

A bill for an act

relating to disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; providing flood loss aid and property tax relief; making cash flow and other budgetary adjustments; appropriating money for flood and tornado relief; amending Laws 2008, chapter 152, article 2, section 3, subdivision 2, as amended; repealing Laws 2010, First Special Session chapter 1, article 24, sections 1; 2; 3.

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

ARTICLE 1

FLOOD DISASTER RELIEF

Section 1. DISASTER RELIEF APPROPRIATION SUMMARY.

The amounts shown in this section summarize direct appropriations made in this article.

SUMMARY

<u>Public Safety</u>	\$	<u>12,000,000</u>
<u>Transportation</u>		<u>15,000,000</u>
<u>Employment and Economic Development</u>		<u>10,000,000</u>
<u>Public Facilities Authority</u>		<u>500,000</u>
<u>Housing Finance</u>		<u>4,000,000</u>
<u>Historical Society</u>		<u>250,000</u>
<u>Natural Resources</u>		<u>14,000,000</u>
<u>Board of Water and Soil Resources</u>		<u>13,000,000</u>
<u>Agriculture</u>		<u>4,000,000</u>
<u>Education</u>		<u>523,000</u>
<u>Health</u>		<u>250,000</u>
<u>Bond Sale Expenses</u>		<u>40,000</u>

2.1	<u>TOTAL</u>	<u>\$ 73,563,000</u>
2.2	<u>General Fund</u>	<u>32,523,000</u>
2.3	<u>Bond Proceeds Fund</u>	<u>26,040,000</u>
2.4	<u>Trunk Highway Fund</u>	<u>5,000,000</u>
2.5	<u>State Transportation Fund</u>	<u>10,000,000</u>

2.6 **Sec. 2. DISASTER RELIEF APPROPRIATIONS.**

2.7 Subdivision 1. **Appropriations.** The sums shown in the column under
 2.8 "Appropriations" are appropriated from the bond proceeds fund to be spent to acquire
 2.9 and to better publicly owned land and buildings and other public improvements of a
 2.10 capital nature, and from other named funds, for relief as specified in this article from the
 2.11 storms and flooding that occurred on or after September 22, 2010, in the area in Minnesota
 2.12 designated under Presidential Declaration of a Major Disaster FEMA-1941-DR, whether
 2.13 included in the original declarations or added later by federal government action, referred
 2.14 to in this article as "the area included in DR-1941." The flooding that resulted from storms
 2.15 that occurred September 22 through September 24, 2010, is referred to as "the floods" in
 2.16 sections 18 to 21. Unless otherwise specified, the appropriations included in this article
 2.17 are available through June 30, 2013, except that appropriations of bond proceeds for
 2.18 capital improvements are available until the project is completed or abandoned, subject to
 2.19 Minnesota Statutes, section 16A.642. The appropriations in this article are onetime.

2.20 Subd. 2. **Transfers.** Money appropriated under this article may be transferred as
 2.21 provided in Minnesota Statutes, section 12A.03, subdivision 5.

2.22 **APPROPRIATIONS**

2.23 **Sec. 3. PUBLIC SAFETY**

2.24	<u>State and Local Match</u>	<u>\$ 12,000,000</u>
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2.25	<u>Appropriations by Fund</u>	
2.26	<u>General</u>	<u>10,000,000</u>
2.27	<u>Bond Proceeds</u>	<u>2,000,000</u>

2.28 To the commissioner of public safety for
 2.29 the state and local match for federal disaster
 2.30 assistance to state agencies and other eligible
 2.31 applicants under Minnesota Statutes, sections
 2.32 12.221 and 12A.15.

3.1 The appropriation from the bond proceeds
 3.2 fund under Minnesota Statutes, section
 3.3 12A.15, subdivision 1, is available to fund
 3.4 100 percent of the state and local match
 3.5 obligations for publicly owned capital
 3.6 improvement projects incurred through the
 3.7 receipt of federal disaster assistance.

3.8 Sec. 4. **TRANSPORTATION**

3.9 **Subdivision 1. Total Appropriation** **\$ 15,000,000**

3.10 Appropriations by Fund

3.11 Trunk Highway 5,000,000

3.12 Transportation 10,000,000

3.13 To the commissioner of transportation for
 3.14 the purposes specified in Minnesota Statutes,
 3.15 section 12A.16. The amounts that may be
 3.16 spent for each purpose are specified in the
 3.17 following subdivisions.

3.18 **Subd. 2. State Road Infrastructure Operations**
 3.19 **and Maintenance** **\$ 5,000,000**

3.20 From the trunk highway fund, for the
 3.21 purposes specified in Minnesota Statutes,
 3.22 section 12A.16, subdivision 1. This is in
 3.23 addition to the appropriation made in Laws
 3.24 2009, chapter 36, article 1, section 3.

3.25 **Subd. 3. Local Road and Bridge Rehabilitation**
 3.26 **and Replacement** **\$ 10,000,000**

3.27 From the bond proceeds account in the
 3.28 state transportation fund for grants under
 3.29 Minnesota Statutes, sections 12A.16,
 3.30 subdivision 3, including necessary
 3.31 demolition and design costs; and 174.50, to
 3.32 local governments in the area included in
 3.33 DR-1941.

4.1 **Sec. 5. EMPLOYMENT AND ECONOMIC**
4.2 **DEVELOPMENT**

4.3 **Minnesota Investment Fund** **\$ 10,000,000**

4.4 From the general fund to the commissioner of
4.5 employment and economic development for
4.6 Minnesota investment fund grants pursuant
4.7 to Minnesota Statutes, section 12A.07.

4.8 Before any grants under this section are
4.9 awarded to a local unit of government,
4.10 the commissioner of employment and
4.11 economic development shall report to the
4.12 chairs and ranking minority members of
4.13 the senate Finance Committee and house
4.14 of representatives Finance Committee and
4.15 Ways and Means Committee the criteria and
4.16 requirements to be used by local units of
4.17 government in the grant or loan programs
4.18 they will administer.

4.19 **Sec. 6. PUBLIC FACILITIES AUTHORITY** **\$ 500,000**

4.20 To the Public Facilities Authority for grants
4.21 under Minnesota Statutes, section 12A.14.

4.22 **Sec. 7. HOUSING FINANCE**

4.23 **Economic Development and Housing**
4.24 **Challenge Program** **\$ 4,000,000**

4.25 From the general fund to the Housing
4.26 Finance Agency for transfer to the housing
4.27 development fund for the economic
4.28 development and housing challenge program
4.29 under Minnesota Statutes, section 462A.33,
4.30 for assistance in the area included in
4.31 DR-1941, in counties for which Small
4.32 Business Administration assistance to
4.33 homeowners is available, as provided in

5.1 Minnesota Statutes, section 12A.09. The
 5.2 maximum loan amount per housing structure
 5.3 is \$30,000. Within the limits of available
 5.4 appropriations, the agency may increase
 5.5 the maximum amount if the cost of repair
 5.6 or replacement of the residential property
 5.7 exceeds the total of the maximum loan
 5.8 amount and any assistance available from
 5.9 FEMA, other federal government agencies
 5.10 including the Small Business Administration,
 5.11 and private insurance and flood insurance
 5.12 benefits.

5.13 For assistance under this section, the
 5.14 requirements of Minnesota Statutes,
 5.15 section 462A.33, subdivisions 3 and 5,
 5.16 and Minnesota Rules, part 4900.3632, are
 5.17 waived.

5.18 **Sec. 8. MINNESOTA HISTORICAL**
 5.19 **SOCIETY** **\$ 250,000**

5.20 To the Minnesota Historical Society for
 5.21 activities under Minnesota Statutes, section
 5.22 12A.11. This appropriation is from the
 5.23 general fund.

5.24 **Sec. 9. NATURAL RESOURCES**
 5.25 **Subdivision 1. Total appropriation** **\$ 14,000,000**

5.26	<u>Appropriations by Fund</u>	
5.27	<u>General</u>	<u>500,000</u>
5.28	<u>Bond Proceeds</u>	<u>13,500,000</u>

5.29 To the commissioner of natural resources for
 5.30 the purposes specified in Minnesota Statutes,
 5.31 section 12A.12. The amounts that may be
 5.32 spent for each purpose are specified in the
 5.33 following subdivisions.

5.34 **Subd. 2. Facility Damage** **\$ 2,500,000**

6.1 For the purposes specified in Minnesota
 6.2 Statutes, section 12A.12, subdivision 1, in
 6.3 the area included in DR-1941.

6.4 **Subd. 3. Flood Hazard Mitigation Grants** \$ 10,000,000

6.5 For the purposes specified in Minnesota
 6.6 Statutes, section 12A.12, subdivision 2, in
 6.7 the area included in DR-1941.

6.8 Any municipality in the DR-1941 area
 6.9 is eligible for fiscal year 2009 and fiscal
 6.10 year 2010 flood hazard mitigation grant
 6.11 appropriations under Laws 2009, chapter 93,
 6.12 article 1, section 5, subdivision 3, and Laws
 6.13 2010, chapter 189, section 7, subdivision 3.

6.14 **Subd. 4. Flood Response and Recovery** \$ 500,000

6.15 For expenditures in the area included in
 6.16 DR-1941 including removal of flood debris
 6.17 from public waters and the installation
 6.18 and repair of flood warning gauges. This
 6.19 appropriation is from the general fund.

6.20 **Subd. 5. Dam Renovation and Removal** \$ 1,000,000

6.21 To provide cost share for the renovation
 6.22 or removal of publicly owned dams in the
 6.23 DR-1941 area under Minnesota Statutes,
 6.24 sections 103G.511 and 103G.515.

6.25 **Subd. 6. Grant Extension**

6.26 Any existing state grant agreement of the
 6.27 commissioner of natural resources in the
 6.28 disaster area may be extended for up to two
 6.29 years.

6.30 **Sec. 10. BOARD OF WATER AND SOIL**
 6.31 **RESOURCES**

6.32 **Subdivision 1. Total Appropriation** \$ 13,000,000

7.1	<u>Appropriations by Fund</u>		
7.2	<u>General</u>	<u>3,000,000</u>	
7.3	<u>Bond Proceeds</u>	<u>10,000,000</u>	
7.4	<u>To the Board of Water and Soil Resources for</u>		
7.5	<u>the purposes specified in Minnesota Statutes,</u>		
7.6	<u>section 12A.05. The amounts that may be</u>		
7.7	<u>spent for each purpose are specified in the</u>		
7.8	<u>following subdivisions.</u>		
7.9	<u>Subd. 2. Reinvest in Minnesota (RIM)</u>		
7.10	<u>Conservation Easements</u>		<u>10,000,000</u>
7.11	<u>For the purposes specified in Minnesota</u>		
7.12	<u>Statutes, section 12A.05, subdivision 1, in</u>		
7.13	<u>the area included in DR-1941. Up to ten</u>		
7.14	<u>percent of this appropriation may be used</u>		
7.15	<u>by the board for eligible capital costs to</u>		
7.16	<u>implement the program.</u>		
7.17	<u>Subd. 3. Erosion, Sediment, and Water Quality</u>		
7.18	<u>Control Cost-Share Program</u>		<u>3,000,000</u>
7.19	<u>From the general fund for the purposes</u>		
7.20	<u>specified in Minnesota Statutes, section</u>		
7.21	<u>12A.05, subdivision 2, in the area included</u>		
7.22	<u>in DR-1941.</u>		
7.23	<u>Subd. 4. Grant Extensions</u>		
7.24	<u>The clean water fund appropriations in fiscal</u>		
7.25	<u>years 2010 and 2011 to the Board of Water</u>		
7.26	<u>and Soil Resources in Laws 2009, chapter</u>		
7.27	<u>172, article 2, section 6, and Laws 2010,</u>		
7.28	<u>chapter 361, article 2, section 6, are available</u>		
7.29	<u>until June 30, 2013, in the area included</u>		
7.30	<u>in DR-1941, and related grant agreements</u>		
7.31	<u>are extended for one year unless otherwise</u>		
7.32	<u>amended by the board.</u>		
7.33	<u>Subd. 5. Flood Areas</u>		

8.1 The Board of Soil and Water Resources,
 8.2 with the cooperation of the commissioner of
 8.3 natural resources, shall provide testimony to
 8.4 the chairs of the senate and house finance
 8.5 committees, by March 1, 2011, with an
 8.6 analysis of recent flood events in Minnesota
 8.7 that have been the subject of a federal disaster
 8.8 declaration, and shall make an estimate as
 8.9 to the likelihood of such events occurring
 8.10 in the future. This testimony shall include
 8.11 estimates of rainfall that may cause future
 8.12 flooding, areas that will be prone to flooding,
 8.13 and the volume of water that will need to be
 8.14 stored or retained for prevention.

8.15 **Sec. 11. AGRICULTURE** **\$ 4,000,000**

8.16 To the commissioner of agriculture for the
 8.17 purposes specified in Minnesota Statutes,
 8.18 section 12A.04. This appropriation is from
 8.19 the general fund.

8.20 **Sec. 12. EDUCATION**

8.21 **Subdivision 1. Total Appropriation** **\$ 523,000**

8.22 From the general fund to the commissioner
 8.23 of education for additional costs and loss of
 8.24 pupil units in the area included in DR-1941.
 8.25 The amounts that may be spent for each
 8.26 purpose are specified in the following
 8.27 subdivisions.

8.28 **Subd. 2. Disaster Enrollment Impact Aid** **30,000**

8.29 For disaster enrollment impact aid under
 8.30 Minnesota Statutes, section 12A.06,
 8.31 subdivision 1, calculated at a rate of \$5,924
 8.32 per pupil in average daily membership lost
 8.33 during fiscal year 2011.

9.1	<u>Subd. 3. Disaster Relief Facilities Grants</u>		<u>486,000</u>
9.2	<u>For disaster relief facilities grants under</u>		
9.3	<u>Minnesota Statutes, section 12A.06,</u>		
9.4	<u>subdivision 2.</u>		
9.5	<u>Subd. 4. Disaster Relief Operating Grants</u>		<u>2,000</u>
9.6	<u>For disaster relief operating grants under</u>		
9.7	<u>Minnesota Statutes, section 12A.06,</u>		
9.8	<u>subdivision 3.</u>		
9.9	<u>Subd. 5. Pupil Transportation Aid</u>		<u>5,000</u>
9.10	<u>For pupil transportation grants under</u>		
9.11	<u>Minnesota Statutes, section 12A.06,</u>		
9.12	<u>subdivision 4.</u>		
9.13	Sec. 13. <u>HEALTH</u>	\$	<u>250,000</u>
9.14	<u>To the commissioner of health for public</u>		
9.15	<u>health activities under Minnesota Statutes,</u>		
9.16	<u>section 12A.08. This appropriation is from</u>		
9.17	<u>the general fund.</u>		
9.18	Sec. 14. <u>POLLUTION CONTROL AGENCY</u>		
9.19	<u>Consistent with Minnesota Statutes, section</u>		
9.20	<u>12A.13, the commissioner may use the</u>		
9.21	<u>petroleum tank release cleanup fund at</u>		
9.22	<u>an estimated cost of \$400,000 to safely</u>		
9.23	<u>rehabilitate buildings if a portion of the</u>		
9.24	<u>rehabilitation cost is attributable to petroleum</u>		
9.25	<u>contamination or to buy out property</u>		
9.26	<u>substantially damaged by a petroleum tank</u>		
9.27	<u>release.</u>		
9.28	Sec. 15. <u>BOND SALE EXPENSES</u>	\$	<u>40,000</u>
9.29	<u>To the commissioner of management</u>		
9.30	<u>and budget for bond sale expenses under</u>		

10.1 Minnesota Statutes, section 16A.641,
 10.2 subdivision 8.

10.3 Sec. 16. Laws 2008, chapter 152, article 2, section 3, subdivision 2, as amended by
 10.4 Laws 2010, chapter 189, section 53, is amended to read:

10.5 **Subd. 2. State Road Construction** 1,717,694,000

10.6 (a) For the actual construction,
 10.7 reconstruction, and improvement of
 10.8 trunk highways, including design-build
 10.9 contracts and consultant usage to support
 10.10 these activities. This includes the cost
 10.11 of actual payments to landowners for
 10.12 lands acquired for highway rights-of-way,
 10.13 payments to lessees, interest subsidies, and
 10.14 relocation expenses. This appropriation is in
 10.15 the following amounts:

10.16 (1) \$417,694,000 in fiscal year 2009, and the
 10.17 commissioner may use up to \$71,008,000 of
 10.18 this amount for program delivery;

10.19 (2) \$500,000,000 in fiscal year 2010, and the
 10.20 commissioner may use up to \$85,000,000 of
 10.21 this amount for program delivery;

10.22 (3) \$200,000,000 in each fiscal year for fiscal
 10.23 years 2011 and 2012, and the commissioner
 10.24 may use up to \$34,000,000 of the amount in
 10.25 each fiscal year for program delivery; and

10.26 (4) \$100,000,000 in each fiscal year for
 10.27 fiscal years 2013 through 2016, and the
 10.28 commissioner may use up to \$17,000,000 of
 10.29 the amount in each fiscal year for program
 10.30 delivery.

10.31 (b) Of the amount in fiscal year 2009,
 10.32 \$40,000,000 is for construction of
 10.33 interchanges involving a trunk highway,

11.1 where the interchange will promote economic
11.2 development, increase employment, relieve
11.3 growing traffic congestion, and promote
11.4 traffic safety. The amount under this
11.5 paragraph must be allocated 50 percent to
11.6 the department's metropolitan district, and 50
11.7 percent to districts in greater Minnesota.

11.8 (c) Of the amount in fiscal years 2009
11.9 and 2010, the commissioner shall use
11.10 \$300,000,000 each year for predesign,
11.11 design, preliminary engineering,
11.12 right-of-way acquisition, construction,
11.13 reconstruction, and maintenance of bridges
11.14 in the trunk highway bridge improvement
11.15 program under Minnesota Statutes, section
11.16 165.14.

11.17 (d) Of the total appropriation under this
11.18 subdivision, the commissioner shall use at
11.19 least \$50,000,000 for accelerating transit
11.20 facility improvements on or adjacent to trunk
11.21 highways.

11.22 (e) Of the total appropriation under this
11.23 subdivision provided to the Department of
11.24 Transportation's district 7, the commissioner
11.25 shall first expend funds as necessary to
11.26 accelerate all projects that (1) are on a trunk
11.27 highway classified as a medium priority
11.28 interregional corridor, (2) are included in the
11.29 district's long-range transportation plan, but
11.30 are not included in the state transportation
11.31 improvement program or the ten-year
11.32 highway work plan, and (3) expand capacity
11.33 from a two-lane highway to a freeway
11.34 or expressway, as defined in Minnesota
11.35 Statutes, section 160.02, subdivision 19. The

12.1 commissioner shall establish as the highest
 12.2 priority under this paragraph any project that
 12.3 currently has a final environmental impact
 12.4 statement completed. The requirement
 12.5 under this paragraph does not change the
 12.6 department's funding allocation process
 12.7 or the amount otherwise allocated to
 12.8 each transportation district, except that
 12.9 expenditures for repair or replacement of
 12.10 flood damaged infrastructure are exempt
 12.11 from the requirements under this paragraph.

12.12 (f) The appropriation in this subdivision
 12.13 cancels as specified under Minnesota
 12.14 Statutes, section 16A.642, except that the
 12.15 commissioner of management and budget
 12.16 shall count the start of authorization for
 12.17 issuance of state bonds as the first day of
 12.18 the fiscal year during which the bonds are
 12.19 to be issued, as specified under paragraph
 12.20 (a), clause (1), (2), (3), or (4), respectively,
 12.21 and not as the date of enactment of this
 12.22 subdivision.

12.23 Sec. 17. **BOND SALE AUTHORIZATIONS.**

12.24 **Subdivision 1. Bond proceeds fund.** To provide the money appropriated in this
 12.25 article from the bond proceeds fund, the commissioner of management and budget, at the
 12.26 request of the commissioner of public safety, shall sell and issue bonds of the state in an
 12.27 amount up to \$26,040,000 in the manner, upon the terms, and with the effect prescribed by
 12.28 Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution,
 12.29 article XI, sections 4 to 7.

12.30 **Subd. 2. Transportation fund.** To provide the money appropriated in this article
 12.31 from the state transportation fund, the commissioner of management and budget shall sell
 12.32 and issue bonds of the state in an amount up to \$10,000,000 in the manner, upon the terms,
 12.33 and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by
 12.34 the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except

13.1 accrued interest and any premium received on the sale of the bonds, must be credited to
 13.2 a bond proceeds account in the state transportation fund.

13.3 **Sec. 18. 2010 FLOOD LOSS; CITY REPLACEMENT AID.**

13.4 **Subdivision 1. Flood net tax capacity loss.** The county assessor of each qualified
 13.5 county shall compute a "flood net tax capacity loss" for each city equal to the net tax
 13.6 capacity reduction resulting from the reassessments under section 21. A county assessor
 13.7 of a qualified county that contains a city that has a flood net tax capacity loss that exceeds
 13.8 five percent of its assessment year 2010 total taxable net tax capacity shall certify the city's
 13.9 flood net tax capacity loss to the commissioner of revenue by August 1, 2011.

13.10 As used in this section, a "qualified county" is a county located within the area
 13.11 included in a disaster or emergency area that is designated and approved by the executive
 13.12 council under Minnesota Statutes, section 273.1231, as a result of the floods.

13.13 **Subd. 2. Flood loss aid.** In 2012, each city with a flood net tax capacity loss equal
 13.14 to or greater than five percent of its assessment year 2010 total taxable net tax capacity is
 13.15 entitled to flood loss aid equal to the flood net tax capacity loss times the city's average
 13.16 local tax rate for taxes payable in 2010.

13.17 **Subd. 3. Duties of commissioner.** The commissioner of revenue shall determine
 13.18 each city's aid amount under this section. The commissioner shall notify each eligible city
 13.19 of its flood loss aid amount by August 15, 2011. The commissioner shall make payments
 13.20 to each city after July 1, 2012, and before July 20, 2012.

13.21 **Subd. 4. Optional city expenditure.** A city that receives aid under this section
 13.22 may choose to expend a portion of the aid received for repair of county roads located
 13.23 within the city.

13.24 **Subd. 5. Appropriation.** The amount necessary to pay the aid amounts under this
 13.25 section in fiscal year 2013, for calendar year 2012, is appropriated to the commissioner of
 13.26 revenue from the general fund.

13.27 **Sec. 19. DISASTER AREA; WAIVING PROPERTY TAX PENALTIES FOR**
 13.28 **BUSINESS AND DAMAGED PROPERTIES.**

13.29 **(a)** Notwithstanding Minnesota Statutes, section 279.01, subdivision 1, but subject to
 13.30 the provisions of this section, a penalty does not accrue on the second half of the payable
 13.31 2010 property taxes on either: (1) class 3a or 3b property, as classified under Minnesota
 13.32 Statutes, section 273.13, subdivision 24, that is located in a county that includes an area
 13.33 that would qualify to be designated as a "disaster or emergency area" under Minnesota
 13.34 Statutes, section 273.1231, if the designation were to be based solely on the damages to

14.1 properties resulting from the floods and irrespective of executive council approval; or (2)
 14.2 any property that suffered damage of 50 percent or more as a result of the floods.

14.3 (b) To qualify for this extended due date for the second half payment: (1) the
 14.4 taxpayer must have been unable to make the payment due to circumstances related to the
 14.5 floods; and (2) the taxpayer must have paid the first half of the payable 2010 taxes by May
 14.6 16, 2010, and must pay the second half of the payable 2010 taxes by December 30, 2010.

14.7 (c) If the second half of the payable 2010 property taxes is paid after December 30,
 14.8 2010, then all penalties that would have occurred since the due date under Minnesota
 14.9 Statutes, section 279.01, subdivision 1, must be charged on the amount of the unpaid tax.

14.10 (d) In the case of property described in paragraph (a), clause (1), the property
 14.11 taxpayer must attach to the payment a statement that all the requirements for an extension
 14.12 under this section are met.

14.13 Sec. 20. **AGRICULTURAL HOMESTEADS EXTENDED.**

14.14 Agricultural land and buildings that were homestead property under Minnesota
 14.15 Statutes, section 273.13, subdivision 23, paragraph (a), for the 2010 assessment shall
 14.16 remain classified agricultural homesteads for assessment years 2011 and 2012 if:

14.17 (1) the property owner abandoned the homestead dwelling located on the agricultural
 14.18 homestead as a result of damage caused by the floods;

14.19 (2) the property is located in an area designated, and approved by the executive
 14.20 council, as a "disaster or emergency area" under Minnesota Statutes, section 273.1231,
 14.21 based on damages to properties caused by the floods;

14.22 (3) the agricultural land and buildings remain under the same ownership for the
 14.23 current assessment year as existed for the 2010 assessment year;

14.24 (4) the dwelling occupied by the owner is located in this state and is within 50 miles
 14.25 of one of the parcels of agricultural land that is owned by the taxpayer; and

14.26 (5) the owner notifies the county assessor that the relocation was due to the floods,
 14.27 and the owner furnishes the assessor any information deemed necessary by the assessor
 14.28 in verifying the change in homestead dwelling. For taxes payable in 2012, the owner
 14.29 must notify the assessor by December 1, 2011. Further notifications to the assessor are
 14.30 not required if the property continues to meet all the requirements in this paragraph and
 14.31 any dwellings on the agricultural land remain uninhabited.

14.32 Sec. 21. **ABATEMENT AND CREDIT APPLICATIONS WAIVED.**

14.33 (a) Notwithstanding Minnesota Statutes, section 273.1232, subdivision 1, by
 14.34 November 1, 2010, each assessor shall cause to be reassessed the properties in their

15.1 jurisdiction located in an area that would qualify to be designated as a "disaster or
 15.2 emergency area" under Minnesota Statutes, section 273.1231, if the designation were to
 15.3 be based solely on the damages to properties caused by the floods and irrespective of
 15.4 executive council approval.

15.5 (b) Notwithstanding contrary provisions contained in Minnesota Statutes, sections
 15.6 273.1233 to 273.1235, the requirements in those sections for an application by the
 15.7 property owner or property taxpayer are waived for properties located in an area that is
 15.8 designated, and approved by the executive council, as a "disaster or emergency area"
 15.9 under Minnesota Statutes, section 273.1231, as a result of the damages to properties
 15.10 caused by the floods. Before December 30, 2010, each county assessor shall notify the
 15.11 taxpayers or owners of the affected parcels.

15.12 Sec. 22. **EFFECTIVE DATE.**

15.13 This article is effective the day following final enactment.

15.14 **ARTICLE 2**

15.15 **WADENA TORNADO**

15.16 Section 1. **DISASTER RELIEF APPROPRIATION SUMMARY.**

15.17 The amounts shown in this section summarize direct appropriations made in this
 15.18 article.

15.19 **SUMMARY**

15.20 <u>Public Safety</u>	\$	<u>5,200,000</u>
15.21 <u>Employment and Economic Development</u>		<u>750,000</u>
15.22 <u>Education</u>		<u>693,000</u>
15.23 <u>TOTAL</u>	\$	<u>6,643,000</u>
15.24 <u>General Fund</u>		<u>5,893,000</u>
15.25 <u>Bond Proceeds Fund</u>		<u>750,000</u>

15.26 Sec. 2. **DISASTER RELIEF APPROPRIATIONS.**

15.27 Subdivision 1. **Appropriations.** The sums shown in the column under
 15.28 "Appropriations" are appropriated from the bond proceeds fund to be spent to acquire
 15.29 and to better publicly owned land and buildings and other public improvements of
 15.30 a capital nature, and from other named funds, for relief as specified in this article
 15.31 from the tornadoes, storms, and flooding that occurred on or after June 17, 2010, in
 15.32 the area in Minnesota designated under Presidential Declaration of a Major Disaster
 15.33 FEMA-1921-DR, whether included in the original declarations or added later by federal

16.1 government action, referred to in this article as "the area included in DR-1921." Unless
 16.2 otherwise specified, the appropriations included in this article are available through June
 16.3 30, 2013, except that appropriations of bond proceeds for capital improvements are
 16.4 available until the project is completed or abandoned, subject to Minnesota Statutes,
 16.5 section 16A.642. The appropriations in this article are onetime.

16.6 Subd. 2. **Transfers.** Money appropriated under this article may be transferred as
 16.7 provided in Minnesota Statutes, section 12A.03, subdivision 5.

16.8 **APPROPRIATIONS**

16.9 **Sec. 3. PUBLIC SAFETY**

16.10 **State and Local Match** **\$ 5,200,000**

16.11 To the commissioner of public safety for
 16.12 the state and local match for federal disaster
 16.13 assistance to state agencies and other eligible
 16.14 applicants under Minnesota Statutes, section
 16.15 12.221. This appropriation is from the
 16.16 general fund.

16.17 **Sec. 4. EMPLOYMENT AND ECONOMIC**
 16.18 **DEVELOPMENT**

16.19 **Wadena Public Facilities** **\$ 750,000**

16.20 To the commissioner of employment and
 16.21 economic development for a grant to the city
 16.22 of Wadena to predesign and design public
 16.23 facilities to replace facilities destroyed in
 16.24 the June 17, 2010, tornado. To increase
 16.25 the potential for long-term savings, the
 16.26 predesign must consider sharing services
 16.27 and collocating facilities with Wadena High
 16.28 School.

16.29 **Sec. 5. EDUCATION**

16.30 **Subdivision 1. Total Appropriation** **\$ 693,000**

16.31 From the general fund to the commissioner
 16.32 of education for operating expenses and

17.1 additional costs in the area included in
 17.2 DR-1921. The amounts that may be spent for
 17.3 each purpose are specified in the following
 17.4 subdivisions.

17.5 **Subd. 2. Disaster Relief Operating Grants** 314,000

17.6 For disaster relief operating grants under
 17.7 Minnesota Statutes, section 12A.06,
 17.8 subdivision 3.

17.9 **Subd. 3. Pupil Transportation Aid** 379,000

17.10 For pupil transportation grants under
 17.11 Minnesota Statutes, section 12A.06,
 17.12 subdivision 4.

17.13 **Sec. 6. BOND SALE AUTHORIZATION.**

17.14 To provide the money appropriated in this article from the bond proceeds fund, the
 17.15 commissioner of management and budget, at the request of the commissioner of public
 17.16 safety, shall sell and issue bonds of the state in an amount up to \$750,000 in the manner,
 17.17 upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to
 17.18 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

17.19 **Sec. 7. EFFECTIVE DATE.**

17.20 This article is effective the day following final enactment.

17.21 **ARTICLE 3**

17.22 **CASH FLOW AND BUDGET RESERVE**

17.23 **Section 1. HEALTH AND HUMAN SERVICES APPROPRIATIONS.**

17.24 The sums shown in the columns marked "Appropriations" are added to or, if shown
 17.25 in parentheses, subtracted from the appropriations in Laws 2009, chapter 79, article 13,
 17.26 as amended by Laws 2009, chapter 173, article 2, and Laws 2010, First Special Session
 17.27 chapter 1, to the agencies and for the purposes specified in this article. The appropriations
 17.28 are from the general fund or the health care access fund as specified and are available for
 17.29 the fiscal years indicated for each purpose. The figures "2010" and "2011" as used in this
 17.30 article mean that the addition to or subtraction from the appropriation listed under the
 17.31 figures "2010" and "2011" is available for the fiscal year ending June 30, 2010, or June
 17.32 30, 2011, respectively. Supplemental appropriations and reductions to appropriations

18.1 for the fiscal year ending June 30, 2011, are effective the day following final enactment
 18.2 unless a different effective date is explicit.

18.3		<u>APPROPRIATIONS</u>	
18.4		<u>Available for the Year</u>	
18.5		<u>Ending June 30</u>	
18.6		<u>2010</u>	<u>2011</u>

18.7 **Sec. 2. HUMAN SERVICES**

18.8 **Subdivision 1. Total Appropriation** **\$ (236,983,000)**

18.9 Appropriations by Fund

	<u>2010</u>	<u>2011</u>
18.10		
18.11		<u>(230,910,000)</u>
18.12		<u>(6,073,000)</u>

18.13 **Subd. 2. Basic Health Care Grants**

18.14 The amounts that may be spent from this
 18.15 appropriation for each purpose are as follows:

18.16 (a) MinnesotaCare Grants (6,073,000)

18.17 This reduction is from the appropriation in
 18.18 the health care access fund.

18.19 (b) Medical Assistance Basic Health Care Grants
 18.20 - Families and Children (63,171,000)

18.21 (c) Medical Assistance Basic Health Care Grants
 18.22 - Elderly and Disabled (70,163,000)

18.23 **Subd. 3. Continuing Care Grants**

18.24 (a) Medical Assistance - Long-Term Care
 18.25 Facilities Grants (28,202,000)

18.26 (b) Medical Assistance Grants - Long-Term Care
 18.27 Waivers and Home Care Grants (69,112,000)

18.28 (c) Chemical Dependency Entitlement Grants (262,000)

18.29 **Sec. 3. CONTINGENT REDUCTION; CASH FLOW ACCOUNT.**

18.30 Prior to reducing allotments in fiscal year 2011 under Minnesota Statutes, section
 18.31 16A.152, the commissioner of management and budget shall cancel to the general
 18.32 fund from the cash flow account established in Minnesota Statutes, section 16A.152,
 18.33 subdivision 1, an amount equal to the general fund appropriations in articles 1 and 2.

19.1 Sec. 4. **BALANCE CARRIED FORWARD.**

19.2 Notwithstanding Minnesota Statutes, section 16A.152, subdivision 2, any positive
19.3 unrestricted general fund balance on June 30, 2011, is carried forward in the general
19.4 fund to fiscal year 2012.

19.5 Sec. 5. **REPEALER.**

19.6 Laws 2010, First Special Session chapter 1, article 24, sections 1; 2; and 3, are
19.7 repealed.

19.8 Sec. 6. **EFFECTIVE DATE.**

19.9 This article is effective the day following final enactment.

APPENDIX
Article locations in 11-0110

ARTICLE 1	FLOOD DISASTER RELIEF	Page.Ln 1.10
ARTICLE 2	WADENA TORNADO	Page.Ln 15.14
ARTICLE 3	CASH FLOW AND BUDGET RESERVE	Page.Ln 17.21

APPENDIX
Repealed Minnesota Session Laws: 11-0110

(a) Medical Assistance - Long-Term Care Facilities Grants	-0-	2,486,000
(b) Medical Assistance Grants - Long-Term Care Waivers and Home Care Grants	-0-	547,000
(c) Chemical Dependency Entitlement Grants	-0-	356,000

EFFECTIVE DATE. This section is effective upon enactment of an extension of the enhanced federal medical assistance percentage (FMAP) under Public Law 111-5, section 5001, to at least June 30, 2011.