, line 23, delete "January" and insert "July"

Page 41, lines 13 and 31, delete "January" and insert "July"

Page 41, line 17, delete "status" and insert "date"

Page 41, line 20, delete "status" and insert "date"

Page 41, line 21, delete "whose" and insert "as a result the" and after "been" insert "accordingly"

Page 60, line 31, delete "April" and insert "December"

Page 67, line 4, after "2011" insert "and 2012"

Page 67, line 6, delete "..." and insert "183"

Page 67, line 9, after "settings" insert "or close or relocate other occupied beds, consistent with the information gathered through the needs determination process. Beds used for emergency crisis purposes under section 245A.11, subdivision 2a, paragraph (d), are not subject to this provision"

Page 67, line 13, delete everything after "under"

Page 67, line 14, delete everything before "will" and insert "paragraph (e)"

Page 90, line 28, delete "accordingly" and insert "as provided in section 245A.03, subdivision 7, paragraphs (e) and (f)"

Page 98, line 18, delete "accordingly" and insert "as provided in section 245A.03, subdivision 7, paragraphs (e) and (f)"

Page 100, line 26, delete "by January 1, 2013,"

Page 116, line 4, delete "and" and insert a comma and after "simplifying" insert ", and licensing"

Page 116, line 11, delete the second "and" and insert a comma and after "simplify" insert ", and license"

Page 118, after line 4, insert:

"Sec. 45. **LICENSING PERSONAL CARE ATTENDANT SERVICES.**

The commissioner of human services shall study the feasibility of licensing personal care attendant services and issue a report to the legislature no later than January 15, 2013, that includes recommendations and proposed legislation for licensure and oversight of these services."

Page 130, after line 16, insert:

"Sec. 6. Minnesota Statutes 2010, section 514.981, subdivision 5, is amended to read:

Subd. 5. **Release.** (a) An agency that files a medical assistance lien notice shall release and discharge the lien in full if:

(1) the medical assistance recipient is discharged from the medical institution and returns home;

(2) the medical assistance lien is satisfied;

(3) the agency has received reimbursement for the amount secured by the lien or a legally enforceable agreement has been executed providing for reimbursement of the agency for that amount; or

(4) the medical assistance recipient, if single, or the recipient's surviving spouse, has died, and a claim may not be filed against the estate of the decedent under section 256B.15, subdivision 3.

(b) Upon request, the agency that files a medical assistance lien notice shall release a specific parcel of real property from the lien if:

(1) the property is or was the homestead of the recipient's spouse during the time of the medical assistance recipient's institutionalization, or the property is or was attributed to the spouse under section 256B.059, subdivision 3 or 4, and the spouse is not receiving medical assistance benefits;

(2) the property would be exempt from a claim against the estate under section 256B.15, subdivision 4;

(3) the agency receives reimbursement, or other collateral sufficient to secure payment of reimbursement, in an amount equal to the lesser of the amount secured by the lien, or the amount the agency would be allowed to recover upon enforcement of the lien against the specific parcel of property if the agency attempted to enforce the lien on the date of the request to release the lien; or

(4) the medical assistance lien cannot lawfully be enforced against the property because of an error, omission, or other material defect in procedure, description, identity, timing, or other prerequisite to enforcement.

(c) The agency that files a medical assistance lien notice may release the lien if the attachment or enforcement of the lien is determined by the agency to be contrary to the public interest.

(d) The agency that files a medical assistance lien notice shall execute the release of the lien and file the release as provided in section 514.982, subdivision 2.

(e) The agency that files a medical assistance lien may release the lien if a good faith purchaser, without knowledge of the medical assistance lien, purchases the property and satisfaction of the lien would present an undue hardship or would be contrary to the public interest."

Page 134, delete lines 9 to 10

Page 135, line 8, delete "grant" and insert "transfer"

Page 135, delete lines 31 to 36

Page 136, delete lines 1 to 4

Page 136, delete line 8

Page 139, line 33, delete "expended" and insert "June 30, 2014"

Page 140, line 31, delete "expended" and insert "June 30, 2014"

Page 141, line 13, after "256E.30" insert ", for the family assets for independence program under Minnesota Statutes, section 256E.35"

Page 141, line 18, delete "expended" and insert "June 30, 2014"

Page 143, after line 30, insert:

"Subd. 5. State Operated Services

Minnesota Specialty Health Services - Willmar. \$549,000 in fiscal year 2012 and \$2,713,000 in fiscal year 2013 are appropriated from the account established under Minnesota Statutes, section 246.18, subdivision 8, for continued operation of the Minnesota Specialty Health Services - Willmar. These appropriations are onetime. Closure of the facility shall not occur prior to June 30, 2013.

Subd. 6. Technical Activities

-0-

1,015,000"

Page 144, delete lines 1 to 3

Page 144, delete lines 20 and 21

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Amend the totals accordingly

The motion prevailed and the amendment was adopted.

Abeler moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 67, after line 26, insert:

"Sec. 6. Minnesota Statutes 2010, section 245A.10, is amended by adding a subdivision to read:

Subd. 4a. Application and annual license fees. For applicants and license holders seeking licensure according to chapters 245A and 245D to provide home and community-based services to persons with disabilities or persons age 65 and older, the commissioner shall charge a license application fee that is sufficient to recover actual costs related to the commissioner's evaluation of the application according to section 245A.04, subdivision 6. The application fee will be waived for applicants who meet the criteria identified in section 245A.042, subdivision 2. The commissioner shall charge license holders subject to chapter 245D an annual nonrefundable license fee that is sufficient to recover actual costs related to the commissioner's inspection of programs to determine whether the program complies with all applicable rules and laws according to section 245A.04, subdivision 7."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

McDonald, Norton and Abeler moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 3, line 24, after the period, insert "The commissioner, or the commissioner's designee, shall attend all advisory committee meetings."

Page 4, line 3, after the period, insert "The chair of the advisory committee, or the chair's designee, shall attend all meetings of the Minnesota Council on Transportation Access."

Page 4, line 31, after the period, insert "Members of the advisory committee shall receive no compensation."

Page 4, after line 31, insert:

"Sec. 4. Minnesota Statutes 2010, section 256B.0625, is amended by adding a subdivision to read:

**Subd. 18e. Single administrative structure and delivery system.** (a) The commissioner shall implement a single administrative structure and delivery system for nonemergency medical transportation, beginning July 1, 2013. The single administrative structure and delivery system must:

(1) eliminate the distinction between access transportation services and special transportation services;

(2) enable all medical assistance recipients to follow the same process to obtain nonemergency medical transportation, regardless of their level of need;

(3) provide a single oversight framework for all providers of nonemergency medical transportation; and

(4) provide flexibility in service delivery, recognizing that clients fall along a continuum of needs and resources.

(b) The commissioner shall present to the legislature, by January 15, 2013, any draft legislation necessary to implement the single administrative structure and delivery system for nonemergency medical transportation.

(c) In developing the single administrative structure and delivery system and the draft legislation, the commissioner shall consult with the Nonemergency Medical Transportation Advisory Committee.

Sec. 5. Minnesota Statutes 2010, section 256B.0625, is amended by adding a subdivision to read:

**Subd. 18f. Enrollee assessment process.** (a) The commissioner, in consultation with the Nonemergency Medical Transportation Advisory Committee, shall develop and implement, by July 1, 2013, a comprehensive, statewide, standard assessment process for medical assistance enrollees seeking nonemergency medical transportation services. The assessment process must identify a client's level of needs, abilities, and resources, and match the client with the mode of transportation in the client's service area that best meets those needs.

(b) The assessment process must:

(1) address mental health diagnoses when determining the most appropriate mode of transportation;

(2) base decisions on clearly defined criteria that are available to clients, providers, and counties;

(3) be standardized across the state and be aligned with other similar existing processes;

(4) allow for extended periods of eligibility for certain types of nonemergency transportation, when a client's condition is unlikely to change; and

(5) increase the use of public transportation when appropriate and cost-effective, including offering monthly bus passes to clients.

Sec. 6. Minnesota Statutes 2010, section 256B.0625, is amended by adding a subdivision to read:

Subd. 18g. **Use of standardized measures.** The commissioner, in consultation with the Nonemergency Medical Transportation Advisory Committee, shall establish performance measures to assess the cost-effectiveness and quality of nonemergency medical transportation. At a minimum, performance measures should include the number of unique participants served by type of transportation provider, number of trips provided by type of transportation provider, and cost per trip by type of transportation provider. The commissioner must also consider the measures identified in the January 2012 Department of Human Services report to the legislature on nonemergency medical transportation. Beginning in calendar year 2013, the commissioner shall collect, audit, and analyze performance data on nonemergency medical transportation annually and report this information on the agency's Web site. The commissioner shall periodically supplement this information with the results of consumer surveys of the quality of services, and shall make these survey findings available to the public on the agency Web site."

Page 18, after line 28, insert:

"Sec. 20. **NONEMERGENCY MEDICAL TRANSPORTATION SERVICES REQUEST FOR INFORMATION.**

(a) The commissioner of human services shall issue a request for information from vendors about potential solutions for the management of nonemergency medical transportation (NEMT) services provided to recipients of Minnesota health care programs. The request for information must require vendors to submit responses by November 1, 2012. The request for information shall seek information from vendors, including but not limited to, the following aspects:

(1) administration of the NEMT program within a single administrative structure, that may include a statewide or regionalized solution;

(2) oversight of transportation services;

(3) a process for assessing an individual's level of need;

(4) methods that promote the appropriate use of public transportation; and

(5) an electronic system that assists providers in managing services to clients and is consistent with the recommendations in the 2011 evaluation report by the Office of the Legislative Auditor on NEMT, related to the use of data to inform decision-making and reduce waste and fraud.

(b) The commissioner shall provide the information obtained from the request for information to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and financing by November 15, 2012."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Daudt moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 41, after line 31, insert:

"Sec. 6. Minnesota Statutes 2010, section 256.9831, subdivision 2, is amended to read:

Subd. 2. **Financial transaction cards.** The commissioner shall take all actions necessary to ensure that no person may obtain benefits under chapter 256 ~~or~~ 256D, or 256J through the use of a financial transaction card, as defined in section 609.821, subdivision 1, paragraph (a), at a terminal located in or attached to a gambling establishment, liquor store, tobacco store, or tattoo parlor."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Anderson, S., moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 49, after line 21, insert:

"Sec. 18. **[626.5533] REPORTING POTENTIAL WELFARE FRAUD.**

Subdivision 1. **Reports required.** A peace officer must report to the head of the officer's department every arrest where the person arrested possesses more than one welfare electronic benefit transfer card. Each report must include all of the following:

(1) the name of the suspect;

(2) the suspect's drivers license or state identification card number, where available;

(3) the suspect's home address;

(4) the number on each card;

(5) the name on each electronic benefit card in the possession of the suspect, in cases where the card has a name printed on it;

(6) the date of the alleged offense;

(7) the location of the alleged offense;

(8) the alleged offense; and

(9) any other information the commissioner of human services deems necessary.

Subd. 2. **Use of information collected.** The head of a local law enforcement agency or state law enforcement department that employs peace officers licensed under section 626.843 must forward the report required under subdivision 1 to the commissioner of human services within 30 days of receiving the report. The commissioner of human services shall use the report to determine whether the suspect is authorized to possess any of the electronic benefit cards found in the suspect's possession.

Subd. 3. Reporting forms. The commissioner of human services, in consultation with the superintendent of the Bureau of Criminal Apprehension, shall adopt reporting forms to be used by law enforcement agencies in making the reports required under this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Liebling offered an amendment to H. F. No. 2294, the second engrossment, as amended.

#### POINT OF ORDER

Holberg raised a point of order pursuant to rule 4.05, relating to Amendment Limits, that the Liebling amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Liebling amendment out of order.

Fritz offered an amendment to H. F. No. 2294, the second engrossment, as amended.

#### POINT OF ORDER

Holberg raised a point of order pursuant to rule 4.05, relating to Amendment Limits, that the Fritz amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Fritz amendment out of order.

Fritz appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 71 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Kiffmeyer	Murdock	Shimanski
Anderson, B.	Daudt	Gruenhagen	Kriesel	Murray	Smith
Anderson, D.	Davids	Gunther	Lanning	Myhra	Stensrud
Anderson, P.	Dean	Hackbarth	Leidiger	Nornes	Swedzinski
Anderson, S.	Dettmer	Hamilton	LeMieur	O'Driscoll	Torkelson
Banaian	Doepke	Hancock	Lohmer	Peppin	Urdahl
Barrett	Downey	Holberg	Loon	Petersen, B.	Vogel
Beard	Drazkowski	Hoppe	Mack	Quam	Wardlow
Benson, M.	Erickson	Howes	McDonald	Runbeck	Westrom
Bills	Fabian	Kelly	McElpatrick	Sanders	Woodard
Buesgens	Franson	Kieffer	McFarlane	Schomacker	Spk. Zellers
Cornish	Garofalo	Kiel	McNamara	Scott	

Those who voted in the negative were:

Allen	Falk	Hortman	Lillie	Nelson	Slawik
Anzelc	Fritz	Johnson	Loeffler	Norton	Slocum
Atkins	Gauthier	Kahn	Mahoney	Paymar	Thissen
Benson, J.	Greene	Kath	Mariani	Pelowski	Wagenius
Brynaert	Greiling	Knuth	Marquart	Persell	Ward
Carlson	Hansen	Koenen	Melin	Peterson, S.	Winkler
Champion	Hausman	Laine	Morrow	Poppe	
Clark	Hilstrom	Lenczewski	Mullery	Rukavina	
Davnie	Hilty	Lesch	Murphy, E.	Scalze	
Eken	Hornstein	Liebling	Murphy, M.	Simon	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

Lesch was excused for the remainder of today's session.

Slawik; Peterson, S.; Greene; Clark; Scalze and Hosch offered an amendment to H. F. No. 2294, the second engrossment, as amended.

#### POINT OF ORDER

Holberg raised a point of order pursuant to rule 4.05, relating to Amendment Limits, that the Slawik et al amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Slawik et al amendment out of order.

Slawik appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 71 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Kiffmeyer	Murdock	Shimanski
Anderson, B.	Daudt	Gruenhagen	Kriesel	Murray	Smith
Anderson, D.	Davids	Gunther	Lanning	Myhra	Stensrud
Anderson, P.	Dean	Hackbarth	Leidiger	Nornes	Swedzinski
Anderson, S.	Dettmer	Hamilton	LeMieur	O'Driscoll	Torkelson
Banaian	Doepke	Hancock	Lohmer	Peppin	Urdahl
Barrett	Downey	Holberg	Loon	Petersen, B.	Vogel
Beard	Drazkowski	Hoppe	Mack	Quam	Wardlow
Benson, M.	Erickson	Howes	McDonald	Runbeck	Westrom
Bills	Fabian	Kelly	McElpatrick	Sanders	Woodard
Buesgens	Franson	Kieffer	McFarlane	Schomacker	Spk. Zellers
Cornish	Garofalo	Kiel	McNamara	Scott	

Those who voted in the negative were:

Allen	Falk	Hortman	Loeffler	Norton	Slocum
Anzelc	Fritz	Johnson	Mahoney	Paymar	Thissen
Atkins	Gauthier	Kahn	Mariani	Pelowski	Wagenius
Benson, J.	Greene	Kath	Marquart	Persell	Ward
Brynaert	Greiling	Knuth	Melin	Peterson, S.	Winkler
Carlson	Hansen	Koenen	Morrow	Poppe	
Champion	Hausman	Laine	Mullery	Rukavina	
Clark	Hilstrom	Lenczewski	Murphy, E.	Scalze	
Davnie	Hilty	Liebling	Murphy, M.	Simon	
Eken	Hornstein	Lillie	Nelson	Slawik	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

Bills was excused between the hours of 7:55 p.m. and 9:00 p.m.

Liebling and Hosch moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 138, line 22, delete "Managed Care" and insert "Personal Care Assistance"

Page 138, delete lines 29 to 36

Page 139, delete lines 1 to 15, and insert "restore the 20 percent payment rate reduction for personal care assistance relative care for the biennium ending on June 30, 2013. Any amount remaining after the restoration of the personal care assistance relative rate reduction must be used as a onetime payment rate increase for personal care assistance providers. Notwithstanding any other provision of this act, this provision is effective the day following final enactment."

A roll call was requested and properly seconded.

The question was taken on the Liebling and Hosch amendment and the roll was called. There were 56 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Allen	Falk	Hortman	Lillie	Nelson	Slawik
Anzelc	Fritz	Huntley	Loeffler	Norton	Slocum
Atkins	Gauthier	Johnson	Mahoney	Paymar	Thissen
Benson, J.	Greene	Kahn	Mariani	Pelowski	Wagenius
Brynaert	Greiling	Kath	Marquart	Persell	Ward
Carlson	Hansen	Knuth	Melin	Peterson, S.	Winkler
Champion	Hausman	Koenen	Morrow	Poppe	
Clark	Hilstrom	Laine	Mullery	Rukavina	
Davnie	Hilty	Lenczewski	Murphy, E.	Scalze	
Eken	Hornstein	Liebling	Murphy, M.	Simon	

Those who voted in the negative were:

Abeler	Anderson, P.	Barrett	Buesgens	Daudt	Dettmer
Anderson, B.	Anderson, S.	Beard	Cornish	Davids	Doepke
Anderson, D.	Banaian	Benson, M.	Crawford	Dean	Downey

Drazkowski	Hamilton	Kriesel	McFarlane	Quam	Torkelson
Erickson	Hancock	Lanning	McNamara	Runbeck	Urdahl
Fabian	Holberg	Leidiger	Murdock	Sanders	Vogel
Franson	Hoppe	LeMieur	Murray	Schomacker	Wardlow
Garofalo	Howes	Lohmer	Myhra	Scott	Westrom
Gottwalt	Kelly	Loon	Nornes	Shimanski	Woodard
Gruenhagen	Kieffer	Mack	O'Driscoll	Smith	Spk. Zellers
Gunther	Kiel	McDonald	Peppin	Stensrud	
Hackbarth	Kiffmeyer	McElpatrick	Petersen, B.	Swedzinski	

The motion did not prevail and the amendment was not adopted.

Peppin was excused between the hours of 8:00 p.m. and 9:20 p.m.

Fritz moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 138, line 22, delete "Managed Care" and insert "Nursing Facility"

Page 138, line 23, after "Payment" insert "Rate"

Page 138, delete lines 29 to 36

Page 139, delete lines 1 to 15, and insert "make available an increase in operating payment rates of nursing facilities reimbursed under Minnesota Statutes, section 256B.434 or 256B.441. The increase shall be in a percentage amount determined by the commissioner of human services not to exceed the money received. The increase shall be effective beginning October 1, 2012, through September 30, 2013."

A roll call was requested and properly seconded.

The question was taken on the Fritz amendment and the roll was called. There were 56 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Allen	Falk	Hortman	Lillie	Nelson	Slawik
Anzelc	Fritz	Huntley	Loeffler	Norton	Slocum
Atkins	Gauthier	Johnson	Mahoney	Paymar	Thissen
Benson, J.	Greene	Kahn	Mariani	Pelowski	Wagenius
Brynaert	Greiling	Kath	Marquart	Persell	Ward
Carlson	Hansen	Knuth	Melin	Peterson, S.	Winkler
Champion	Hausman	Koenen	Morrow	Poppe	
Clark	Hilstrom	Laine	Mullery	Rukavina	
Davnie	Hilty	Lenczewski	Murphy, E.	Scalze	
Eken	Hornstein	Liebling	Murphy, M.	Simon	

Those who voted in the negative were:

Abeler	Anderson, P.	Barrett	Buesgens	Daudt	Dettmer
Anderson, B.	Anderson, S.	Beard	Cornish	Dauids	Doepke
Anderson, D.	Banaian	Benson, M.	Crawford	Dean	Downey

Drazkowski	Hamilton	Kriesel	McFarlane	Runbeck	Urdahl
Erickson	Hancock	Lanning	McNamara	Sanders	Vogel
Fabian	Holberg	Leidiger	Murdock	Schomacker	Wardlow
Franson	Hoppe	LeMieur	Murray	Scott	Westrom
Garofalo	Howes	Lohmer	Myhra	Shimanski	Woodard
Gottwalt	Kelly	Loon	Nornes	Smith	Spk. Zellers
Gruenhagen	Kieffer	Mack	O'Driscoll	Stensrud	
Gunther	Kiel	McDonald	Petersen, B.	Swedzinski	
Hackbarth	Kiffmeyer	McElpatrick	Quam	Torkelson	

The motion did not prevail and the amendment was not adopted.

Loeffler, Abeler and Gottwalt moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 62, line 15, delete the new language and reinstate the stricken "the"

Page 62, line 16, reinstate the stricken language and after "and" insert "in consultation with"

Page 62, line 18, after the second comma, insert "and" and delete the third comma

Page 62, line 19, delete the new language

Page 62, line 22, after "disabilities" insert "and mental illnesses"

Page 62, line 26, after "illnesses" insert ", housing options, and supports"

Page 62, line 30, after "problems" insert ", including access to the least restrictive and most integrated services and settings,"

Page 62, line 31, after "availability" insert ", including serving people in their home areas near family,"

Page 62, line 34, after "resource" insert "development and transition"

The motion prevailed and the amendment was adopted.

Murphy, E., and Abeler moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 5, line 13, before "Payments" insert "(a)"

Page 5, after line 21, insert:

"(b) For mental health services requiring prior authorization, if a final authorization decision is not made by the commissioner within ten working days, the request shall be considered approved. Any authorization system for mental health services must incorporate independent peer review of authorization denials and service level reductions."

The motion prevailed and the amendment was adopted.

Norton and Abeler moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 19, after line 2, insert:

"Sec. 18. **HEALTH SERVICES ADVISORY COUNCIL.**

The Health Services Advisory Council shall review currently available literature regarding the efficacy of various treatments for autism spectrum disorder, including an evaluation of age-based variation in the appropriateness of existing medical and behavioral interventions. The council shall recommend to the commissioner of human services authorization criteria for services based on existing evidence. The council may recommend coverage with ongoing collection of outcomes evidence in circumstances where evidence is currently unavailable, or where the strength of the evidence is low. The council shall make this recommendation by December 31, 2012."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Murphy, E.; Slawik; Mahoney; Nelson; Moran; Norton; Paymar; Peterson, S.; Knuth; Greene; Kahn; Huntley; Loeffler; Johnson; Hornstein; Laine; Melin; Thissen; Greiling; Simon; Hilty; Liebling; Hortman; Allen; Scalze; Wagenius; Davnie; Hausman; Falk; Poppe; Hansen; Slocum; Hilstrom; Persell; Lesch and Gauthier offered an amendment to H. F. No. 2294, the second engrossment, as amended.

#### POINT OF ORDER

Downey raised a point of order pursuant to rule 4.05, relating to Amendment Limits, that the Murphy, E., et al amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Murphy, E., et al amendment out of order.

Murphy, E., appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Thissen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Banaian	Champion	Dettmer	Franson	Gunther
Allen	Barrett	Clark	Doepke	Fritz	Hackbarth
Anderson, B.	Beard	Cornish	Downey	Garofalo	Hamilton
Anderson, D.	Benson, J.	Crawford	Drazkowski	Gauthier	Hancock
Anderson, P.	Benson, M.	Daudt	Eken	Gottwalt	Hansen
Anderson, S.	Brynaert	Davids	Erickson	Greene	Hausman
Anzelc	Buesgens	Davnie	Fabian	Greiling	Hilstrom
Atkins	Carlson	Dean	Falk	Gruenhagen	Hilty

Holberg	Kiffmeyer	Loon	Murphy, E.	Poppe	Stensrud
Hoppe	Knuth	Mack	Murphy, M.	Quam	Swedzinski
Hornstein	Koenen	Mahoney	Murray	Rukavina	Thissen
Hortman	Kriesel	Mariani	Myhra	Runbeck	Torkelson
Hosch	Laine	Marquart	Nelson	Sanders	Urdahl
Howes	Lanning	McDonald	Nornes	Scalze	Vogel
Huntley	Leidiger	McElfatrick	Norton	Schomacker	Wagenius
Johnson	LeMieur	McFarlane	O'Driscoll	Scott	Ward
Kahn	Lenczewski	McNamara	Paymar	Shimanski	Wardlow
Kath	Liebling	Melin	Pelowski	Simon	Westrom
Kelly	Lillie	Morrow	Persell	Slawik	Winkler
Kieffer	Loeffler	Mullery	Petersen, B.	Slocum	Woodard
Kiel	Lohmer	Murdock	Peterson, S.	Smith	Spk. Zellers

Dean 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 vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called.

Dean moved that those not voting be excused from voting. The motion prevailed.

There were 76 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gruenhagen	Koenen	Murphy, M.	Smith
Anderson, B.	Dean	Gunther	Kriesel	Murray	Stensrud
Anderson, D.	Dettmer	Hackbarth	Lanning	Myhra	Swedzinski
Anderson, P.	Doepke	Hamilton	Leidiger	Nornes	Torkelson
Anderson, S.	Downey	Hancock	LeMieur	O'Driscoll	Urdahl
Banaian	Drazkowski	Holberg	Lohmer	Pelowski	Vogel
Barrett	Eken	Hoppe	Loon	Petersen, B.	Ward
Beard	Erickson	Howes	Mack	Quam	Wardlow
Benson, M.	Fabian	Kath	McDonald	Runbeck	Westrom
Buesgens	Franson	Kelly	McElfatrick	Sanders	Woodard
Cornish	Fritz	Kieffer	McFarlane	Schomacker	Spk. Zellers
Crawford	Garofalo	Kiel	McNamara	Scott	
Daudt	Gottwalt	Kiffmeyer	Murdock	Shimanski	

Those who voted in the negative were:

Allen	Falk	Hortman	Lillie	Nelson	Slocum
Anzelc	Gauthier	Hosch	Loeffler	Norton	Thissen
Atkins	Greene	Huntley	Mahoney	Persell	Wagenius
Benson, J.	Greiling	Johnson	Mariani	Peterson, S.	Winkler
Brynaert	Hansen	Kahn	Marquart	Poppe	
Carlson	Hausman	Knuth	Melin	Rukavina	
Champion	Hilstrom	Laine	Morrow	Scalze	
Clark	Hilty	Lenczewski	Mullery	Simon	
Davnie	Hornstein	Liebling	Murphy, E.	Slawik	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

The Speaker resumed the Chair.

Loeffler and Abeler moved to amend H. F. No. 2294, the second engrossment, as amended, as follows:

Page 82, line 12, delete the second "or"

Page 82, line 13, delete "or proposed" and delete "copy of the provider's nursing"

Page 82, line 14, delete "assessment or"

Page 82, line 15, before the period, insert "prepared by a direct service employee with at least 20 hours of service to that client"

Page 82, line 17, after "assessment" insert "and the person or the person's legal representative"

The motion prevailed and the amendment was adopted.

#### CALL OF THE HOUSE LIFTED

Dean moved that the call of the House be lifted. The motion prevailed and it was so ordered.

H. F. No. 2294, A bill for an act relating to state government; making adjustments to health and human services appropriations; making changes to provisions related to health care, the Department of Health, children and family services, continuing care, chemical dependency, child support, background studies, homelessness, and vulnerable children and adults; providing for data sharing; requiring eligibility determinations; requiring the University of Minnesota to request funding for rural primary care training; providing for the release of medical assistance liens; requiring reporting of potential welfare fraud; providing penalties; providing appointments; providing grants; requiring studies and reports; appropriating money; amending Minnesota Statutes 2010, sections 62D.02, subdivision 3; 62D.05, subdivision 6; 62D.12, subdivision 1; 62J.496, subdivision 2; 62Q.80; 62U.04, subdivisions 1, 2, 4, 5; 119B.13, subdivision 3a; 144.1222, by adding a subdivision; 144.292, subdivision 6; 144.293, subdivision 2; 144.298, subdivision 2; 144A.351; 144D.04, subdivision 2; 145.906; 245.697, subdivision 1; 245A.03, by adding a subdivision; 245A.10, by adding a subdivision; 245A.11, subdivision 7; 245B.07, subdivision 1; 245C.04, subdivision 6; 245C.05, subdivision 7; 252.27, subdivision 2a; 254A.19, by adding a subdivision; 256.01, by adding subdivisions; 256.9831, subdivision 2; 256B.056, subdivision 1a; 256B.0625, subdivisions 9, 28a, by adding subdivisions; 256B.0659, by adding a subdivision; 256B.0751, by adding a subdivision; 256B.0754, subdivision 2; 256B.0915, subdivision 3g; 256B.092, subdivisions 1b, 7, by adding subdivisions; 256B.0943, subdivision 9; 256B.431, subdivision 17e, by adding a subdivision; 256B.441, by adding a subdivision; 256B.49, by adding a subdivision; 256B.69, subdivision 9, by adding subdivisions; 256D.06, subdivision 1b; 256D.44, subdivision 5; 256E.37, subdivision 1; 256I.05, subdivision 1e; 256J.08, by adding a subdivision; 256J.26, subdivision 1, by adding a subdivision; 256J.45, subdivision 2; 256J.50, by adding a subdivision; 256J.521, subdivision 2; 256L.07, subdivision 3; 462A.29; 514.981, subdivision 5; 518A.40, subdivision 4; Minnesota Statutes 2011 Supplement, sections 62E.14, subdivision 4g; 62U.04, subdivisions 3, 9; 119B.13, subdivision 7; 245A.03, subdivision 7; 256.045, subdivision 3; 256.987, subdivisions 1, 2, by adding subdivisions; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.0625, subdivisions 8, 8a, 8b, 38; 256B.0911, subdivisions 3a, 3c; 256B.0915, subdivisions 3e, 3h; 256B.097, subdivision 3; 256B.49, subdivisions 14, 15, 23; 256B.5012, subdivision 13; 256B.69, subdivisions 5a, 5c; 256E.35, subdivisions 5, 6; 256I.05, subdivision 1a; 256J.49, subdivision 13; 256L.031, subdivisions 2, 3, 6; 256L.12, subdivision 9; 256M.40, subdivision 1; Laws 2010, chapter 374, section 1; Laws 2011, First Special Session chapter 9, article 7, sections 52; 54; article 9, section 18; article 10, section 3, subdivisions 1, 3, 4; proposing coding for new law in Minnesota Statutes, chapters 144; 256B; 626.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 79 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hancock	LeMieur	Norton	Stensrud
Anderson, B.	Dettmer	Holberg	Liebling	O'Driscoll	Swedzinski
Anderson, D.	Doepke	Hoppe	Lohmer	Paymar	Torkelson
Anderson, P.	Downey	Hortman	Loon	Peppin	Urdahl
Anderson, S.	Drazkowski	Howes	Mack	Petersen, B.	Vogel
Banaian	Erickson	Huntley	McDonald	Quam	Wardlow
Barrett	Fabian	Kelly	McElfrick	Runbeck	Westrom
Beard	Franson	Kieffer	McFarlane	Sanders	Woodard
Benson, M.	Garofalo	Kiel	McNamara	Scalze	Spk. Zellers
Bills	Gottwalt	Kiffmeyer	Morrow	Schomacker	
Cornish	Gruenhagen	Koenen	Murdock	Scott	
Crawford	Gunther	Kriesel	Murray	Shimanski	
Daudt	Hackbarth	Lanning	Myhra	Slawik	
Dauids	Hamilton	Leidiger	Nornes	Smith	

Those who voted in the negative were:

Allen	Davnie	Hilstrom	Lenczewski	Murphy, M.	Thissen
Anzelc	Eken	Hilty	Lillie	Nelson	Wagenius
Atkins	Falk	Hornstein	Loeffler	Pelowski	Ward
Benson, J.	Fritz	Hosch	Mahoney	Persell	Winkler
Brynaert	Gauthier	Johnson	Mariani	Peterson, S.	
Buesgens	Greene	Kahn	Marquart	Poppe	
Carlson	Greiling	Kath	Melin	Rukavina	
Champion	Hansen	Knuth	Mullery	Simon	
Clark	Hausman	Laine	Murphy, E.	Slocum	

The bill was passed, as amended, and its title agreed to.

#### FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place H. F. Nos. 2171 and 2398; S. F. No. 2493; H. F. Nos. 2580 and 2729; and S. F. No. 1528 on the Fiscal Calendar for Friday, March 30, 2012.

#### MOTIONS AND RESOLUTIONS

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

Beard moved that the name of Dauids be added as an author on H. F. No. 1284. The motion prevailed.

Champion moved that the name of Dettmer be added as an author on H. F. No. 1345. The motion prevailed.

Kelly moved that the name of Hamilton be added as an author on H. F. No. 1992. The motion prevailed.

Benson, M., moved that the name of Hansen be added as an author on H. F. No. 2239. The motion prevailed.

Davids moved that the name of Fabian be added as an author on H. F. No. 2342. The motion prevailed.

Howes moved that the name of Loeffler be added as an author on H. F. No. 2754. The motion prevailed.

Swedzinski moved that the name of Westrom be added as an author on H. F. No. 2786. The motion prevailed.

Mariani moved that the name of Persell be added as an author on H. F. No. 2840. The motion prevailed.

Sanders moved that H. F. No. 2732 be recalled from the Committee on Jobs and Economic Development Finance and be re-referred to the Committee on Ways and Means. The motion prevailed.

#### ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, March 30, 2012. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, March 30, 2012.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

