

1.1 ..... moves to amend H.F. No. 843, the second engrossment, as follows:

1.2 Page 10, line 25, delete "\$500,000" and insert "\$250,000"

1.3 Page 10, line 28, delete ", and" and insert a period

1.4 Page 10, delete lines 29 to 31 and insert:

1.5 "(j) \$250,000 each year is from the general  
1.6 fund for programs in the workforce service  
1.7 areas to combine career and higher education  
1.8 advising."

1.9 Reletter the paragraphs in sequence

1.10 Page 16, after line 31, insert:

1.11 "Subd. 9. **Broadband development.** 250,000 250,000

1.12 \$250,000 each year is for the Broadband  
1.13 Development Office."

1.14 Page 25, line 19, delete everything after the period

1.15 Page 25, delete lines 20 to 21

1.16 Page 28, delete lines 4 to 7

1.17 Page 29, line 9, delete "5,940,000" and insert "6,040,000" and delete "5,440,000"  
1.18 and insert "5,540,000"

1.19 Page 29, line 10, before "\$500,000" insert "(a)"

1.20 Page 29, after line 18, insert:

1.21 "(b) \$100,000 each year is for support of broadband development."

1.22 Page 30, line 33, delete "216C.417,"

1.23 Page 31, line 18, delete "(a)" and insert "(b)"

1.24 Page 32, after line 27, insert:

1.25 "(g) \$61,000 in fiscal year 2016 is from the  
1.26 general fund for deposit in the energy fund

2.1 account under Minnesota Statutes, section  
 2.2 116C.779."

2.3 Page 32, delete lines 34 to 35

2.4 Page 33, delete lines 1 to 2

2.5 Reletter the paragraphs in sequence and correct the internal references

2.6 Page 33, line 8, delete "by" and insert "on"

2.7 Page 33, line 9, delete "commissioner of commerce" and insert "energy fund account  
 2.8 established under Minnesota Statutes, section 116C.779"

2.9 Page 33, line 10, after "appropriated" insert "to the commissioner of commerce"

2.10 Page 33, line 28, delete "cancel" and insert "is canceled" and after the period insert "  
 2.11 This paragraph is effective the day following final enactment."

2.12 Page 33, delete lines 29 to 32

2.13 Page 51, delete section 19

2.14 Page 52, delete section 20 and insert:

2.15 "Sec. 19. Minnesota Statutes 2014, section 116M.14, is amended by adding a  
 2.16 subdivision to read:

2.17 Subd. 6. **Low-income person.** "Low-income person" means a person who has an  
 2.18 annual income, adjusted for family size, of not more than 80 percent of the area median  
 2.19 family income for the seven-county metropolitan area.

2.20 Sec. 20. Minnesota Statutes 2014, section 116M.18, subdivision 1, is amended to read:

2.21 Subdivision 1. **Eligibility rules.** The board shall make urban challenge grants  
 2.22 ~~for use in low-income areas~~ for use in the seven-county metropolitan area to nonprofit  
 2.23 corporations to encourage private investment, to provide jobs for minority persons and  
 2.24 others in low-income areas, to create and strengthen minority and low-income persons'  
 2.25 business enterprises, and to promote economic development in a low-income area. The  
 2.26 board shall adopt rules to establish criteria for determining loan eligibility.

2.27 Sec. 21. Minnesota Statutes 2014, section 116M.18, subdivision 2, is amended to read:

2.28 Subd. 2. **Challenge grant eligibility; nonprofit corporation.** The board may enter  
 2.29 into agreements with nonprofit corporations to fund and guarantee loans the nonprofit  
 2.30 corporation makes in low-income areas under subdivision 4 and to low-income persons. A  
 2.31 corporation must demonstrate that:

2.32 (1) its board of directors includes citizens experienced in development, minority  
 2.33 business enterprises, and creating jobs in low-income areas;

2.34 (2) it has the technical skills to analyze projects;

- 3.1 (3) it is familiar with other available public and private funding sources and  
 3.2 economic development programs;  
 3.3 (4) it can initiate and implement economic development projects;  
 3.4 (5) it can establish and administer a revolving loan account; and  
 3.5 (6) it can work with job referral networks which assist minority and other persons in  
 3.6 low-income areas.

3.7 Sec. 22. Minnesota Statutes 2014, section 116M.18, subdivision 3, is amended to read:

3.8 Subd. 3. **Revolving loan fund.** (a) The board shall establish a revolving loan fund to  
 3.9 make grants to nonprofit corporations for the purpose of making loans and loan guarantees  
 3.10 to new and expanding businesses in a low-income area, and to low-income persons to  
 3.11 promote minority business enterprises and job creation for minority and other persons in  
 3.12 low-income areas low-income persons throughout the seven-county metropolitan area.

3.13 (b) Eligible business enterprises include, but are not limited to, technologically  
 3.14 innovative industries, value-added manufacturing, and information industries. Loan  
 3.15 applications given preliminary approval by the nonprofit corporation must be forwarded to  
 3.16 the board for approval. The commissioner must give final approval for each loan or loan  
 3.17 guarantee made by the nonprofit corporation. The amount of the state funds contributed to  
 3.18 any loan or loan guarantee may not exceed 50 percent of each loan.

3.19 Sec. 23. Minnesota Statutes 2014, section 116M.18, subdivision 4, is amended to read:

3.20 Subd. 4. **Business loan criteria.** (a) The criteria in this subdivision apply to loans  
 3.21 made or guaranteed by nonprofit corporations under the urban challenge grant program.

3.22 (b) Loans or guarantees must be made to businesses that are not likely to undertake  
 3.23 a project for which loans are sought without assistance from the urban challenge grant  
 3.24 program.

3.25 ~~(c) A loan or guarantee must be used for a project designed to benefit persons in~~  
 3.26 ~~low-income areas through the creation of job or business opportunities for them. Priority~~  
 3.27 ~~must be given for loans to the lowest income areas.~~

3.28 ~~(d)~~ (c) The minimum state contribution to a loan or guarantee is \$5,000 and the  
 3.29 maximum is \$150,000.

3.30 ~~(e)~~ (d) The state contribution must be matched by at least an equal amount of new  
 3.31 private investment.

3.32 ~~(f)~~ (e) A loan may not be used for a retail development project.

3.33 ~~(g)~~ (f) The business must agree to work with job referral networks that focus on  
 3.34 minority applicants from low-income areas.

4.1 Sec. 24. Minnesota Statutes 2014, section 116M.18, subdivision 8, is amended to read:

4.2 Subd. 8. **Reporting requirements.** A nonprofit corporation that receives a  
4.3 challenge grant shall:

4.4 (1) submit an annual report to the board by September 30 of each year that includes a  
4.5 description of projects supported by the urban challenge grant program, an account of loans  
4.6 made during the calendar year, the program's impact on minority business enterprises and  
4.7 job creation for minority persons and low-income persons in low-income areas, the source  
4.8 and amount of money collected and distributed by the urban challenge grant program, the  
4.9 program's assets and liabilities, and an explanation of administrative expenses; and

4.10 (2) provide for an independent annual audit to be performed in accordance with  
4.11 generally accepted accounting practices and auditing standards and submit a copy of each  
4.12 annual audit report to the board.

4.13 Sec. 25. Minnesota Statutes 2014, section 268A.01, subdivision 6, is amended to read:

4.14 Subd. 6. **Community rehabilitation facility provider.** "Community rehabilitation  
4.15 facility provider" means an entity which meets the definition of community rehabilitation  
4.16 program in the federal Rehabilitation Act of 1973, as amended. However, for the  
4.17 purposes of sections 268A.03, clause (1), 268A.06, 268A.085, and 268A.15, community  
4.18 rehabilitation facility provider means an a nonprofit or public entity which is operated for  
4.19 the primary purpose of providing or facilitating employment for persons with a severe  
4.20 disability that provides at least one extended employment subprogram for persons with  
4.21 the most significant disabilities.

4.22 **EFFECTIVE DATE.** This section is effective July 1, 2015.

4.23 Sec. 26. Minnesota Statutes 2014, section 268A.01, subdivision 10, is amended to read:

4.24 Subd. 10. **Extended employment program.** "Extended employment program"  
4.25 means ~~the center-based~~ noncompetitive employment and supported employment  
4.26 subprograms.

4.27 Sec. 27. Minnesota Statutes 2014, section 268A.01, is amended by adding a  
4.28 subdivision to read:

4.29 Subd. 15. **Noncompetitive employment.** "Noncompetitive employment" means  
4.30 paid work:

4.31 (1) that is performed on a full-time or part-time basis, including self-employment,  
4.32 for which the person is compensated at a rate that is less than the higher rate specified in

5.1 the Fair Labor Standards Act of 1938, United States Code, title 29, section 206, subsection  
 5.2 (a)(1), or the rate specified in the applicable state or local minimum wage law; and

5.3 (2) (i) for which the person is paid less than the customary rate paid by the employer  
 5.4 for the same or similar work performed by other nondisabled employees who are similarly  
 5.5 situated in similar occupations by the same employer and who have similar training,  
 5.6 experience, and skills; or

5.7 (ii) which is performed at a location where the employee does not interact with  
 5.8 nondisabled persons, not including supervisory personnel or persons who are providing  
 5.9 services to the employee, to the same extent that nondisabled persons who are in  
 5.10 comparable positions interact with other persons.

5.11 Sec. 28. Minnesota Statutes 2014, section 268A.03, is amended to read:

5.12 **268A.03 POWERS AND DUTIES.**

5.13 The commissioner shall:

5.14 (1) certify the community rehabilitation facilities providers to offer extended  
 5.15 employment programs, grant funds to the extended employment programs, and perform  
 5.16 the duties as specified in section 268A.15;

5.17 (2) provide vocational rehabilitation services to persons with disabilities in  
 5.18 accordance with the federal Rehabilitation Act of 1973, Public Law 93-112, as amended.  
 5.19 Persons with a disability are entitled to free choice of vendor for any medical, dental,  
 5.20 prosthetic, or orthotic services provided under this paragraph;

5.21 (3) expend funds and provide technical assistance for the establishment,  
 5.22 improvement, maintenance, or extension of public and other nonprofit rehabilitation  
 5.23 facilities or centers;

5.24 (4) maintain a contractual or regulatory relationship with the United States as  
 5.25 authorized by the Social Security Act, as amended. Under this relationship, the state will  
 5.26 undertake to make determinations referred to in those public laws with respect to all  
 5.27 individuals in Minnesota, or with respect to a class or classes of individuals in this state that  
 5.28 is designated in the agreement at the state's request. It is the purpose of this relationship to  
 5.29 permit the citizens of this state to obtain all benefits available under federal law;

5.30 (5) provide an in-service training program for rehabilitation services employees by  
 5.31 paying for its direct costs with state and federal funds;

5.32 (6) conduct research and demonstration projects; provide training and instruction,  
 5.33 including establishment and maintenance of research fellowships and traineeships, along  
 5.34 with all necessary stipends and allowances; disseminate information to persons with a

6.1 disability and the general public; and provide technical assistance relating to vocational  
6.2 rehabilitation and independent living;

6.3 (7) receive and disburse pursuant to law money and gifts available from  
6.4 governmental and private sources including, but not limited to, the federal Department  
6.5 of Education and the Social Security Administration, for the purpose of vocational  
6.6 rehabilitation or independent living;

6.7 (8) design all state plans for vocational rehabilitation or independent living services  
6.8 required as a condition to the receipt and disbursement of any money available from  
6.9 the federal government;

6.10 (9) cooperate with other public or private agencies or organizations for the purpose  
6.11 of vocational rehabilitation or independent living. Money received from school districts,  
6.12 governmental subdivisions, mental health centers or boards, and private nonprofit  
6.13 organizations is appropriated to the commissioner for conducting joint or cooperative  
6.14 vocational rehabilitation or independent living programs;

6.15 (10) enter into contractual arrangements with instrumentalities of federal, state, or  
6.16 local government and with private individuals, organizations, agencies, or facilities with  
6.17 respect to providing vocational rehabilitation or independent living services;

6.18 (11) take other actions required by state and federal legislation relating to vocational  
6.19 rehabilitation, independent living, and disability determination programs;

6.20 (12) hire staff and arrange services and facilities necessary to perform the duties  
6.21 and powers specified in this section; and

6.22 (13) adopt, amend, suspend, or repeal rules necessary to implement or make  
6.23 specific programs that the commissioner by sections 268A.01 to 268A.15 is empowered  
6.24 to administer.

6.25 Sec. 29. Minnesota Statutes 2014, section 268A.06, is amended to read:

6.26 **268A.06 COMMUNITY REHABILITATION FACILITIES PROVIDERS.**

6.27 Subdivision 1. **Application.** Any city, town, county, nonprofit corporation,  
6.28 ~~regional treatment center,~~ or any combination thereof, may apply to the commissioner for  
6.29 assistance in establishing or operating ~~a community rehabilitation facility~~ an extended  
6.30 employment program. Application for assistance must be on forms prescribed by the  
6.31 commissioner. ~~An applicant is not eligible for a grant under this section unless its audited~~  
6.32 ~~financial statements of the prior fiscal year have been approved by the commissioner.~~

6.33 Subd. 2. **Funding.** In order to provide the necessary funds for extended employment  
6.34 programs offered by a community rehabilitation facility provider, the governing body of  
6.35 any city, town, or county may expend money which may be available for such purposes in

7.1 the general fund, and may levy a tax on the taxable property in the city, town, or county. Any  
 7.2 city, town, county, or nonprofit corporation may accept gifts or grants from any source for  
 7.3 the ~~rehabilitation facility~~ extended employment program. Any money appropriated, taxed,  
 7.4 or received as a gift or grant may be used to match funds available on a matching basis.

7.5 Sec. 12. Minnesota Statutes 2014, section 268A.07, is amended to read:

7.6 **268A.07 REQUIREMENTS FOR CERTIFICATION.**

7.7 Subdivision 1. **Benefits.** A community rehabilitation facility provider must, as  
 7.8 a condition for receiving program certification, provide employees in ~~center-based~~  
 7.9 noncompetitive employment with personnel benefits prescribed in rules adopted by the  
 7.10 commissioner of the ~~Department of~~ employment and economic development.

7.11 Subd. 2. **Grievance procedure.** A community rehabilitation facility provider must,  
 7.12 as a condition for receiving program certification, provide to employees in ~~center-based~~  
 7.13 noncompetitive employment subprograms, a grievance procedure which has as its final  
 7.14 step provisions for final and binding arbitration.

7.15 Sec. 30. Minnesota Statutes 2014, section 268A.15, subdivision 3, is amended to read:

7.16 Subd. 3. **Rule authority.** The commissioner shall adopt rules on an individual's  
 7.17 eligibility for the extended employment program, the certification of community  
 7.18 ~~rehabilitation facilities providers~~, and the methods, criteria, and units of distribution for  
 7.19 the allocation of state grant funds to certified ~~rehabilitation facilities~~ extended employment  
 7.20 program providers. In determining the allocation, the commissioner must consider the  
 7.21 economic conditions of the community and the performance of community rehabilitation  
 7.22 ~~facilities providers~~ relative to their impact on the economic status of workers in the  
 7.23 extended employment program."

7.24 Page 81, line 33, delete "CAR" and insert "MOTOR VEHICLE"

7.25 Page 115, line 21, delete everything after "of"

7.26 Page 115, line 22, delete everything before "50"

7.27 Page 115, delete subdivision 5

7.28 Page 121, line 14, before "Up" insert "The utility shall allocate" and strike "shall  
 7.29 be allocated"

7.30 Page 121, line 15, strike "from the"

7.31 Page 121, line 16, delete "energy fund" and strike "account established in section  
 7.32 116C.779"

7.33 Page 121, line 22, delete everything after "(b)" and insert "The utility shall not  
 7.34 make incentive payments under this section."

- 8.1 Page 121, delete lines 23 to 26
- 8.2 Page 122, line 2, strike "or" and insert a comma and reinstate the stricken language
- 8.3 and insert ", or"
- 8.4 Page 122, lines 6 to 10, reinstate the stricken language
- 8.5 Page 122, line 9, after "under" insert "paragraph (c) or"
- 8.6 Page 123, delete lines 5 and 6 and insert:
- 8.7 "**EFFECTIVE DATE.** This section is effective the day following final enactment."
- 8.8 Page 133, line 10, after the period insert "No incentive payments may be made under
- 8.9 this section to an owner whose application was approved by the commissioner after the
- 8.10 effective date of this act."
- 8.11 Page 133, line 11, after "Unspent" insert "and unobligated"
- 8.12 Page 133, line 12, delete "June 30" and insert "July 1" and delete "returned" and
- 8.13 insert "transferred"
- 8.14 Page 133, line 13, before "account" insert "energy fund"
- 8.15 Page 133, line 19, after "that" and insert "meet the requirements of subdivision 1
- 8.16 and that"
- 8.17 Page 133, line 20, delete everything after "and" and insert "December 31, 2015"
- 8.18 Page 133, delete lines 28 to 30
- 8.19 Page 134, delete subdivision 4
- 8.20 Page 139, line 2, delete "June 30" and insert "July 2" and delete "returned" and
- 8.21 insert "transferred"
- 8.22 Page 139, line 18, before "has" and insert "means a facility that: (1)"
- 8.23 Page 139, line 19, delete "796(18)(B)" and insert "796, clause (18), paragraph (A),
- 8.24 and; (2) meets the applicable operating and efficiency standards contained in the Code of
- 8.25 Federal regulations, title 18, part 292.205"
- 8.26 Page 144, lines 7 to 10, delete the new language and insert "Upon petition by
- 8.27 a public utility, if the commission determines that an order it issued has the effect of
- 8.28 terminating the operation of a generating facility before the end of the facility's book life
- 8.29 in order to comply with a specific state or federal energy or environmental statute or
- 8.30 policy, the commission may allow the public utility to recover any positive net book value
- 8.31 of the facility as determined by the commission."
- 8.32 Page 145, lines 7 to 8, delete the new language
- 8.33 Page 145, line 9, delete "(5)"
- 8.34 Renumber the clauses in sequence
- 8.35 Page 148, delete lines 18 to 21 and insert:



9.1 "(4) procedures under which a utility may request that the commission make  
 9.2 adjustments to the rates approved under the multiyear plan, including, but not limited to,  
 9.3 changes in the cost of operating its nuclear facilities or other significant investments  
 9.4 not addressed in the plan."

9.5 Page 149, delete lines 11 to 12 and insert:

9.6 "(j) The commission may initiate a proceeding to determine a set of performance  
 9.7 measures and incentives that may be incorporated by a utility in a multiyear rate plan."

9.8 Page 152, line 9, delete "with the commission for" and insert "for commission"

9.9 Page 158, after line 6, insert:

9.10 "Sec. 15. Minnesota Statutes 2014, section 256E.31, subdivision 3, is amended to read:

9.11 Subd. 3. **Administering board.** Each community action agency shall administer  
 9.12 its community action programs through a community action board consisting of 15 to  
 9.13 51 members.

9.14 (a) One-third of the members of the board shall be elected public officials, currently  
 9.15 holding office, ~~or their representatives.~~

9.16 (b) At least one-third of the members shall be persons chosen in accordance with  
 9.17 democratic selection procedures adequate to assure that they are representative of the  
 9.18 poor in the area served.

9.19 (c) The other members shall be officials or members of business, industry, labor,  
 9.20 religious, welfare, education, or other major groups and interests in the community. Each  
 9.21 member of the board selected to represent a specific geographic area within a community  
 9.22 must reside in the area represented.

9.23 (d) The public community action agency shall have an administering board which  
 9.24 meets the requirements of this subdivision.

9.25 (e) The statewide migrant seasonal farmworker organization known as the Minnesota  
 9.26 Migrant Council and Indian reservations carrying out community action programs are  
 9.27 exempt from the board composition requirements of this subdivision."

9.28 Page 168, line 8, delete "Energy fund" and strike "account" and insert "Payment  
 9.29 authorization"

9.30 Page 168, line 12, strike everything after "made" and delete "fund" and insert "by  
 9.31 the utility subject to section 116C.779."

9.32 Page 168, line 13, strike the old language and delete the new language

9.33 Renumber the sections in sequence and correct the internal references

9.34 Correct the subdivision and section totals and the appropriations by fund

9.35 Amend the title accordingly