

STATE OF MINNESOTA

# Journal of the House

EIGHTY-SIXTH SESSION — 2010

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SIXTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 11, 2010

The House of Representatives convened at 10:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Dennis J. Johnson, House Chaplain.

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	Dettmer	Haws	Lanning	Newton	Shimanski
Anderson, B.	Dill	Hayden	Lenczewski	Nornes	Simon
Anderson, P.	Dittrich	Hilstrom	Liebling	Norton	Slawik
Anderson, S.	Doepke	Hilty	Lieder	Obermueller	Slocum
Anzelc	Doty	Holberg	Lillie	Olin	Smith
Atkins	Downey	Hoppe	Loeffler	Otremba	Solberg
Beard	Drazkowski	Hornstein	Loon	Paymar	Sterner
Benson	Eastlund	Hortman	Mack	Pelowski	Swails
Bigham	Eken	Hosch	Magnus	Peppin	Thao
Brod	Emmer	Howes	Mahoney	Persell	Thissen
Brown	Falk	Jackson	Mariani	Peterson	Tillberry
Brynaert	Faust	Johnson	Marquart	Poppe	Torkelson
Buesgens	Fritz	Juhnke	Masin	Reinert	Urdahl
Bunn	Gardner	Kahn	McFarlane	Rosenthal	Wagenius
Carlson	Garofalo	Kalin	McNamara	Rukavina	Ward
Champion	Gottwalt	Kath	Morgan	Sailer	Welti
Clark	Greiling	Kelly	Morrow	Sanders	Westrom
Cornish	Gunther	Kiffmeyer	Mullery	Scalze	Winkler
Davids	Hackbarth	Knuth	Murdock	Scott	Zellers
Davnie	Hamilton	Koenen	Murphy, E.	Seifert	Spk. Kelliher
Dean	Hansen	Kohls	Murphy, M.	Sertich	
Demmer	Hausman	Laine	Nelson	Severson	

A quorum was present.

Bly, Huntley, Lesch and Ruud were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Slocum moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

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**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Mullery from the Committee on Civil Justice to which was referred:

H. F. No. 208, A bill for an act relating to creditors' remedies; changing the type of mailed notification to secured creditors required in connection with foreclosure of a mechanics lien on a motor vehicle; amending Minnesota Statutes 2008, section 514.20.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

H. F. No. 497, A bill for an act relating to government data practices; authorizing access to certain firearm data by parole and probation authorities; amending Minnesota Statutes 2008, section 13.87, by adding a subdivision.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

H. F. No. 655, A bill for an act relating to elections; requiring an affidavit of candidacy to state the candidate's residence address and telephone number; prohibiting placement of a candidate on the ballot if residency requirements are not met; amending Minnesota Statutes 2008, section 204B.06, subdivision 1.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

H. F. No. 731, A bill for an act relating to civil actions; modifying civil liability for labor and sex trafficking crimes; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2008, section 609.284, subdivision 2.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

H. F. No. 1537, A bill for an act relating to eminent domain; modifying definition of public use; amending Minnesota Statutes 2008, section 117.025, subdivision 11.

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

The report was adopted.

Pelowski from the Committee on State and Local Government Operations Reform, Technology and Elections to which was referred:

H. F. No. 2552, A bill for an act relating to elections; changing the date of the state primary; changing certain primary-related dates and provisions; amending Minnesota Statutes 2008, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 203B.06, subdivision 1; 203B.081; 203B.11, subdivision 2; 203B.13, subdivision 2; 203B.17, subdivision 1; 203B.22; 203B.225, subdivision 1; 203B.23, subdivision 2; 204B.09, subdivision 1; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.45, subdivision 2; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.17; 204D.19; 204D.28, subdivisions 5, 6, 8, 9, 10; 205.065, subdivisions 1, 2; 205.13, subdivision 1a; 205.16, subdivision 4; 205A.03, subdivisions 1, 2; 205A.05, subdivision 3; 205A.06, subdivision 1a; 205A.07, subdivision 3; 205A.11, subdivision 2a; 208.03; 211B.045; 447.32, subdivision 4; Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 10A.31, subdivision 6, is amended to read:

Subd. 6. **Distribution of party accounts.** As soon as the board has obtained from the secretary of state the results of the primary election, but no later than one week after certification by the State Canvassing Board of the results of the primary, the board must distribute the available money in each party account, as certified by the commissioner of revenue ~~on September 1 one week before the state primary,~~ to the candidates of that party who have signed a spending limit agreement under section 10A.322 and filed the affidavit of contributions required by section 10A.323, who were opposed in either the primary election or the general election, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivisions 5 and 5a. The public subsidy from the party account may not be paid in an amount greater than the expenditure limit of the candidate or the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. ~~If a candidate files the affidavit required by section 10A.323 after September 1 of the general election year, the board must pay the candidate's allocation to the candidate at the next regular payment date for public subsidies for that election cycle that occurs at least 15 days after the candidate files the affidavit.~~

Sec. 2. Minnesota Statutes 2008, section 10A.321, is amended to read:

#### **10A.321 ESTIMATES OF MINIMUM AMOUNTS TO BE RECEIVED.**

Subdivision 1. **Calculation and certification of estimates.** The commissioner of revenue must calculate and certify to the board ~~one week before July 1 the first day for filing for office~~ in each election year an estimate of the total amount in the state general account of the state elections campaign fund and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign fund. This estimate must be based upon the allocations and formulas in section 10A.31, subdivisions 5 and 5a, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivisions 5 and 5a, and the amount of money expected to be available after 100 percent of the tax returns have been processed.

Subd. 2. **Publication, certification, and notification procedures.** Before the first day of filing for office, the board must publish and forward to all filing officers the estimates calculated and certified under subdivision 1 along with a copy of section 10A.25, subdivision 10. ~~Within seven days one week~~ after the last day for filing for office, the secretary of state must certify to the board the name, address, office sought, and party affiliation of each

candidate who has filed with that office an affidavit of candidacy or petition to appear on the ballot. The auditor of each county must certify to the board the same information for each candidate who has filed with that county an affidavit of candidacy or petition to appear on the ballot. ~~By August 15~~ Within two weeks after the last day for filing for office, the board must notify all candidates of their estimated minimum amount. The board must include with the notice a form for the agreement provided in section 10A.322 along with a copy of section 10A.25, subdivision 10.

Sec. 3. Minnesota Statutes 2008, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. **Agreement by candidate.** (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.31, subdivision 7, paragraph (c); 10A.324; and 10A.38.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board ~~by September 1 preceding the candidate's general election or a special election held at the general election at least three weeks before the candidate's state primary.~~ An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office.

Sec. 4. Minnesota Statutes 2008, section 10A.323, is amended to read:

#### **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that ~~during that calendar year~~ between January 1 of the election year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; and
- (5) candidates for the house of representatives, \$1,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by the ~~cutoff date~~ deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 5. Minnesota Statutes 2008, section 203B.06, subdivision 1, is amended to read:

Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal clerk shall prepare and print a sufficient number of blank application forms for absentee ballots. The county auditor or municipal clerk shall deliver a blank application form to any voter who requests one pursuant to section 203B.04. Blank application forms must be mailed to eligible voters who have requested an application pursuant to section 203B.04, subdivision 5 or 6, at least 60 days before:

(1) each regularly scheduled primary for federal, state, county, city, or school board office;

(2) each regularly scheduled general election for city or school board office for which a primary is not held; and

(3) a special primary to fill a federal office vacancy or special election to fill a federal office vacancy, if no major party has more than one candidate after the time for withdrawal has expired;

or at least 45 days before any other primary or other election for which a primary is not held.

Sec. 6. Minnesota Statutes 2008, section 203B.081, is amended to read:

#### **203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for a federal office, and during the 30 days before the any other election in the office of the county auditor and at any other polling place designated by the county auditor. The county auditor shall make such designations at least ~~90 days~~ 14 weeks before the election. At least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

Sec. 7. Minnesota Statutes 2008, section 203B.13, subdivision 2, is amended to read:

Subd. 2. **Duties.** The absentee ballot board may examine all return absentee ballot envelopes and accept or reject absentee ballots in the manner provided in section 203B.12.

The absentee ballot board may begin the process of examining the return envelopes and marking them "accepted" or "rejected" at any time during the ~~30~~ 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the spoiled ballot.

Sec. 8. Minnesota Statutes 2008, section 203B.17, subdivision 1, is amended to read:

Subdivision 1. **Submission of application.** (a) An application for absentee ballots for a voter described in section 203B.16 may be submitted in writing or by electronic facsimile device, or by electronic mail upon determination by the secretary of state that security concerns have been adequately addressed. An application for absentee ballots for a voter described in section 203B.16 may be submitted by that voter or by that voter's parent, spouse, sister, brother, or child over the age of 18 years. For purposes of an application under this subdivision, a person's Social Security number, no matter how it is designated, qualifies as the person's military identification number if the person is in the military.

(b) An application for a voter described in section 203B.16, subdivision 1, shall be submitted to the county auditor of the county where the voter maintains residence.

(c) An application for a voter described in section 203B.16, subdivision 2, shall be submitted to the county auditor of the county where the voter last maintained residence in Minnesota.

(d) An application for absentee ballots shall be valid for any primary, special primary, general election, or special election from the time the application is received through the ~~next two regularly scheduled general elections for federal office held after the date on which the application is received~~ end of that calendar year.

(e) There shall be no limitation of time for filing and receiving applications for ballots under sections 203B.16 to 203B.27.

Sec. 9. Minnesota Statutes 2008, section 203B.22, is amended to read:

**203B.22 MAILING TRANSMITTING BALLOTS.**

The county auditor shall ~~mail~~ transmit the appropriate ballots, as promptly as possible, to an absent voter whose application has been recorded under section 203B.19. If the county auditor determines that a voter is not eligible to vote at the primary but will be eligible to vote at the general election, only general election ballots shall be ~~mailed~~ transmitted. Only one set of ballots shall be ~~mailed~~ transmitted to any applicant for any election, except that the county auditor may ~~mail~~ transmit a replacement ballot to a voter whose ballot has been spoiled or lost in transit or whose mailing address has changed after the date on which the original application was submitted as confirmed by the county auditor. Ballots to be sent outside the United States shall be given priority in ~~mailing~~ transmission. A county auditor may make use of any special service provided by the United States government for the ~~mailing~~ transmission of voting materials under sections 203B.16 to 203B.27.

Sec. 10. Minnesota Statutes 2008, section 203B.225, subdivision 1, is amended to read:

Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** A voter described in section 203B.16 may include in an application for absentee ballots a request that the ballots, instructions, and a certificate of voter eligibility meeting the requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically. Upon receipt of a properly completed application requesting electronic transmission, the county auditor shall electronically transmit the requested materials to the voter. The county auditor is not required to provide return postage to voters to whom ballots are transmitted electronically.

Sec. 11. Minnesota Statutes 2008, section 203B.23, subdivision 2, is amended to read:

Subd. 2. **Duties.** The absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the absentee ballots in the manner provided in section 203B.24. If the certificate of voter eligibility is not printed on the return or administrative envelope, the certificate must be attached to the ballot secrecy envelope.

The absentee ballot board must immediately examine the return envelopes and mark them "accepted" or "rejected" during the ~~30~~45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board must provide the voter with a replacement absentee ballot and return envelope in place of the spoiled ballot.

Sec. 12. Minnesota Statutes 2008, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not more than ~~70~~84 days nor less than ~~56~~70 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions ~~on or before the state primary at least 77 days before the general election~~ day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 13. Minnesota Statutes 2008, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than ~~June~~May 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters;

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

(4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than ~~May~~ April 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 14. Minnesota Statutes 2008, section 204B.14, subdivision 4, is amended to read:

Subd. 4. **Boundary change procedure.** Any change in the boundary of an election precinct ~~shall~~ must be adopted at least 90 days before the date of the next election and, for the state primary and general election, no later than ~~June~~ May 1 in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 60 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days ~~prior to~~ before the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Sec. 15. Minnesota Statutes 2008, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. **Appointment lists; duties of political parties and county auditor.** On ~~June 1~~ May 1 in a year in which there is an election for a partisan political office, the county or legislative district chairs of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairs shall furnish the lists to the county auditor of the county in which the precinct is located.

By ~~June 15~~ May 15, the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party.

Sec. 16. Minnesota Statutes 2008, section 204B.33, is amended to read:

#### **204B.33 NOTICE OF FILING.**

(a) ~~Between June 1 and July 1 in each even numbered year~~ At least 15 weeks before the state primary, the secretary of state shall notify each county auditor of the offices to be voted for in that county at the next state general election for which candidates file with the secretary of state. The notice shall include the time and place of filing for



those offices. Within ten days after notification by the secretary of state, each county auditor shall notify each municipal clerk in the county of all the offices to be voted for in the county at that election and the time and place for filing for those offices. The county auditors and municipal clerks shall promptly post a copy of that notice in their offices.

(b) At least two weeks before the first day to file an affidavit of candidacy, the county auditor shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the county auditor's office and the closing time for filing on the last day for filing. The county auditor shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Sec. 17. Minnesota Statutes 2008, section 204B.35, subdivision 4, is amended to read:

Subd. 4. **Absentee ballots; preparation; delivery.** At least 46 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 30 days before any other election, ballots necessary to fill applications of absentee voters shall be prepared and delivered ~~at least 30 days before the election~~ to the officials who administer the provisions of chapter 203B.

This section applies to school district elections held on the same day as a statewide election or an election for a county or municipality located partially or wholly within the school district.

Sec. 18. Minnesota Statutes 2008, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least six weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office and not more than 30 days nor later than 14 days ~~prior to the~~ before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk may appoint election judges to examine the return envelopes and mark them "accepted" or "rejected" during the ~~30~~ 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 19. Minnesota Statutes 2008, section 204C.26, subdivision 3, is amended to read:

Subd. 3. **Secretary of state.** ~~On or before July 1 of~~ No later than ten weeks before the state primary in each even-numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state primary and state general election shall be recorded by precinct, county, and state election officials. Each county auditor and municipal or school district clerk required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the nonpartisan primary ballot.

Sec. 20. Minnesota Statutes 2008, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. **State primary.** The state primary shall be held on the ~~first second~~ first Tuesday ~~after the second~~ Monday in September ~~in August~~ in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 21. Minnesota Statutes 2008, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. **Example ballot.** (a) No later than ~~June 1~~ May 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year.

(b) The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 22. Minnesota Statutes 2008, section 204D.17, is amended to read:

**204D.17 REPRESENTATIVE IN CONGRESS; STATE SENATOR; STATE REPRESENTATIVE; VACANCY IN OFFICE; SPECIAL ELECTION.**

Subdivision 1. **Special elections; exceptions.** A vacancy in the office of ~~representative in Congress or~~ state senator or state representative shall be filled for the unexpired term by special election upon the writ of the governor as provided in sections 204D.17 to 204D.27; except that if ~~Congress or~~ the legislature will not be in session before the expiration of the vacant term no special election is required.

Subd. 2. **Two or more vacancies.** Two or more vacancies may be filled at the same special election and the candidates may be nominated at the same special primary. Any special primary or special election held pursuant to sections 204D.17 to 204D.27 may be held on the same day as any other election.

Sec. 23. Minnesota Statutes 2008, section 204D.19, is amended to read:

**204D.19 SPECIAL ELECTIONS; WHEN HELD.**

Subdivision 1. **Vacancy filled at general election.** When a vacancy occurs more than 150 days before the next state general election, and the ~~Congress or the~~ legislature will not be in session before the final canvass of the state general election returns, the vacancy shall be filled at the next state general election.

Subd. 2. **Special election when ~~Congress or~~ legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the 40th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the ~~Congress or~~ legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of section 204D.22, subdivision 3, but in no event more than 35 days after the issuance of the writ.

Subd. 3. **Special election at other times.** When a vacancy occurs at a time other than those described in subdivisions 1 and 2 the governor shall issue a writ, calling for a special election to be held so that the individual elected may take office at the opening of the next session of ~~the Congress or~~ of the legislature, or at the reconvening of a session of the ~~Congress or of the~~ legislature.

Subd. 4. **Writ when vacancy results from election contest.** If a vacancy results from a successful election contest, the governor shall issue 22 days after the first day of the legislative session a writ calling for a special election unless the house in which the contest may be tried has passed a resolution which states that it will or will not review the court's determination of the contest. If the resolution states that the house will not review the court's determination, the writ shall be issued within five days of the passage of the resolution.

Sec. 24. Minnesota Statutes 2008, section 204D.28, subdivision 5, is amended to read:

Subd. 5. **Regular state primary.** "Regular state primary" means:

(a) the state primary at which candidates are nominated for offices elected at the state general election; or

(b) a primary held ~~four weeks before the first~~ on the second Tuesday ~~after the first Monday in November in~~ August of odd-numbered years.

Sec. 25. Minnesota Statutes 2008, section 204D.28, subdivision 6, is amended to read:

Subd. 6. **Special election required; exception; when held.** Every vacancy shall be filled for the remainder of the term by a special election held pursuant to this subdivision; except that no special election shall be held in the year before the term expires.

The special election shall be held at the next November election if the vacancy occurs at least ~~six~~ 11 weeks before the regular state primary preceding that election. If the vacancy occurs less than ~~six~~ 11 weeks before the regular state primary preceding the next November election, the special election shall be held at the second November election after the vacancy occurs.

Sec. 26. Minnesota Statutes 2008, section 204D.28, subdivision 8, is amended to read:

Subd. 8. **Notice of special election.** The secretary of state shall issue an official notice of any special election required to be held pursuant to this section not later than ~~ten~~ 16 weeks before the special primary, except that if the vacancy occurs ~~ten~~ 16 weeks or less before the special primary, the secretary of state shall issue the notice no later than two days after the vacancy occurs. The notice shall state the office to be filled, the opening and closing dates for filing of candidacy and the dates of the special primary and special election. For the purposes of those provisions of sections 204D.17 to 204D.27 that apply generally to special elections, this notice shall be used in place of the writ of the governor.

Sec. 27. Minnesota Statutes 2008, section 204D.28, subdivision 9, is amended to read:

Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions for candidates to fill a vacancy at a special election shall open ~~six~~ 12 weeks before the special primary or on the day the secretary of state issues notice of the special election, whichever occurs later. Filings shall close ~~four~~ ten weeks before the special primary.

Sec. 28. **[204D.29] REPRESENTATIVE IN CONGRESS VACANCY.**

**Subdivision 1. Scope; definition.** (a) A vacancy in the office of representative in Congress must be filled as specified in this section.

(b) "Vacancy," as used in this section, means a vacancy in the office of representative in Congress.

**Subd. 2. Vacancy 27 weeks or more before state primary.** (a) If a vacancy occurs 27 weeks or more before the state primary, the governor must issue a writ within three days of the vacancy for a special election for that office to be held between 20 and 24 weeks of the vacancy, but not fewer than 47 days before a state primary. A special primary must be held 11 weeks before the special election or on the second Tuesday in August if the general election is held on the first Tuesday after the first Monday in November if any major party has more than one candidate after the time for withdrawal has expired.

(b) The filing period for a special election under this subdivision must end on or before the 131st day before the special election. Minor party and independent candidates must submit their petitions by the last day for filing and signatures on the petitions must be dated from the date of the vacancy through the last day for filing. There must be a one-day period for withdrawal of candidates after the last day for filing.

**Subd. 3. Vacancy more than 22 weeks but fewer than 27 weeks before state primary.** (a) If a vacancy occurs more than 22 weeks but fewer than 27 weeks before the state primary, the governor must issue a writ within three days of the vacancy for a special election for that office to be held on the day of the state primary with a special primary held 11 weeks before the state primary, if any major party has more than one candidate after the time for withdrawal has expired. The regularly scheduled election to fill the next full term shall proceed pursuant to law.

(b) The filing period for a special election under this subdivision must end on or before the 147th day before the state primary. Minor party and independent candidates must submit their petitions by the last day for filing and signatures on the petitions must be dated from the date of the vacancy through the last day for filing. There must be a one-day period for withdrawal of candidates after the last day for filing. Candidates for a special election under this subdivision are not subject to the prohibition in section 204B.06 against having more than one affidavit of candidacy on file for the same election.

(c) The winner of a special election on the day of the state primary under this subdivision shall serve the remainder of the vacant term and is eligible to be seated in Congress upon issuance of the certificate of election. The winner of the regularly scheduled term for that office at the general election shall take office on the day new members of Congress take office.

**Subd. 4. Vacancy 22 or fewer weeks before state primary but before general election day.** (a) If a vacancy occurs from 22 weeks before the state primary to the day before the general election, no special election will be held. The winner of the general election for the next full term for that office will serve the remainder of the unexpired term and is eligible to be seated in Congress immediately upon issuance of a certificate of election.

(b) If the incumbent filed an affidavit of candidacy for reelection as the candidate of a major political party and was nominated for the general election ballot by that party and a vacancy occurs from the day of the state primary until the date of the general election, there is a vacancy in nomination to be resolved pursuant to section 204B.13.

**Subd. 5. Vacancy on or after election day and before the day new members of Congress take office.** (a) If a vacancy occurs between the day of the general election and the day new members of Congress take office and the incumbent was not the winner of the general election, the winner of the general election for the next full term for that office is eligible to be seated in Congress immediately upon issuance of a certificate of election or the vacancy, whichever occurs last.

(b) If a vacancy occurs on or after election day but before the day new members of Congress take office and the incumbent was the winner of the general election, the vacancy must be filled pursuant to subdivision 2.

Sec. 29. Minnesota Statutes 2008, section 205.065, subdivision 1, is amended to read:

Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating elective officers may be held in any city on the ~~first second~~ first second Tuesday ~~after the second Monday in September~~ in August of any year in which a municipal general election is to be held for the purpose of electing officers.

Sec. 30. Minnesota Statutes 2008, section 205.065, subdivision 2, is amended to read:

Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or resolution adopted ~~at least three months before the next~~ by April 15 in the year when a municipal general election is held, elect to choose nominees for municipal offices by a primary as provided in this section. The resolution or ordinance, when adopted, is effective for all ensuing municipal elections until it is revoked. The municipal clerk shall notify the secretary of state and the county auditor within 30 days after the adoption of the resolution or ordinance.

Sec. 31. Minnesota Statutes 2008, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In ~~municipalities~~ a city nominating candidates at a ~~municipal~~ primary, an affidavit of candidacy for a city office ~~or town office~~ voted on in November must be filed ~~not no~~ no more than ~~70~~ 84 days nor less than ~~56~~ 70 days before the ~~first Tuesday after the second Monday in September preceding the municipal general election~~ city primary. In ~~all other~~ municipalities that do not hold a primary, an affidavit of candidacy must be filed ~~not no~~ no more than 70 days and not less than 56 days before the municipal general election held in March in any year, or a special election not held in conjunction with another election, and no more than 91 days nor less than 77 days before the municipal general election held in November of any year.

Sec. 32. Minnesota Statutes 2008, section 205.16, subdivision 4, is amended to read:

Subd. 4. **Notice to auditor.** At least ~~53~~ 74 days ~~prior to~~ before every municipal election held in connection with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 53 days before any other municipal election, the municipal clerk shall provide a written notice to the county auditor, including the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. ~~Not less than 46~~ At least 74 days before ~~the a~~ a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other election, the municipal clerk must provide written notice to the county auditor of any special election canceled under section 205.10, subdivision 6.

Sec. 33. Minnesota Statutes 2008, section 205.16, subdivision 5, is amended to read:

Subd. 5. **Notice to secretary of state.** At least ~~46~~ 74 days ~~prior to~~ before every municipal election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other municipal election for which a notice is provided to the county auditor under subdivision 4, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 34. Minnesota Statutes 2008, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. **Resolution requiring primary in certain circumstances.** The school board of a school district may, by resolution adopted by ~~June 1~~ April 15 of any year, decide to choose nominees for school board by a primary as provided in this section. The resolution, when adopted, is effective for all ensuing elections of board members in that school district until it is revoked. If the board decides to choose nominees by primary and if there are more than two candidates for a specified school board position or more than twice as many school board candidates as there are at-large school board positions available, the school district must hold a primary.

Sec. 35. Minnesota Statutes 2008, section 205A.03, subdivision 2, is amended to read:

Subd. 2. **Date.** The school district primary must be held on the ~~first~~ second Tuesday ~~after the second Monday in September~~ in August in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.

Sec. 36. Minnesota Statutes 2008, section 205A.05, subdivision 3, is amended to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than 46 74 days before ~~the an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other~~ election.

Sec. 37. Minnesota Statutes 2008, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the 70th 84th day and no later than the 56th 70th day before the first second Tuesday ~~after the second Monday in September in August~~ in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 70th 91st day and no later than the 56th 77th day before the school district general election.

Sec. 38. Minnesota Statutes 2008, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least 53 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 53 days before any other school district election, the school district clerk shall provide a written notice to the county auditor of each county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor ~~prior to~~ before receipt of a review and comment from the commissioner of education and ~~prior to~~ before actual initiation of the election. Not less than 46 74 days before ~~the an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other~~ election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 39. Minnesota Statutes 2008, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. **Notice to commissioner of education.** At least 49 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 49 days before any other school district election, under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. Not less than 46 74 days before ~~the every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other school district election, the school district clerk must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.~~

Sec. 40. Minnesota Statutes 2008, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. **Notice to secretary of state.** At least 46 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other school district election for which a notice is provided to the county auditor under subdivision 3, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 41. Minnesota Statutes 2008, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election that is held on ~~the day of the school district primary or general election, the second Tuesday following the second Monday in September~~ August, the Tuesday following the first Monday in November, or for a special election conducted entirely by mail. In addition, the mailed notice is not required for voters residing in a township if the school district special election is held on the second Tuesday in March and the town general election is held on that day. A notice that is returned as undeliverable must be forwarded immediately to the county auditor.

Sec. 42. Minnesota Statutes 2008, section 206.61, subdivision 5, is amended to read:

Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of names of candidates must be observed as far as practicable by changing the order of the names on an electronic voting system in the various precincts so that each name appears on the machines or marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong. However, the arrangement of candidates' names must be the same on all voting systems used in the same precinct. If the number of names to be alternated exceeds the number of precincts, the election official responsible for providing the ballots, in accordance with subdivision 1, shall determine by lot the alternation of names.

If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot card, the manner of alternation of candidate names on the paper ballot must be as prescribed for optical scan ballots in this subdivision.

The rules adopted by the secretary of state for the rotation of candidate names must use the number of registered voters in each precinct as of 8:00 a.m. on May 1 of the year when the rotation will be made as the basis for determining the rotation of names.

Sec. 43. Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2, is amended to read:

Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. ~~Prior to July~~ Before May 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Office of Enterprise Technology or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 44. Minnesota Statutes 2008, section 208.03, is amended to read:

**208.03 NOMINATION OF PRESIDENTIAL ELECTORS.**

Presidential electors for the major political parties of this state shall be nominated by delegate conventions called and held under the supervision of the respective state central committees of the parties of this state. ~~On or before primary~~ At least 77 days before the general election day the chair of the major political party shall certify to the secretary of state the names of the persons nominated as presidential electors, the names of eight alternate presidential electors, and the names of the party candidates for president and vice president.

Sec. 45. Minnesota Statutes 2008, section 211B.045, is amended to read:

**211B.045 NONCOMMERCIAL SIGNS EXEMPTION.**

In any municipality, whether or not the municipality has an ordinance that regulates the size or number of noncommercial signs, all noncommercial signs of any size may be posted in any number from ~~August 1~~ 46 days before the state primary in a state general election year until ten days following the state general election.

Sec. 46. Minnesota Statutes 2008, section 410.12, subdivision 1, is amended to read:

Subdivision 1. **Proposals.** The charter commission may propose amendments to such charter and shall do so upon the petition of voters equal in number to five percent of the total votes cast at the last previous state general election in the city. Proposed charter amendments must be submitted at least ~~12~~ 17 weeks before the general election. Only registered voters are eligible to sign the petition. All petitions circulated with respect to a charter amendment shall be uniform in character and shall have attached thereto the text of the proposed amendment in full; except that in the case of a proposed amendment containing more than 1,000 words, a true and correct copy of the same may be filed with the city clerk, and the petition shall then contain a summary of not less than 50 nor more than 300 words setting forth in substance the nature of the proposed amendment. Such summary shall contain a statement of the objects and purposes of the amendment proposed and an outline of any proposed new scheme or frame work of government and shall be sufficient to inform the signers of the petition as to what change in government is sought to be accomplished by the amendment. The summary, together with a copy of the proposed amendment, shall first be submitted to the charter commission for its approval as to form and substance. The commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Sec. 47. Minnesota Statutes 2008, section 447.32, subdivision 4, is amended to read:

Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than ~~70~~ 91 days nor less than ~~56~~ 77 days before the first Tuesday after the first Monday in November of the year in which the general election is held. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be printed on tan paper and prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The



hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.

Sec. 48. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to elections; changing the date of the state primary; changing certain primary-related dates and provisions; amending Minnesota Statutes 2008, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 203B.06, subdivision 1; 203B.081; 203B.13, subdivision 2; 203B.17, subdivision 1; 203B.22; 203B.225, subdivision 1; 203B.23, subdivision 2; 204B.09, subdivision 1; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.45, subdivision 2; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.17; 204D.19; 204D.28, subdivisions 5, 6, 8, 9; 205.065, subdivisions 1, 2; 205.13, subdivision 1a; 205.16, subdivisions 4, 5; 205A.03, subdivisions 1, 2; 205A.05, subdivision 3; 205A.06, subdivision 1a; 205A.07, subdivisions 3, 3a, 3b; 205A.11, subdivision 2a; 206.61, subdivision 5; 208.03; 211B.045; 410.12, subdivision 1; 447.32, subdivision 4; Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204D."

With the recommendation that when so amended the bill pass.

The report was adopted.

Thissen from the Committee on Health Care and Human Services Policy and Oversight to which was referred:

H. F. No. 2562, A bill for an act relating to human services; extending and modifying eligibility for the COBRA premium state subsidy; amending Laws 2009, chapter 79, article 5, section 78, subdivisions 1, 5.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, line 1, delete "Sec. 2." and insert "Section 1."

Page 2, after line 2, insert:

"Sec. 2. **COBRA CARRY FORWARD.**

Unexpended funds appropriated in fiscal year 2010 for COBRA grants under Laws 2009, chapter 79, article 5, section 78, do not cancel and are available to the commissioner of human services for fiscal year 2011 COBRA grant expenditures. Up to \$..... of the unexpended funds may be used by the commissioner of human services for costs related to administration of the COBRA grants."

Amend the title as follows:

Page 1, line 2, delete "and modifying"

Page 1, line 3, after the semicolon, insert "authorizing carry forward of unexpended funds for COBRA grants;"

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 2700, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; cancelling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, sections 103F.515, by adding a subdivision; 174.50, subdivisions 6, 7; 462A.36, by adding subdivisions; Minnesota Statutes 2009 Supplement, section 16A.86, subdivision 3a; Laws 2005, chapter 20, article 1, sections 19, subdivision 4; 23, subdivision 12, as amended; Laws 2006, chapter 258, sections 8, subdivision 4; 17, subdivision 5; Laws 2008, chapter 179, section 5, subdivision 4; Laws 2008, chapter 365, section 4, subdivision 3; Laws 2009, chapter 93, article 1, sections 11, subdivision 5; 20; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; repealing Laws 2009, chapter 93, article 1, section 45.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### CAPITAL IMPROVEMENTS

##### 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 spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, state agencies or officials may spend a portion of an appropriation under this article to pay for the capital costs of staff directly attributable to the capital project or projects funded by the appropriation consistent with policies adopted by the Department 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>\$77,001,000</u>
<u>Minnesota State Colleges and Universities</u>	<u>343,838,000</u>

62ND DAY]

THURSDAY, FEBRUARY 11, 2010

7597

<u>Education</u>	<u>7,780,000</u>
<u>Minnesota State Academies</u>	<u>2,500,000</u>
<u>Perpich Center for Arts Education</u>	<u>1,244,000</u>
<u>Natural Resources</u>	<u>73,588,000</u>
<u>Pollution Control Agency</u>	<u>17,411,000</u>
<u>Board of Water and Soil Resources</u>	<u>2,500,000</u>
<u>Zoological Garden</u>	<u>32,500,000</u>
<u>Administration</u>	<u>10,000,000</u>
<u>Minnesota Amateur Sports Commission</u>	<u>4,000,000</u>
<u>Military Affairs</u>	<u>11,900,000</u>
<u>Public Safety</u>	<u>16,050,000</u>
<u>Transportation</u>	<u>164,452,000</u>
<u>Metropolitan Council</u>	<u>74,295,000</u>
<u>Health</u>	<u>5,000,000</u>
<u>Human Services</u>	<u>5,125,000</u>
<u>Veterans Affairs</u>	<u>9,975,000</u>
<u>Corrections</u>	<u>11,529,000</u>
<u>Employment and Economic Development</u>	<u>126,668,000</u>
<u>Public Facilities Authority</u>	<u>60,000,000</u>
<u>Housing Finance Agency</u>	<u>10,000,000</u>
<u>Minnesota Historical Society</u>	<u>14,257,000</u>
<u>Bond Sale Expenses</u>	<u>1,035,000</u>
<b><u>Cancellations</u></b>	<b><u>(27,562,000)</u></b>
<b><u>TOTAL</u></b>	<b><u>\$1,055,086,000</u></b>
<u>Bond Proceeds Fund (General Fund Debt Service)</u>	<u>856,002,000</u>
<u>Bond Proceeds Fund (User Financed Debt Service)</u>	<u>98,121,000</u>

<u>Maximum Effort School Loan Fund</u>	<u>5,780,000</u>
<u>State Transportation Fund</u>	<u>67,000,000</u>
<u>Trunk Highway Fund Bond Proceeds Account</u>	<u>32,945,000</u>
<u>Trunk Highway Fund</u>	<u>22,800,000</u>
<u>Bond Proceeds Cancellations</u>	<u>(9,062,000)</u>
<u>Trunk Highway Bond Proceeds Cancellations</u>	<u>(18,500,000)</u>

**APPROPRIATIONS**Sec. 2. **UNIVERSITY OF MINNESOTA**Subdivision 1. **Total Appropriation****\$77,001,000**

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)**40,000,000

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

Subd. 3. **Twin Cities Campus****Folwell Hall**20,000,000

To design, renovate, furnish, and equip the interior of Folwell Hall for teaching and research space for College of Liberal Arts programs.

Subd. 4. **Duluth Campus****American Indian Learning Resource Center**6,667,000

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

Subd. 5. **Itasca Biological Station****Campus Center**3,667,000

To design, construct, furnish, and equip a campus center at the Itasca field station with classrooms, labs, library, auditorium and other spaces to replace deteriorating single-function buildings.

**Subd. 6. Laboratory Renovation**6,667,000

To renovate, furnish, and equip laboratory facilities on the Crookston, Duluth, Morris, and Twin Cities campuses.

**Subd. 7. 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. 8. 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 and Finance Committees 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**\$343,838,000

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)**60,000,000

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

**Subd. 3. Alexandria Technical College****Main Building Renovation and Addition**4,363,000

To complete design, construct, renovate, furnish, and equip an infill addition for the library, student services, and student commons.

**Subd. 4. Anoka Ramsey Community College, Coon Rapids****(a) Fine Arts Building Renovation**5,357,000

To complete design, renovate, furnish, and equip the Fine Arts classroom and lab building.

**(b) Bioscience and Allied Health Addition**16,484,000

To complete design, construct, furnish, and equip a Bioscience and Allied Health addition and renovation to support Science Technology and Math (STEM) and nursing program initiatives.

**Subd. 5. Bemidji State University****Business Building Addition Design and Demolition**3,425,000

To design an addition to and renovation of Hobson Hall; to design renovation of Memorial Hall and a portion of Deputy Hall; to design the demolition of three obsolete buildings; and to demolish Maple Hall.

**Subd. 6. Dakota County Technical College****Transportation and Emerging Technologies Lab**7,230,000

To complete design, renovate, furnish, and equip the transportation and emerging technologies classrooms, laboratories, and related spaces.

**Subd. 7. Hennepin Technical College, Eden Prairie, Brooklyn Park****Learning Resource and Student Services Renovation**10,566,000

To renovate, furnish, and equip existing space at the Brooklyn Park and Eden Prairie campuses for a Library and Learning Resource Center and student services with an addition and new entrances at both campuses.

**Subd. 8. Lake Superior College****Health Science Center**12,098,000

To construct, renovate, furnish, and equip a new Health and Science Center addition and to design renovation of existing spaces.

**Subd. 9. Metropolitan State University****(a) Classroom Center**5,860,000

To construct, furnish, and equip technology-enhanced classrooms and academic offices located above the power plant building. This appropriation includes money to demolish the power plant annex to enable the new construction.

**(b) Science Education Center Design and Property Acquisition**3,444,000

To design for construction and to acquire adjacent property for a Science Education Center.

**Subd. 10. Minneapolis Community and Technical College****Workforce Program Renovation**12,990,000To complete design, renovate, furnish, and equip instructional space, support space, and infrastructure for workforce programs.**Subd. 11. Minnesota State Community and Technical College, Moorhead****Library and Classroom Addition**5,448,000To complete design, construct, furnish, and equip a classroom and library addition, and to demolish obsolete space.**Subd. 12. Minnesota State University, Moorhead****Livingston Lord Library and Information Technology Renovation**14,901,000To complete design, renovate, furnish, and equip Livingston Lord Library.**Subd. 13. Minnesota State University, Mankato****Clinical Science Building Design**1,908,000To design for construction a Clinical Science Building.**Subd. 14. Minnesota West Community and Technical College, Worthington****Fieldhouse Renovation**4,641,000To construct, renovate, furnish, and equip an addition to and renovation of the Fieldhouse.**Subd. 15. Minnesota West Community and Technical College, Canby****Wind Turbine Training Facility**4,000,000To acquire land and for preliminary engineering, design to acquire, construct, and install a commercial scale wind turbine for the wind energy technology program.**Subd. 16. NHED Mesabi Range Community and Technical College, Eveleth****Shop Space Addition**5,477,000To construct, furnish, and equip shop space for the industrial mechanical technology and carpentry programs. This appropriation includes funding for renovation of existing space for Americans with Disabilities Act (ADA) compliance.

**Subd. 17. NHED Mesabi Range Community and Technical College, Virginia**

**Iron Range Engineering Program Facilities**

3,000,000

Predesign, design, construct, furnish, and equip an addition to and renovation of existing space for laboratories, flexible classrooms, and office space for the engineering program on the Virginia campus.

**Subd. 18. Normandale Community College**

**Academic Partnership Center and Student Services**

22,984,000

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

**Subd. 19. North Hennepin Community College**

**(a) Bioscience and Health Careers Center Addition**

26,581,000

To complete design, construct, furnish, and equip a new building for Bioscience and Health Careers Center laboratory and classroom space.

**(b) Center for Business and Technology**

14,782,000

To construct, furnish, and equip an addition to the Center for Business and Technology and to renovate existing space for classrooms and related space.

**Subd. 20. Ridgewater Community Technical College, Willmar**

**Technical Instruction Renovation**

14,300,000

To design, renovate, furnish, and equip classroom and existing instructional lab space and construct an addition for circulation; and to demolish obsolete space.

**Subd. 21. Rochester Community Technical College**

**Workforce Center Colocation**

8,500,000

To complete design, construct, and renovate heating, ventilation, and air conditioning systems for the Heintz Center and the Minnesota Workforce Center addition.



**Subd. 22. South Central College, Faribault****13,360,000****Classroom Renovation and Addition**

To complete design, construct, renovate, furnish, and equip an addition, and to renovate space for classrooms, a learning resource center, related spaces, and laboratories.

**Subd. 23. Southwest Minnesota State University****Science Lab Renovation****5,666,000**

To complete design, renovate, furnish, and equip the Science and Math building and an addition to the Plant Science building.

**Subd. 24. St. Cloud State University****Integrated Science and Engineering Laboratory Facility****42,334,000**

To complete design, construct, furnish, and equip Integrated Science and Engineering Laboratory Facility.

**Subd. 25. St. Cloud Technical College****Allied Health Center Renovation****5,421,000**

To complete design, renovate, furnish, and equip an Allied Health Center.

**Subd. 26. Systemwide Initiatives****(a) Classroom Initiative and Demolition****3,883,000**

To design, renovate, furnish, and equip classrooms and academic space statewide and demolish obsolete space. Campuses may use internal and nonstate funds to increase the size of the projects. This appropriation may be used at the following campuses: Central Lakes College, Brainerd; Minnesota State Community Technical College, Wadena and Moorhead; Minnesota West Community Technical College, Pipestone; Northland Community Technical College, Thief River Falls; Pine Technical College, Pine City; and Rochester Community Technical College, Rochester.

**(b) Science, Technology, Engineering, and Math Initiative****4,835,000**

To design, renovate, furnish, and equip science laboratories and classrooms at campuses statewide. Campuses may use internal and nonstate funds to increase the size of the projects. This appropriation may be used at the following campuses: Bemidji State University; Century College; Minnesota State Community and Technical College, Moorhead; Minnesota State University,

Moorhead; Northeast Higher Education District, Hibbing College, Itasca Community College, and Mesabi Range Eveleth; Northwest Technical College; South Central College, North Mankato.

**Subd. 27. Debt Services**

(a) Except as provided in paragraph (b), the board shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section. 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 board need not pay debt service on bonds sold to finance higher education asset preservation and replacement. 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. For the workforce center colocation project at Rochester Community and Technical College, the board shall pay the debt service on \$1,079,000 of the principal amount of state bonds sold to finance the project; the commissioner of employment and economic development shall pay the debt service on \$5,262,000 of the principal amount of state bonds sold to finance the project, in the manner provided in Minnesota Statutes, section 16A.643.

(c) The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of 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. 28. Unspent Appropriations**

(a) Upon 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 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 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.

(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 under this subdivision, at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 27 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 4. **EDUCATION**

Subdivision 1. **Total Appropriation**

**\$7,780,000**

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

Subd. 2. **Independent School District No. 38, Red Lake**

5,780,000

From the maximum effort school loan fund for a capital loan to Independent School District No. 38, Red Lake, as provided in Minnesota Statutes, sections 126C.60 to 126C.72, to design, construct, furnish, and equip renovation of existing facilities and construction of new facilities.

The project paid for with this appropriation includes a portion of the renovation and construction identified in the review and comment performed by the commissioner of education under the capital loan provisions of Minnesota Statutes, section 126C.69. This portion includes renovation and construction of a single kitchen and cafeteria to serve the high school and middle school, a receiving area and dock and adjacent drives, utilities, and grading.

Before any capital loan contract is approved under this authorization, the district must provide documentation acceptable to the commissioner on how the capital loan will be used. If any portion of the appropriation remains after completion of the identified project components, the district may, with the commissioner's approval, use funds for other items identified in the review and comment submission.

Subd. 3. **Library Accessibility and Improvement Grants**

2,000,000

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

Sec. 5. **MINNESOTA STATE ACADEMIES**

Subdivision 1. **Total Appropriation**

**\$2,500,000**

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

Subd. 2. **Asset Preservation**

2,000,000

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

Subd. 3. **Independent Living Housing**

500,000

To predesign, design, construct, furnish, and equip independent living housing on the Academy for the Blind campus. The project will be conducted in collaboration with the carpentry class of South Central College of Faribault and provide housing for students 18 to 21 years of age in the nontraditional student component of the Academy Plus Transition program.

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

Subdivision 1. **Total Appropriation**

**\$1,244,000**

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

Subd. 2. **Alpha Building Demolition**

755,000

To demolish the Alpha building.

Subd. 3. **Delta Dorm Windows**

489,000

To install new windows in the Delta dormitory, completing the building's renovations.

Sec. 7. **NATURAL RESOURCES**

Subdivision 1. **Total Appropriation**

**\$73,588,000**

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.

To the extent possible, a person conducting prairie restoration with state money must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination.

**Subd. 2. Statewide Asset Preservation**

1,000,000

For the renovation of state-owned facilities operated by the commissioner of natural resources that can be substantially completed in calendar year 2010, as determined by the commissioner of natural resources, to be spent in accordance with Minnesota Statutes, section 84.946, including renovation of buildings for energy efficiency, roof replacements, replacement of well and water treatment systems, road resurfacing, major culvert replacement and erosion control, water access rehabilitation, trail resurfacing and widening, and bridge replacement and rehabilitation. The commissioner may use this appropriation to replace buildings if, considering the embedded energy in the building, that is the most energy-efficient and carbon-reducing method of renovation.

**Subd. 3. Groundwater Monitoring and Observation Wells**

2,000,000

To install new groundwater level observation wells to monitor the Mount Simon aquifer and assess groundwater for water supply planning in the south and central regions of the state. This appropriation may also be used to seal existing obsolete monitoring wells in the Mount Simon aquifer that are no longer functional.

**Subd. 4. Dam Renovation and Removal**

6,000,000

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) Byllesby Dam, Dakota and Goodhue Counties.
- (b) Champlin Mill Pond Dam, Hennepin County.
- (c) Clayton Lake Dam, Pine County.
- (d) Drayton Dam, Kittson County.
- (e) Hallock Dam, Kittson County.
- (f) Lake Bronson Dam, Kittson County.

(g) Milaca Dam, Mille Lacs County.

(h) Montevideo Dam, Chippewa County.

(i) Pike River Dam, St. Louis County.

(j) \$900,000 is to renovate the Lanesboro Dam in the south branch Root River in Fillmore County.

(k) \$2,000,000 is for a grant to the Three Rivers Park District to renovate the Coon Rapids Dam. This appropriation is not available until the commissioner determines that an amount sufficient to complete the project is committed to the project.

Notwithstanding Minnesota Statutes, section 16A.69, subdivision 2, upon the award of final contracts for the completion of a project listed in this subdivision, the commissioner may transfer the unencumbered balance in the project account to any other dam renovation or removal project on the commissioner's priority list.

**Subd. 5. Water Control Structures**

500,000

To rehabilitate or replace water control structures used to manage shallow lakes and wetlands for waterfowl habitat on wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8, or for the purposes of public water reserves under Minnesota Statutes, section 97A.101; or structures on other waters under Minnesota Statutes, section 103G.505.

**Subd. 6. Aquatic Management Areas Acquisition**

1,000,000

To acquire land in fee that is critical for fish and other aquatic life under Minnesota Statutes, section 86A.05, and to make public improvements and betterments of a capital nature to aquatic management areas established under Minnesota Statutes, section 86A.05, subdivision 14.

**Subd. 7. 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. This appropriation must be used only to acquire fee title.

**Subd. 8. Scientific and Natural Area Native Prairie Acquisition And Development**

5,649,000

To acquire in fee the Hastings Sand Coulee in Dakota County, and other lands identified by the commissioner as targeted sites for potential acquisition for scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5. Not less than five percent of this appropriation is for restoration of lands acquired.

**Subd. 9. State Forest Land Reforestation**3,000,000

To increase reforestation activities to meet the reforestation requirements of Minnesota Statutes, section 89.002, subdivision 2, including planting, seeding, site preparation, and purchasing seeds and seedlings of species native to Minnesota.

**Subd. 10. Shade Tree Program**3,000,000

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 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.

**Subd. 11. State Park Rehabilitation**5,659,000

For rehabilitation projects within state parks established under Minnesota Statutes, section 85.012, as identified in the January 20, 2010, list of projects titled "State Park Development Projects - 12 month completion possible," including: at the Soudan Underground Mine, water treatment system and lab building, and new discharge pipeline; at Minneopa, safety improvements to the historic pedestrian bridge; at Itasca, repaving the wilderness drive and improvements to the beach area amphitheater; at Fort Ridgely, office consolidation into the historic museum building; at Whitewater and Mille Lacs Kathio, new RV sanitary dump stations; at Lake Maria, road paving and rehabilitation; and at all parks, campground electrical upgrades. Up to one percent of this appropriation may be used for project predesign for next funding cycle. At least 80 percent of the appropriation in this subdivision must be spent during the 2010 construction season.

**Subd. 12. State Park and Recreation Area Acquisition and Development**2,150,000

To acquire from willing sellers private lands for the following state parks established under Minnesota Statutes, section 85.012: land within William O'Brien State Park and land adjacent to or near Split Rock Lighthouse State Park that provides a view of the lighthouse; and land within Cuyuna Country State Recreation Area, established under Minnesota Statutes, section 85.013. This appropriation is also for a grant to Wright County to acquire land for Bertram Chain of Lakes Regional Park, under Minnesota Statutes, section 85.019, subdivision 2.

**Subd. 13. State Trail Rehabilitation**10,000,000

To renovate state trails established under Minnesota Statutes, section 85.015, according to the commissioner's priorities and as provided in Minnesota Statutes, section 84.946. At least 80 percent of the appropriation in this subdivision must be spent during the 2010 construction season. This includes funding for the following trails:

(1) Gateway Trail, resurface and widen County State-Aid Highway 15 to Pine Point Park, in Washington County;

(2) Luce Line Trail, replace three bridges between Winsted and Hutchinson, in McLeod County;

(3) Munger Trail, replace culverts at mile post 139 and 138, in Carlton County;

(4) Munger Trail, resurface and widen 15 miles of trail between Duluth and Thomson, in St. Louis and Carlton Counties;

(5) Munger Trail, replacement of the Grand Avenue bridge in Duluth;

(6) Paul Bunyan Trail realignment along County Road 159, in Cass County;

(7) Paul Bunyan Trail resurfacing between Hackensack and Chippewa Forest, in Cass and Crow Wing Counties;

(8) Pengilly-Alborn Trail, replace two bridges, in St. Louis County;

(9) Root River Trail, resurface and widen 20 miles, in Fillmore County;

(10) Root River Trail, rehabilitate or replace eight bridges, in Fillmore County.

**Subd. 14. State Trail Acquisition and Development**21,000,000

(a) For state trail acquisition and development of trails designated in Minnesota Statutes, section 85.015, including:

(1) Blazing Star Trail, develop Albert Lea Lake bridge crossing and one mile of trail;

(2) Browns Creek Trail, acquire land along the former Minnesota Zephyr corridor;

(3) Casey Jones Trail, complete Pipestone to Woodstock segment;



(4) Cuyuna Lakes Trail, acquire and develop Riverton to Deerwood;

(5) Gateway Trail, develop Pine Point Park to May Township segment, acquire approximately two miles between May Township and Marine on St. Croix;

(6) Glacial Lakes Trail, acquire and develop New London to Sibley State Park;

(7) Gitchi Gami Trail, develop Lutsen and Silver Bay segments;

(8) Goodhue Pioneer Trail, develop Zumbrota to Goodhue segment;

(9) Heartland Trail, develop Detroit Lakes to Frazee segment;

(10) Luce Line Trail;

(11) Mill Towns Trail, acquire eight miles from Dundas to Faribault, develop marked Trunk Highway 21 grade separation and trail in Faribault;

(12) Minnesota River Trail;

(13) Paul Bunyan Trail, develop south shore Lake Bemidji segment, marked Trunk Highway 197 grade separation in Bemidji, Crow Wing State Park to Baxter segment;

(14) Shooting Star Trail, develop Adams to Rose Creek segment.

(b) At least 80 percent of the appropriation in this subdivision must be spent during the 2010 construction season. Up to one percent of this appropriation may be used to predesign and design projects not included in this subdivision and in preparation for future funding.

**Subd. 15. Regional Trails and Trail Connections**

8,300,000

(a) For matching grants for regional trails and trail connections under Minnesota Statutes, section 85.019, subdivisions 4b and 4c, as provided in this subdivision.

(1) \$250,000 is for a grant to Stearns County for development of the 26-mile Dairyland Trail connecting to the Lake Wobegon Trail.

(2) \$1,500,000 is for a grant to Dakota County for a bridge over the Cannon River to connect Lake Byllesby Regional Park to the Mill Towns State Trail.

(3) \$413,000 is for a grant to the city of Rochester to acquire the DM&E Pine Island spur right-of-way to connect to the Douglas State Trail.

(4) \$800,000 is for a grant to the Rocori Trail Board for acquisition, design, and construction of phase 1 of the Rocori Trail, connecting the Glacial Lakes State Trail to the Beaver Island Trail and Lake Wobegon Trail.

(5) \$1,400,000 is for a grant to the city of Walker for acquisition and development of the Shingobee Connection Trail connecting Walker to the Paul Bunyan State Trail and the Heartland State Trail.

(6) \$512,000 is for a grant to the city of Granite Falls to renovate the Roebling suspension pedestrian bridge over the Minnesota River in Granite Falls. This appropriation is not available until the commissioner determines that at least an equal amount has been committed to the project from nonstate sources.

(7) \$400,000 is for a grant to Dodge County to acquire land for the Stagecoach Trail, primarily a nonmotorized recreational trail that will connect the proposed Prairie Wildflower State Trail in Steele County to the existing Douglas State Trail in Olmsted County.

(8) \$175,000 is for a grant to the city of Hibbing to acquire land, predesign, design, construct, and resurface the Carey Lake Bike Trail which follows 25th Street (Dupont Road) east to the Carey Lake Park in Hibbing, St. Louis County. This appropriation is not available until the commissioner determines that at least an equal amount has been committed to the project from nonstate sources.

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

(b) \$55,000 is for a grant to Carlton County to make safety improvements on the Soo Line Trail in Moose Lake, including restoring decking, railings, and approaches of the trestles on the trail.

(c) \$2,000,000 is to design, acquire land for, and develop the Camp Ripley/Mississippi River Cross Roads Trail, in conjunction with the United States Department of Defense and the Minnesota Department of Transportation. The trail shall originate at Crow Wing State Park in Crow Wing County at the southern end of the Paul Bunyan Trail and shall extend from Crow Wing State Park westerly to the city of Pillager, then southerly along the west side of Camp Ripley, then easterly along the south side of Camp Ripley across to the east side of the Mississippi River, and then northerly through Fort Ripley to Crow Wing State Park. A second segment

of the trail shall be established that shall extend in a southerly direction and in close proximity to the Mississippi River from the southeasterly portion of the first segment of the trail to the city of Little Falls, and then terminate at the Soo Line Trail in Morrison County.

**Subd. 16. Rum River Buffer and Bridge Replacement**

130,000

For a grant to the city of Milaca to demolish and remove the pedestrian bridge over the Rum River between Rec Park and Forest Hill cemetery in the city of Milaca, and to design, engineer, construct, and install a new accessible pedestrian bridge in the same location. The project must remove the pillars in the river and the new bridge must not have pillars in the river. This appropriation is not available until the city has agreed to develop a 100-foot-wide permanent buffer on the east side of the river that will protect the river where currently there is no appropriate buffer.

**Subd. 17. Fort Snelling Upper Bluff**

1,200,000

For a grant to Hennepin County to conduct emergency building stabilization at Fort Snelling Upper Bluff. This appropriation is not available until the commissioner of management and budget has determined that Hennepin County has entered into appropriate agreements to use Sentence to Serve labor for the project that will train the Sentence to Serve laborers in the skills needed for the work.

**Subd. 18. 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, 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 for asset preservation.

**Sec. 8. POLLUTION CONTROL AGENCY**

**Subdivision 1. Total Appropriation**

**\$17,411,000**

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

**Subd. 2. Closed Landfill Cleanup**

8,700,000

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.

The agency must follow the agency priorities. Entities administering projects undertaken with funds in this subdivision must:

(1) conform to occupational safety and health standards under federal law and Minnesota Statutes, chapter 182;

(2) as an additional occupational safety and health standard, develop a comprehensive human health and safety plan for each project location and provide personal protective equipment to all workers performing labor at each project location that protects against all contaminants of concern and contaminants of potential concern identified at the project location. For the purposes of this subdivision, "contaminants of concern" and "contaminants of potential concern" must be identified by methods substantially the same as the United States Environmental Protection Agency's Superfund remedial investigation processes;

(3) before commencing work on a project undertaken with funds in this subdivision, submit a report to the chairs of the committees of the house of representatives and the senate having jurisdiction over labor and the environment on how they are complying with the occupational safety and health standards required by this subdivision; and

(4) provide onsite monitoring of compliance with the occupational safety and health standards required by this subdivision at all times that workers are performing labor at a project location.

**Subd. 3. Capital Assistance Program**

8,711,000

For grants under the solid waste capital assistance grants program in Minnesota Statutes, section 115A.54.

(1) \$1,800,000 is for a grant to Becker County to construct a waste transfer facility, including an office building for staff, installation of a truck scale, and construction of a material recovery facility. This amount includes 75 percent of the cost of the transfer station and 50 percent of the cost of the material recovery facility. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025. This grant is not available until the agency determines that an amount sufficient to complete the project is committed to it from nonstate sources.

(2) \$5,000,000 is for a grant to the Pope/Douglas Solid Waste Joint Powers Board to design, construct, furnish, and equip the expansion of the Pope/Douglas waste-to-energy facility located in Alexandria. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025.

(3) \$1,911,000 is for a grant to Redwood County under the solid waste capital assistance grants program in Minnesota Statutes, section 115A.54, to predesign, design, construct, furnish, and equip the Redwood County Materials Recovery Facility in order to allow processing of recyclables from other counties. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025. This grant is not available until the agency determines that an amount sufficient to complete the project is committed to it from nonstate sources.

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

Subdivision 1. **Total Appropriation**

**\$2,500,000**

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

To the extent possible, a person conducting prairie restoration with state money must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination.

Subd. 2. **Wetland Replacement Due to Public Road Projects**

2,500,000

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). Up to 17 percent of this appropriation is to implement the program.

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 7, 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. **MINNESOTA ZOOLOGICAL GARDEN**

Subdivision 1. **Total Appropriation**

**\$32,500,000**

To the Minnesota Zoological Garden for the purposes specified in this section.

**Subd. 2. Master Plan Implementation, Phase I****15,000,000**

For phase I of the 2001 Minnesota Zoological Garden Facilities and Business Master Plan, which includes renovation and expansion of the zoo's entry and main building, visitor center, and environmental education center.

**Subd. 3. Asset Preservation and Exhibit Renewal****17,500,000**

For capital asset preservation improvements, exhibit renewals, and betterments, to be spent in accordance with Minnesota Statutes, section 16B.307. Of this:

(a) \$11,000,000 is for a grant to Como Zoo for exhibit renewal.

(b) \$500,000 is for a grant to the Duluth Zoo for asset preservation and exhibit renewal needed to achieve accreditation.

**Sec. 11. ADMINISTRATION****Subdivision 1. Total Appropriation****\$10,000,000**

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

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

For capital asset preservation improvements and betterments, to be spent in accordance with Minnesota Statutes, section 16B.307, \$500,000 is for Capitol campus security upgrades.

**Subd. 3. Capital Asset Preservation and Replacement Account (CAPRA)****2,000,000**

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

**Sec. 12. AMATEUR SPORTS COMMISSION****\$4,000,000**

To the Minnesota Amateur Sports Commission to complete phase II of the National Volleyball Center in Rochester, adding approximately 22,000 square feet of space to the existing facility and including the following: a high intensity training center, a training and weight center, a conference-classroom, lobby and assembly hall, public toilet rooms, locker room, vestibule, and observation mezzanine.

**Sec. 13. MILITARY AFFAIRS****Subdivision 1. Total Appropriation****\$11,900,000**

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

**Subd. 2. Asset Preservation****4,000,000**

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. Facility Life Safety Improvements****1,000,000**

For life safety improvements and to correct code deficiencies at military affairs facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 4. Facility ADA Compliance****900,000**

For Americans with Disabilities Act (ADA) alterations to existing National Guard Training and Community Centers in locations throughout the state, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 5. Cedar Street Armory, St. Paul****5,000,000**

To renovate the Cedar Street Armory in St. Paul. This project includes window replacement, mechanical and electrical system upgrades, office space renovation, and asbestos abatement.

**Subd. 6. Camp Ripley Troop Support Facility****1,000,000**

To complete design, renovation, furnishing, and equipping of the Troop Support Facility at Camp Ripley, including but not limited to: window replacement, interior floor installation and finishings, air conditioning, upgrade of electrical, data, and telecommunication systems, and kitchen installation.

**Subd. 7. Unspent Appropriations**

The unspent portion of an appropriation for a project under this section that has been completed may be used for any other purpose permitted under Minnesota Statutes, section 16B.307.

**Sec. 14. PUBLIC SAFETY****Subdivision 1. Total Appropriation****\$16,050,000**

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

**Subd. 2. Phase II, Camp Ripley****10,000,000**

To the commissioner of administration to complete phase II of the tier 3 homeland security and emergency management training and exercise center at Camp Ripley, which includes a classroom

facility and several facilities for field response training. Nonmilitary public safety personnel from Minnesota must be given access to the facility.

**Subd. 3. Maplewood - East Metro Regional Fire Training Facility** 3,000,000

For a grant to the city of Maplewood to acquire land, prepare a site including environmental work, predesign, design, and construct the East Metro Regional Fire Training Facility in Ramsey County, within the city of Maplewood.

**Subd. 4. Minneapolis - Emergency Operations Center and Fire Training Facility** 750,000

For a grant to the city of Minneapolis to complete design and construction of an Emergency Operations Center and Fire Training Facility in the city of Minneapolis.

**Subd. 5. Annandale Tactical Training Center** 160,000

For a grant to the city of Annandale to predesign, design, construct, furnish, and equip improvements in the tactical training center, including improvements to the indoor live-fire shoothouse for air quality and noise mitigation, a steel breaching door, moving target systems within the shoothouse and outdoor range, and a 40-foot rappelling tower for high-angle fire, rescue, and police tactical training.

**Subd. 6. Marshall - Minnesota Emergency Response and Industry Training Center (MERIT)** 2,140,000

For a grant to the city of Marshall to acquire land, predesign, design, construct, furnish, and equip the expansion of the Minnesota Emergency Response and Industry Training Center (MERIT Center) in Marshall, Lyon County. The project includes acquiring approximately 80 acres of land for expanded facilities that will include a driving course, classrooms and offices, skid pad, and training simulators for driving, hand gun shooting, and driving education. This appropriation is not available until the commissioner determines that at least an equal amount is committed to the project from nonstate sources.

**Sec. 15. TRANSPORTATION**

**Subdivision 1. Total Appropriation** **\$164,452,000**

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

**Subd. 2. Local Bridge Replacement and Rehabilitation** 67,000,000

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.

\$1,000,000 is for a grant to the city of Fairmont to demolish the existing bridge and to design and construct a new bridge over the channel between Budd Lake and Hall Lake, on West Lair Road in Gomsrud Park. This appropriation is not available until the commissioner determines that at least \$1,500,000 has been committed to the project from nonstate sources.

\$1,500,000 is for a grant to the city of Fergus Falls to renovate the Tower Road bridge.

\$10,000,000 is for a grant to Hennepin County for phase II of the project for the removal of the existing Canadian Pacific Railway bridge and crib wall structure supporting the roadway, construction of a retaining wall structure to support Lowry Avenue, and construction of an extension of phase I, the construction and replacement of the Lowry Avenue Bridge carrying County State-Aid Highway 153 across the Mississippi River in Minneapolis.

\$7,000,000 is for a grant to the city of Minneapolis to construct a bridge for St. Anthony Parkway over the Northtown Rail Yard.

By November 1, 2010, the commissioner of management and budget, subject to approval of the commissioner of transportation, shall implement a grant administration method for grants provided under Minnesota Statutes, sections 174.50 and 174.52. The grant administration method must:

(1) not require a separate grant agreement for each project funded in whole or in part from general obligation grants;

(2) provide for efficient audits concerning state bond-financed property;

(3) ensure that all uses of the state bond-financed property will not cause the interest on the state general obligation bonds to be or become subject to federal income taxation for any reason; and

(4) otherwise comply with Minnesota Statutes, section 16A.695, the Minnesota Constitution, and all commissioner's orders.

By November 1, 2010, the commissioners of management and budget and transportation shall jointly submit a report on the grant administration method to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation policy and finance and capital investment. At a minimum, the report must briefly summarize the grant administration method being implemented, provide a copy of any model grant agreement, and provide recommendations, if any, for legislative changes.

**Subd. 3. Greater Minnesota Transit**

4,000,000

For capital assistance for greater Minnesota transit systems to be used for transit capital facilities under Minnesota Statutes, section 174.24, subdivision 3c. Money from this appropriation may be used to pay up to 80 percent of the nonfederal share of these facilities. \$520,000 is for a grant to the city of Northfield to design, construct, furnish, and equip a multimodal hub to serve as a transfer station, park and ride, intercity hub and trailhead, providing connections to Mill Towns State Trail, bike paths, and sidewalks within the city of Northfield.

**Subd. 4. Rail Service Improvement**

3,000,000

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

**Subd. 5. Minnesota Valley Railroad Track Rehabilitation**

6,500,000

For a grant to the Minnesota Valley Regional Rail Authority for capital improvements and rehabilitation of 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. 6. Northstar Commuter Rail Extension**1,000,000

To match federal funds for environmental analysis, design, engineering, negotiations with the Burlington Northern Santa Fe Railway, and acquisition of real property or interests in real property to extend the Northstar commuter rail line from Big Lake to the St. Cloud area.

**Subd. 7. Railroad Grade Crossings**2,500,000

(a) To replace aging grade crossing safety warning devices statewide.

(b) \$900,000 is for a grant to the city of Grand Rapids to make at-grade railroad crossing improvements in the city. The project includes closing at-grade crossings at 12th Avenue West and 5th Avenue East along with at-grade crossing improvements on and adjacent to 19th Avenue West and 3rd Avenue East under City Projects 2003-6 and 2010-3. Crossing improvements include but are not limited to concrete crossings, railroad cross arms and signals, and street and utility improvements necessary to facilitate the crossing closures and improvements including design and construction engineering. This appropriation is not subject to the requirements of the commissioner to receive funding under paragraph (a) or under the department's rail grade crossing improvement program. This appropriation is not available until the commissioner of management and budget has determined that at least \$2,400,000 has been committed, including expenditures prior to July 1, 2010, to the project from nonstate sources.

**Subd. 8. Port Development Assistance**7,000,000

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

**Subd. 9. Lower Minnesota River Watershed**225,000

For a grant to the Lower Minnesota River Watershed District for site preparation, environmental mitigation, to acquire land for, and to design and construct improvements for dredge material site projects located within the district.

**Subd. 10. Chisholm-Hibbing Airport**3,700,000

For a grant to the Chisholm-Hibbing Airport Authority for site preparation and to design and construct a Department of Natural Resources hangar and to design and construct an addition to the western multiple plane storage hangar.

**Subd. 11. Duluth Airport**11,700,000

For a grant to the city of Duluth to predesign, design, construct, furnish, and equip phase 2 of the new terminal facilities at the Duluth International Airport as phase 2 of the airport terminal project is described for purposes of the Federal Aviation Administration project grant. This appropriation is not available until the commissioner determines that at least an equal amount is committed to the project from nonstate sources. The airport terminal phase 2 project for which funds are appropriated in this subdivision is not subject to the provisions of Minnesota Statutes, section 16A.695.

**Subd. 12. Thief River Falls Airport**2,097,000

For a grant to the city of Thief River Falls to design, construct, furnish, and equip a multipurpose hangar at the Thief River Falls Regional Airport in Pennington County, subject to Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner determines that a nonstate match of at least \$699,000 is committed to the project.

**Subd. 13. Rochester Maintenance Facility**26,430,000

This appropriation is from the bond proceeds account in the trunk highway fund for site preparation and construction of a new maintenance facility in Rochester.

**Subd. 14. Arden Hills Training Center**6,500,000

This appropriation is from the bond proceeds account in the trunk highway fund for an addition and remodeling at the Arden Hills Training Center. The project includes construction of a 35,000 square foot conference center, containing a 9,000 square foot meeting room that is divisible into four smaller rooms, additional classrooms, and support facilities; remodeling approximately 12,500 square feet of office space for the State Patrol to consolidate their two metro district offices; and remodeling the existing classroom building to bring it to current standards.

**Subd. 15. Maple Grove Truck Station**15,800,000

This appropriation is from the trunk highway fund to construct a new Maple Grove truck station and mechanics facility. The 95,000 square foot truck station will contain offices, shops, vehicle support, inventory space, storage spaces, and mechanics work bays. It will provide salt, yard, and unheated storage space, and a fuel dispensing station.

**Subd. 16. Little Falls Truck Station****3,300,000**

This appropriation is from the trunk highway fund to construct a new Little Falls truck station. This project includes an approximately 16,000 square foot truck station facility with offices, shops, vehicle support, inventory space, storage spaces, and mechanics work bays. The site will also house a salt storage building, an unheated storage building, fuel dispensing, and yard storage.

**Subd. 17. Maplewood Bridge Crew Building****3,000,000**

This appropriation is from the trunk highway fund to construct an approximately 17,590 square foot facility for the new bridge crew to be located at an existing Department of Transportation site in Maplewood, including offices, shops, vehicle storage, and crew support spaces. The site will also provide salt and yard storage, unheated storage building, and fuel dispensing.

**Subd. 18. Design****700,000**

This appropriation is from the trunk highway fund for design of the new Willmar district headquarters vehicle storage facility and the new Plymouth truck station.

**Sec. 16. METROPOLITAN COUNCIL****Subdivision 1. Total Appropriation****\$74,295,000**

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

**Subd. 2. Transit Capital Improvement Program****50,000,000**

(a) To implement the Metropolitan Council's adopted 2030 Transportation Policy Plan for transit way corridors, in consultation with the Counties Transit Improvement Board. Transit way corridors include the following: Bottineau Boulevard, Cedar Avenue, Central Corridor LRT, I-35W corridor, I-94 corridor, Red Rock corridor, Riverview corridor, Robert Street corridor, Rush Line, and Southwest corridor.

(b) In addition to the corridors identified in the 2030 plan, this appropriation is for:

(1) a grant to the Anoka County Regional Rail Authority for environmental analysis, design, engineering, negotiations with the Burlington Northern Santa Fe Railway, acquisition of real property or interests in real property, and construction of related infrastructure and other improvements of a capital nature for the Foley Boulevard Northstar commuter rail station;

(2) a grant to the Hennepin County Regional Rail Authority to match federal funds for environmental analysis, engineering, design, acquisition of real property or interests in real property, and site preparation for the Minneapolis Transportation Interchange Facility located in the vicinity of the confluence of the Hiawatha light rail line and the Northstar commuter rail line;

(3) a grant to the city of Rosemount to predesign, design, construct, furnish, and equip a parking lot and transit station shelter on land owned by the city of Rosemount in the city's downtown area. The parking lot will have approximately 100 spaces for vehicles;

(4) a grant to the city of Ramsey to match federal and local funds for environmental analysis, engineering, design, negotiations with the Burlington Northern Santa Fe Railway, acquisition of real property or interests in real property, and construction of a Northstar commuter rail station in the vicinity of the city of Ramsey Municipal Center;

(5) 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;

(6) for environmental analysis, engineering, acquisition of real property or interests in real property, and construction relating to capacity improvements at the Hoffman Interlocking/Hoffman Yard in St. Paul as identified in the Minnesota Comprehensive Statewide Freight and Passenger Rail Plan; and

(7) for a grant to Washington County to construct a park-and-ride facility for the Red Rock Corridor Transit Way.

(c) \$1,500,000 is for environmental analysis, engineering, acquisition of real property or interests in real property, and construction of a park-and-ride facility in the city of Woodbury for the I-94 Corridor Transit Way.

**Subd. 3. Metropolitan Cities Inflow and Infiltration Grants**

3,000,000

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.

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

**(a) Metropolitan Council Priorities** 10,500,000

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. Priority must be given to park rehabilitation and land acquisition projects. This appropriation must not be used to purchase easements.

**(b) Phalen-Keller Regional Park** 1,100,000

For grants to the city of St. Paul and Ramsey County for improvements to the Phalen-Keller Regional Park, including design, engineering, and construction for channel restoration and other associated channel improvements between Phalen, Keller, and Round Lakes, renovation of the waterfall on the northwest shore of Lake Phalen and addition of lighting and landscaping along the path near the waterfall, and design and construction of a paved off-road trail between Roselawn Avenue and County Road B connecting use areas within Keller Regional Park and to Phalen Regional Park and the Gateway State Trail.

**(c) Springbrook Nature Center** 2,151,000

For a grant to the city of Fridley to predesign, design, construct, furnish, and equip the redevelopment and expansion of the Springbrook Nature Center. No nonstate match is required.

**(d) Theodore Wirth Park Winter Recreation Area** 1,150,000

For a grant to the Minneapolis Park and Recreation Board to predesign, design, construct, furnish, and equip a winter recreation center at Theodore Wirth Regional Park in Golden Valley, Hennepin County, including warming and training areas and maintenance facilities.

**(e) Veterans Memorial Parks, Minneapolis** 2,500,000

For a grant to the Minneapolis Park and Recreation Board to: (1) restore the Sheridan Veterans Memorial Park on the Mississippi River in Minneapolis. Funds must be used to construct the appropriate monument to memorialize the war service of

Minnesota veterans of all wars and related park facilities; and (2) to match funds provided by Hennepin County to restore the flagpole monument and plaza, and make other infrastructure improvements of a capital nature for the Veterans of World War I Victory Memorial Parkway, consistent with Hennepin County's planned infrastructure improvements.

**(f) Minneapolis Sculpture Garden**

200,000

For a grant to the Minneapolis Park and Recreation Board to predesign, design, and construct the renovation of the Minneapolis Sculpture Garden, which displays art owned by the Walker Art Center, subject to Minnesota Statutes, section 16A.695. The renovation will include improving irrigation, drainage, the parking lot, security, granite substructures, concrete, and fixtures, in order to update them with more ecologically sustainable options that are less expensive to maintain; increasing physical accessibility in accordance with the Americans with Disabilities Act; transplanting and replacing trees and plant materials; and improving the mechanical plant, piping, and flooring of the Cowles Conservatory to permit its flexible reuse in a way that is more ecologically sustainable and less expensive to maintain.

**(g) Bloomington, Old Cedar Avenue Bridge**

2,000,000

For a grant to the city of Bloomington to renovate the Old Cedar Avenue Bridge for bicycle commuters and recreational users. The city of Bloomington must consult with the city of Eagan and Dakota County on the renovation.

**(h) Dakota Rail Regional Trail, Pedestrian and Bicycle Tunnel**

344,000

For a grant to the city of Minnetonka Beach to construct a pedestrian and bicycle tunnel under Hennepin County State-Aid Highway 15 that would link an existing city trail with the Dakota Rail Regional Trail.

**(i) Rock Island Bridge Park and Trail Development**

1,350,000

For a grant to the city of Inver Grove Heights for park and trail development on the west bank of the Mississippi River in Dakota County at the site of Mississippi River Bridge JAR 5600, commonly known as the Rock Island Bridge. Any park or trails developed with this appropriation must connect with any local, regional, or state trails in the vicinity, and the historic Rock Island Bridge.

Sec. 17. **HEALTH**

5,000,000

**Hyperbaric Chamber Replacement**

To the commissioner of health for a grant to Hennepin County for Hennepin County Medical Center (HCMC) to design, construct, furnish, and equip the relocation of a hyperbaric oxygen facility on the HCMC campus.



Sec. 18. **HUMAN SERVICES****Subdivision 1. Total Appropriation****\$5,125,000**

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

**Subd. 2. Asset Preservation**3,000,000

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. Early Childhood Learning Facilities**2,000,000

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

**Subd. 4. Remembering with Dignity**125,000

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****\$9,975,000**

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

**Subd. 2. Asset Preservation**4,000,000

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

**Subd. 3. Luverne Veterans Home**450,000

To design, construct, and furnish a new enclosure attached to the front entrance of the Luverne Veterans Home. This project also includes re-engineering the circle drive parking lot adjoining the entrance to increase visitor parking capacity.

**Subd. 4. Kandiyohi Veterans Home**5,525,000

For the state share to design, construct, furnish, and equip a 90-bed facility in Kandiyohi County to provide geriatric and mental health skilled nursing services to veterans or their spouses. This appropriation is not available until the commissioner determines that an amount sufficient to complete the project is committed to it from nonstate sources.

Sec. 20. **CORRECTIONS**

Subdivision 1. **Total Appropriation**

**\$11,529,000**

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. **MCF - Oak Park Heights**

3,529,000

To replace the intrusion detection system on the top of the walls surrounding the interior courtyard and to upgrade lighting and cameras on the exterior perimeter fences.

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, 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**

**\$126,668,000**

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

Subd. 2. **Greater Minnesota Business Development Infrastructure Grant Program**

7,259,000

For grants under Minnesota Statutes, section 116J.431. Up to \$200,000 is for a grant to the Board of Trustees of the Minnesota State Colleges and Universities for Pine Technical College as a match for a grant from the United States Economic Development Administration to design, construct, furnish, and equip an entrepreneurship and technology business incubator.

\$1,000,000 is for a grant to the city of Perham in Otter Tail County to design, construct, furnish, and equip a material recovery facility at the Perham Resource Recovery Facility. The counties using the facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025. \$285,000 is for a

grant to the Voyageurs National Park Clean Water Joint Powers Board to predesign a wastewater collection and treatment facility located in the Voyageurs National Park area.

**Subd. 3. Bioscience Business Development Public Infrastructure Grant Program**

4,000,000

For grants under Minnesota Statutes, section 116J.435.

**Subd. 4. Redevelopment Account**

5,000,000

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

\$2,000,000 is for a grant to the city of Lake Elmo. \$1,000,000 must be used to design and construct an expansion of the city's water pumping, storage, and distribution system to provide approximately 1,000 additional service hookups and replace a city well lost to contamination by perfluorochemicals (PFCs). \$1,000,000 must be used to design and construct the extension of a 16-inch sanitary sewer force main from the Metropolitan Council interceptor on Interstate Highway 94 to 30th Street to the proposed southern edge of the Lake Elmo Village area. This appropriation is not available until the council has determined that at least an equal amount has been committed to the project from nonstate sources.

The commissioner may require that grant money not committed by contract for approved project activities within 120 days after the grant agreement was signed be returned and credited to the redevelopment account.

Notwithstanding Minnesota Statutes, section 16A.642, grant number RDGP-06-0007-0-FY07, awarded in September 2006 to the city of Tower from an appropriation to the redevelopment account in Laws 2005, chapter 20, article 1, section 23, subdivision 11, is available until June 30, 2013.

**Subd. 5. Bemidji - Headwaters Science Center**

475,000

For a grant to the city of Bemidji to predesign and design the Headwaters Science Center in the city of Bemidji.

**Subd. 6. Chatfield - Potter Center for the Arts/Historic Preservation**

7,094,000

For a grant to Independent School District No. 227, Chatfield, to predesign, design, renovate, construct, furnish, and equip the Potter Center for the Arts, in the city of Chatfield, subject to Minnesota Statutes, section 16A.695.

**Subd. 7. Hennepin County****Minnesota African American History Museum and Cultural Center**840,000

For a grant to Hennepin County to predesign, design, construct, furnish, and equip the renovation of an historic mansion for the African American History Museum and Cultural Center in Minneapolis, subject to Minnesota Statutes, section 16A.695.

**Subd. 8. Mankato - Civic Center and All Seasons Arenas**13,900,000

For a grant to the city of Mankato to design, construct, furnish, and equip the expansion of the civic center auditorium and the renovation and expansion of the civic center and all seasons arenas, including the Southern Minnesota Women's Hockey Exposition Center jointly used by the city and Minnesota State University, Mankato.

**Subd. 9. Minneapolis - Orchestra Hall**17,000,000

For a grant to the city of Minneapolis to predesign, design, construct, furnish, and equip the renovation of Orchestra Hall and Peavey Plaza at its current downtown Minneapolis location. The city of Minneapolis may operate a performing arts center and adjacent property for public recreation, and may enter into a lease or management agreement for the improved facilities, subject to Minnesota Statutes, section 16A.695.

**Subd. 10. Ramsey County - Rice Street Bioscience Corridor**5,000,000

For a grant to Ramsey County to reconstruct the Rice Street bridge where it crosses marked Trunk Highway 36 in Ramsey County, and for other improvements of a capital nature to publicly owned infrastructure to support bioscience business development.

**Subd. 11. Rochester - Mayo Civic Center Complex**28,000,000

For a grant to the city of Rochester to construct, furnish, and equip the renovation and expansion of the Mayo Civic Center Complex.

**Subd. 12. St. Cloud - Civic Center Expansion**15,100,000

For a grant to the city of St. Cloud to predesign, design, construct, furnish, and equip an expansion of the St. Cloud Civic Center, including a parking facility and skyway connection. This appropriation is not available until the commissioner determines that at least an equal amount is committed to the project from nonstate sources.

**Subd. 13. St. Paul****(a) Ordway Center for the Performing Arts**16,000,000

For a grant to the city of St. Paul to construct, furnish, and equip a 1,100-seat concert hall and support spaces at the Ordway Center for the Performing Arts, subject to Minnesota Statutes, section 16A.695.

**(b) Asian Pacific Cultural Center**7,000,000

For a grant to the city of St. Paul to construct, furnish, and equip an Asian Pacific Cultural Center, subject to Minnesota Statutes, section 16A.695. This appropriation does not require a local match.

**Sec. 22. PUBLIC FACILITIES AUTHORITY****Subdivision 1. Total Appropriation****\$60,000,000**

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

**Subd. 2. State Match For Federal Grants**30,000,000

(a) 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.

(b) \$10,800,000 of this appropriation shall provide matching funds for the drinking water revolving fund to match the 2011 and 2012 federal grants, with the balance to be made available to the clean water revolving fund.

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

**Subd. 3. Wastewater Infrastructure Funding Program**30,000,000

For grants to eligible municipalities under the wastewater infrastructure funding program under Minnesota Statutes, section 446A.072. Up to \$400,000 may be used for eligible costs to implement the wastewater infrastructure funding program.

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

To the Minnesota Housing Finance Agency for transfer to the housing development fund to finance the rehabilitation costs to preserve 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 the

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**

**\$14,257,000**

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

Subd. 2. **Historic Sites Asset Preservation**

3,400,000

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 Farm Historic Site**

9,857,000

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

Sec. 25. **BIOMASS HEATING**

To the extent practicable, a heating system purchased, replaced, or installed using an appropriation under this article must be capable of using biomass as a fuel source.

Sec. 26. **BOND SALE EXPENSES**

**\$1,035,000**

(a) \$1,020,000 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. 27. **BOND SALE AUTHORIZATION.**

Subdivision 1. **Bond proceeds fund.** To provide the money appropriated in this article from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$954,123,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. **Maximum effort school loan fund.** To provide the money appropriated in this article from the maximum effort school loan fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$5,780,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the maximum effort school loan fund.

Subd. 3. **Transportation fund bond proceeds account.** To provide the money appropriated in this article from the state transportation fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$67,000,000 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. 4. **Trunk highway bond proceeds fund.** To provide the money appropriated in this article 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 \$32,945,000 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. 28. **CANCELLATIONS; BOND SALE AUTHORIZATIONS REDUCED.**

Subdivision 1. **Bureau of Criminal Apprehension.** \$525,000 of the appropriation in Laws 2002, chapter 374, article 11, section 7, subdivision 3, as amended by Laws 2002, chapter 393, section 90, for construction of the Bureau of Criminal Apprehension building in Saint Paul, is canceled. The bond sale authorization in Laws 2002, chapter 374, article 11, section 17, is reduced by \$525,000.

Subd. 2. **Administration; property acquisition.** \$5,131.83 of the appropriation in Laws 2002, chapter 374, article 11, section 7, subdivision 4, for property acquisition, is canceled. The bond sale authorization in Laws 2002, chapter 374, article 11, section 17, is reduced by \$5,131.83.

Subd. 3. **Human services.** \$23,642.57 of the appropriation in Laws 2002, chapter 374, article 11, section 11, for Department of Human Services asset preservation, is canceled. The bond sale authorization in Laws 2002, chapter 374, article 11, section 17, is reduced by \$23,642.57.

Subd. 4. **CAPRA.** \$101,485.07 of the appropriation in Laws 2002, chapter 393, section 13, subdivision 2, for the capital asset preservation and replacement account, is canceled. The bond sale authorization in Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$101,485.07.

Subd. 5. **Administration.** \$1,041.79 of the appropriation in Laws 2002, chapter 393, section 13, subdivision 3, for electrical utility infrastructure in the capitol complex, is canceled. The bond sale authorization in Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$1,041.79.

Subd. 6. **Health and agriculture lab.** \$10,701.71 of the appropriation in Laws 2002, chapter 393, section 13, subdivision 6, for health and agriculture lab, is canceled. The bond sale authorization in Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$10,701.71.

Subd. 7. **Minnesota State Academies.** \$8,730.46 of the appropriation in Laws 2002, chapter 393, section 6, for asset preservation, is canceled. The bond sale authorization in Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$8,730.46.

Subd. 8. **Human services.** \$5,829.55 of the appropriation in Laws 2002, chapter 393, section 22, subdivision 2, for systemwide roof renovation and replacement, is canceled. The bond sale authorization in Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$5,829.55.

Subd. 9. **Human services.** \$53,695.76 of the appropriation in Laws 2002, chapter 393, section 22, subdivision 3, for asset preservation, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$53,695.76.

Subd. 10. **Human services.** \$77,034.74 of the appropriation in Laws 2002, chapter 393, section 22, subdivision 4, for demolition, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$77,034.74.

Subd. 11. **Human services.** \$8,873.69 of the appropriation in Laws 2002, chapter 393, section 22, subdivision 6, as amended by Laws 2005, chapter 20, article 1, section 43, for the Fergus Falls Regional Treatment Center, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$8,873.69.

Subd. 12. **Human services.** \$3,498 of the appropriation in Laws 2002, chapter 393, section 22, subdivision 7, for the St. Peter Regional Treatment Center, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$3,498.

Subd. 13. **Veterans Home Board.** \$8,022.83 of the appropriation in Laws 2002, chapter 393, section 23, subdivision 2, for asset preservation, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$8,022.83.

Subd. 14. **Veterans Home Board.** \$2,000 of the appropriation in Laws 2002, chapter 393, section 23, subdivision 3, for the Hastings Veterans Home utility infrastructure, is canceled. Laws 2002, chapter 393, section 30, subdivision 1, as amended by Laws 2005, chapter 20, article 2, section 1, and Laws 2008, chapter 179, section 28, is reduced by \$2,000.

Subd. 15. **Phalen Boulevard.** \$201,486 of the appropriation in Laws 2003, First Special Session chapter 20, article 1, section 12, subdivision 6, for a grant to the city of St. Paul for the Phalen Boulevard project, is canceled. The bond sale authorization in Laws 2003, First Special Session chapter 20, article 1, section 16, as amended by Laws 2008, chapter 179, section 28, is reduced by \$201,486.



Subd. 16. **PCAЕ.** \$1.12 of the appropriation in Laws 2005, chapter 20, article 1, section 4, subdivision 2, for asset preservation, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$1.12.

Subd. 17. **PCAЕ.** \$7,480.88 of the appropriation in Laws 2005, chapter 20, article 1, section 4, subdivision 3, for the Beta Building, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$7,480.88.

Subd. 18. **Administration.** \$28,261.71 of the appropriation in Laws 2005, chapter 20, article 1, section 13, subdivision 4, for capitol area parking, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$28,261.71.

Subd. 19. **CAAPB.** \$14,140.75 of the appropriation in Laws 2005, chapter 20, article 1, section 14, subdivision 2, for capitol interior renovation, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$14,140.75.

Subd. 20. **Veterans Home Board.** \$1,863.57 of the appropriation in Laws 2005, chapter 20, article 1, section 21, subdivision 3, for the Luverne home, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$1,863.57.

Subd. 21. **Veterans Home Board.** \$25,720 of the appropriation in Laws 2005, chapter 20, article 1, section 21, subdivision 5, as amended by Laws 2005, First Special Session chapter 7, section 5, for predesign of a home in Willmar, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$25,720.

Subd. 22. **MCF Stillwater.** \$1,003,283.99 of the appropriation in Laws 2005, chapter 20, article 1, section 22, subdivision 3, for new segregation unit, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$1,003,283.99.

Subd. 23. **MCF Willow River.** \$962.09 of the appropriation in Laws 2005, chapter 20, article 1, section 22, subdivision 4, paragraph (a), for an activities building, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$962.09.

Subd. 24. **MCF beds.** \$853 of the appropriation in Laws 2005, chapter 20, article 1, section 22, subdivision 4, paragraph (b), for additional beds at Willow River, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$853.

Subd. 25. **Institute of Nanotechnology.** \$600,000 of the appropriation in Laws 2005, chapter 20, article 1, section 23, subdivision 11, as amended by Laws 2006, chapter 171, section 1, and Laws 2008, chapter 179, section 57, for a grant to the city of Rushford for the Institute of Nanotechnology, is canceled. The bond sale authorization in Laws 2005, chapter 20, article 1, section 28, subdivision 1, as amended by Laws 2008, chapter 179, section 28, is reduced by \$600,000.

Subd. 26. **Veterans Home Board.** \$7,770.30 of the appropriation in Laws 2006, chapter 258, section 19, subdivision 5, for the Luverne addition, is canceled. The bond sale authorization in Laws 2006, chapter 258, section 25, subdivision 1, as amended by Laws 2007, chapter 45, article 3, section 6, and Laws 2008, chapter 179, section 28, is reduced by \$7,770.30.

Subd. 27. **DNR facility damage.** \$2,283,263 of the appropriation in Laws 2007, First Special Session chapter 2, article 1, section 5, subdivision 2, to rehabilitate and replace state facilities and restore natural resources in the flood damaged area, is canceled. The bond sale authorization in Laws 2007, First Special Session chapter 2, article 1, section 15, subdivision 1, is reduced by \$2,283,263.

Subd. 28. **Department of Transportation; Urban Partnership Agreement.** \$9,000,000 of the appropriation in Laws 2008, chapter 152, article 2, section 3, subdivision 4, for the urban partnership agreement, is canceled. The trunk highway bond sale authorization in Laws 2008, chapter 152, article 2, section 7, subdivision 1, is reduced by \$9,000,000.

Subd. 29. **Transportation Building.** \$9,500,000 of the appropriation in Laws 2008, chapter 152, article 2, section 5, for the exterior of the Department of Transportation building in Saint Paul, is canceled. The trunk highway bond sale authorization in Laws 2008, chapter 152, article 2, section 7, subdivision 1, is reduced by \$9,500,000.

Subd. 30. **Agriculture.** \$2,660 of the appropriation in Laws 2008, chapter 179, section 10, for the potato inspection unit building roof, is canceled. The bond sale authorization in Laws 2008, chapter 179, section 27, subdivision 1, as amended by Laws 2008, chapter 365, section 7, is reduced by \$2,660.

Subd. 31. **Bayport storm sewer.** The \$150,000 appropriation in Laws 2008, chapter 179, section 22, subdivision 8, for the Bayport storm sewer, is canceled. The bond sale authorization in Laws 2008, chapter 179, section 27, subdivision 1, as amended by Laws 2008, chapter 365, section 7, is reduced by \$150,000.

Subd. 32. **Disaster relief.** \$3,900,000 of the appropriation in Laws 2009, chapter 93, article 2, section 3, subdivision 3, for state and local match, is canceled. The bond sale authorization in Laws 2009, chapter 93, article 2, section 13, subdivision 1, is reduced by \$3,900,000.

Sec. 29. Minnesota Statutes 2008, section 16A.105, is amended to read:

#### **16A.105 DEBT CAPACITY FORECAST.**

~~In February and November of each year the commissioner shall prepare a debt capacity forecast to be delivered to the governor and legislature according to, with the November forecast of state revenue and expenditures required by section 16A.103, subdivision 1. The debt capacity forecast must include statements of the indebtedness of the state for bonds, notes, and other forms of long-term general obligation indebtedness. The forecast must show the actual amount of the debt service for at least the past two completed fiscal years, and the estimated amount for the current fiscal year and the next six fiscal years, and the debt authorized and unissued, and the borrowing capacity for the next six fiscal years.~~

Sec. 30. **[16A.505] CAPITAL PROJECTS ENCOURAGED TO MEET STATE CLIMATE GOALS.**

Subdivision 1. **State climate goals.** The state climate goals are the goals in section 216H.02, subdivision 1.

Subd. 2. **State capital projects to provide leadership to meet goals.** The commissioners of commerce, administration, and management and budget must promote and encourage incorporating solar, wind, and geothermal energy systems into state and local capital projects to help achieve the state climate goals.

Sec. 31. Minnesota Statutes 2009 Supplement, section 16A.647, subdivision 1, is amended to read:

Subdivision 1. **Authority to issue.** When authorized by law to issue state general obligation bonds or state 911 revenue bonds under section 403.275, the commissioner may issue all or part of the bonds as tax credit bonds or as interest subsidy bonds or a combination of the two.

Sec. 32. Minnesota Statutes 2009 Supplement, section 16A.647, subdivision 5, is amended to read:

Subd. 5. **Sale; certain costs of issuance.** Tax credit bonds and interest subsidy bonds must be sold at a price not less than 98 percent of their stated principal amount. No state trunk highway bond may be sold for a price of less than par and accrued interest. When the commissioner determines to issue tax credit bonds or interest subsidy bonds to achieve a net present value debt service savings over tax-exempt bonds, the commissioner may issue an additional principal amount of bonds, not to exceed two percent of the principal amount of bonds otherwise authorized to be issued by law, to pay the costs of investment banking and banking services related to the sale or placement of the bonds, provided that such additional issuance will not cause an increase in the general fund debt service transfer for the biennium during which the bonds are sold, as estimated by the commissioner. The proceeds are appropriated for this purpose.

Sec. 33. Minnesota Statutes 2008, section 16A.66, subdivision 2, is amended to read:

Subd. 2. **Special provisions for sale and issuance.** Refunding bonds may be sold publicly, or directly to the State Board of Investment without bids, or may be exchanged for bonds refunded by agreement with their holders. The refunding bonds must be prepared, executed, delivered, and secured in the same way as the refunded bonds. The proceeds of refunding bonds may be deposited, invested, and applied to accomplish the refunding as provided in section 475.67, subdivisions 5 to 10, and 13. Bids for the securities to be purchased for the escrow account may be secured, at the commissioner's election, either through the State Board of Investment or a suitable financial institution. The interest rate on refunding bonds may exceed that on the refunded bonds if the purpose of refunding is to extend the maturities and to reduce the amount needed annually to pay and to secure the debt.

Sec. 34. Minnesota Statutes 2009 Supplement, section 16A.86, subdivision 3a, is amended to read:

Subd. 3a. **Information provided.** All requests for state assistance under this section must include the following information:

(1) the name of the political subdivision that will own the capital project for which state assistance is being requested;

(2) the public purpose of the project;

(3) the extent to which the political subdivision has or expects to provide local, private, user financing, or other nonstate funding for the project;

(4) a list of the bondable activities that the project encompasses; examples of bondable activities are public improvements of a capital nature for land acquisition, predesign, design, construction, and furnishing and equipping for occupancy;

(5) whether the project will require new or additional state operating subsidies;

(6) whether the governing body of the political subdivision requesting the project has passed a resolution in support of the project and has established priorities for all projects within its jurisdiction for which bonding appropriations are requested when submitting multiple requests; ~~and~~

(7) if the project requires a predesign under section 16B.335, whether the predesign has been completed at the time the capital project request is submitted, and whether the political subdivision has submitted the project predesign to the commissioner of administration for review and approval; and

(8) whether the project will help the state achieve the state climate goals in section 216H.02, subdivision 1.

Sec. 35. **[16B.327] RECYCLING CONSTRUCTION AND DEMOLITION WASTE FROM STATE BUILDINGS; REQUIREMENT.**

The commissioner of administration shall require in contracts for the construction, renovation, or demolition of a state building that the contractor and any subcontractor must divert from deposit in a landfill and must recycle at least 50 percent of the nonhazardous waste, measured by tonnage or volume, produced by the project. This requirement applies to state building projects receiving funding from the bond proceeds fund after January 1, 2010, as follows: (1) construction and renovation projects of \$5,000,000 or more; and (2) all demolition projects that are located within 40 miles of a recycling facility that handles the applicable building materials.

Sec. 36. Minnesota Statutes 2008, section 103F.515, is amended by adding a subdivision to read:

Subd. 10. **Use for mitigation prohibited.** Funds made available under the reinvest in Minnesota reserve program may not be used for environmental regulatory or wetland mitigation purposes required under federal or state law.

Sec. 37. Minnesota Statutes 2008, section 116J.435, as amended by Laws 2009, chapter 35, sections 1, 2, chapter 78, article 2, section 12, is amended to read:

**116J.435 BIOSCIENCE INNOVATIVE BUSINESS DEVELOPMENT PUBLIC INFRASTRUCTURE GRANT PROGRAM.**

Subdivision 1. **Creation of account.** ~~A bioscience~~ An innovative business development public infrastructure account is created in the bond proceeds fund. Money in the account may only be used for capital costs of public infrastructure for eligible ~~bioscience~~ innovative business development projects.

Subd. 2. **Definitions.** For purposes of this section:

(1) "local governmental unit" means a county, city, town, special district, public higher education institution, or other political subdivision or public corporation;

(2) "governing body" means the council, board of commissioners, board of trustees, board of regents, or other body charged with governing a local governmental unit;

(3) "public infrastructure" means publicly owned physical infrastructure in this state, including, but not limited to, wastewater collection and treatment systems, drinking water systems, storm sewers, utility extensions, telecommunications infrastructure, streets, roads, bridges, parking ramps, facilities that support basic science technology and clinical research, and research infrastructure; ~~and~~

(4) "innovative business" means a business that is engaged in, or is committed to engage in, innovation in Minnesota in one of the following: using proprietary technology to add value to a product, process, or service in a high technology field; researching or developing a proprietary product, process, or service in a high technology field; researching, developing, or producing a new proprietary technology for use in the fields of tourism, forestry, mining, transportation, or green manufacturing;

(5) "proprietary technology" means the technical innovations that are unique and legally owned or licensed by a business and includes, without limitation, those innovations that are patented, patent pending, a subject of trade secrets, or copyrighted; and

(4) (6) "eligible project" means ~~a bioscience~~ an innovative business development capital improvement project in this state, including: manufacturing; technology; warehousing and distribution; research and development; ~~bioscience~~ innovative business incubator; agricultural ~~bioprocessing~~ processing; or industrial, office, or research park development that would be used by a ~~bioscience-based~~ an innovative business.

Subd. 3. **Grant program established.** (a) The commissioner shall make competitive grants to local governmental units to acquire and prepare land on which public infrastructure required to support an eligible project will be located, including demolition of structures and remediation of any hazardous conditions on the land, or to predesign, design, acquire, construct, furnish, and equip public infrastructure required to support an eligible project. The local governmental unit receiving a grant must provide for the remainder of the public infrastructure costs from other sources. The commissioner may waive the requirements related to an eligible project under subdivision 2 if a project would be eligible under this section but for the fact that its location requires infrastructure improvements to residential development.

(b) The amount of a grant may not exceed the lesser of the cost of the public infrastructure or 50 percent of the sum of the cost of the public infrastructure plus the cost of the completed eligible project.

(c) The purpose of the program is to keep or enhance jobs in the area, increase the tax base, or to expand or create new economic development through the growth of new ~~bio~~science innovative businesses and organizations.

Subd. 4. **Application.** (a) The commissioner must develop forms and procedures for soliciting and reviewing applications for grants under this section. At a minimum, a local governmental unit must include the following information in its application:

(1) a resolution of its governing body certifying that the money required to be supplied by the local governmental unit to complete the public infrastructure is available and committed;

(2) a detailed estimate, along with necessary supporting evidence, of the total development costs for the public infrastructure and eligible project;

(3) an assessment of the potential or likely use of the site for ~~bio~~science innovative business activities after completion of the public infrastructure and eligible project;

(4) a timeline indicating the major milestones of the public infrastructure and eligible project and their anticipated completion dates;

(5) a commitment from the governing body to repay the grant if the milestones are not realized by the completion date identified in clause (4); and

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

(b) The determination of whether to make a grant under subdivision 3 is within the discretion of the commissioner, subject to this section. The commissioner's decisions and application of the priorities are not subject to judicial review, except for abuse of discretion.

Subd. 5. **Priorities.** (a) If applications for grants exceed the available appropriations, grants must be made for public infrastructure that, in the commissioner's judgment, provides the highest return in public benefits for the public costs incurred. "Public benefits" include job creation, environmental benefits to the state and region, efficient use of public transportation, efficient use of existing infrastructure, provision of affordable housing, multiuse development that constitutes community rebuilding rather than single-use development, crime reduction, blight reduction, community stabilization, and property tax base maintenance or improvement. In making this judgment, the commissioner shall give priority to eligible projects with one or more of the following characteristics:

(1) the potential of the local governmental unit to attract viable ~~bio~~science innovative businesses;

(2) proximity to public transit if located in a metropolitan county, as defined in section 473.121, subdivision 4;

(3) multijurisdictional eligible projects that take into account the need for affordable housing, transportation, and environmental impact;

(4) the eligible project is not relocating substantially the same operation from another location in the state, unless the commissioner determines the eligible project cannot be reasonably accommodated within the local governmental unit in which the business is currently located, or the business would otherwise relocate to another state or country; and

(5) the number of jobs that will be created.

(b) The factors in paragraph (a) are not listed in a rank order of priority; rather, the commissioner may weigh each factor, depending upon the facts and circumstances, as the commissioner considers appropriate.

Subd. 6. **Cancellation of grant.** If a grant is awarded to a local governmental unit and funds are not encumbered for the grant within four years after the award date, the grant must be canceled.

Subd. 7. **Repayment of grant.** If an eligible project supported by public infrastructure funded with a grant awarded under this section is not occupied by ~~a bioscience~~ an innovative business in accordance with the grant application under subdivision 4 within five years after the date of the last grant payment, the grant recipient must repay the amount of the grant received. The commissioner must deposit all money received under this subdivision into the state treasury and credit it to the debt service account in the state bond fund.

Sec. 38. Minnesota Statutes 2008, section 174.50, subdivision 6, is amended to read:

Subd. 6. **Grant rules criteria; rulemaking.** ~~Procedures for application for grants from the fund, conditions for their administration, and criteria for priority, unless established in the laws authorizing the grants, shall be established by rules of the Department of Transportation consistent with those laws. The commissioner of transportation shall adopt rules consistent with this section that establish~~ criteria for determining priorities and amounts of grants ~~shall, which must~~ be based on consideration of:

- (1) effectiveness of the project in eliminating a deficiency in the transportation system;
- (2) number of persons affected by the deficiency;
- (3) economic feasibility;
- (4) effect on optimum land use and other concerns of state and regional planning;
- (5) availability of other financing capability; and
- (6) adequacy of provision for proper operation and maintenance after construction.

Sec. 39. Minnesota Statutes 2008, section 174.50, subdivision 7, is amended to read:

Subd. 7. ~~Rules for administering funds and grants~~ **Program administration; rulemaking.** (a) The commissioner of transportation shall develop rules, procedures for application for grants, conditions of grant administration, standards, and criteria, including bridge specifications, in cooperation with road authorities of political subdivisions, for use in the administration of funds appropriated to the commissioner and for the administration of grants to subdivisions.

(b) The maximum use of standardized bridges is encouraged. Regardless of the size of the existing bridge, a bridge or replacement bridge is eligible for assistance from the state transportation fund if a hydrological survey indicates that the bridge or replacement bridge must be ten feet or more in length.

(c) As part of the standards or rules, the commissioner shall, in consultation with local road authorities, establish a minimum distance between any two bridges that cross over the same river, stream, or waterway, so that only one of the bridges is eligible for a grant under this section. As appropriate, the commissioner may establish exceptions from the minimum distance requirement or procedures for obtaining a variance.

(d) Funds appropriated to the commissioner from the Minnesota state transportation fund shall be segregated from the highway tax user distribution fund and other funds created by article XIV of the Constitution.

Sec. 40. Minnesota Statutes 2008, section 256E.37, subdivision 1, is amended to read:

Subdivision 1. **Grant authority.** The commissioner may make grants to state agencies and political subdivisions to construct or rehabilitate facilities for early childhood programs, crisis nurseries, or parenting time centers. The following requirements apply:

(1) The facilities must be owned by the state or a political subdivision, but may be leased under section 16A.695 to organizations that operate the programs. The commissioner must prescribe the terms and conditions of the leases.

(2) A grant for an individual facility must not exceed ~~\$300,000~~ \$500,000 for each program that is housed in the facility, up to a maximum of ~~\$750,000~~ \$2,000,000 for a facility that houses three programs or more. Programs include Head Start, School Readiness, Early Childhood Family Education, licensed child care, and other early childhood intervention programs.

(3) State appropriations must be matched on a 50 percent basis with nonstate funds. The matching requirement must apply program wide and not to individual grants.

Sec. 41. Minnesota Statutes 2008, section 256E.37, subdivision 2, is amended to read:

Subd. 2. **Grant priority.** (a) The commissioner must give priority to:

(1) projects in counties or municipalities with the highest percentage of children living in poverty;

(2) grants that involve collaboration among sponsors of programs under this section; and

(3) where feasible, grants for programs that utilize Youthbuild under sections 116L.361 to 116L.366 for at least 25 percent of each grant awarded or \$50,000 of the labor portion of the construction, whichever is less, if:

(i) the work is appropriate for Youthbuild, as mutually agreed upon by the grantee and the local Youthbuild program, considering safety and skills needed;

(ii) it is demonstrated by Youthbuild that using Youthbuild will not increase the overall cost of the project; and

(iii) eligible programs consult with appropriate labor organizations to deliver education and training.

(b) The commissioner may give priority to:

(1) projects that collaborate with child care providers, including all-day and school-age child care programs, special needs care, sick child care, nontraditional hour care, and programs that include services to refugee and immigrant families; ~~and~~

(2) grants for programs that will increase their child care workers' wages as a result of the grant; and

(3) projects that will improve the quality of early childhood programs.

Sec. 42. Minnesota Statutes 2008, section 462A.36, is amended by adding a subdivision to read:

Subd. 2a. **Authorization; foreclosed and abandoned properties.** (a) The agency may issue up to \$5,000,000 of nonprofit housing bonds in one or more series to which the payments made under this section may be pledged.

(b) The agency shall use 50 percent of funds from any nonprofit housing bonds issued under this subdivision for the purpose of making grants, on terms and conditions the agency deems appropriate, to neighborhood land trusts authorized under section 462A.31, to acquire land for preservation and rehabilitation of foreclosed, abandoned, or vacant residential properties. Grants to acquire land made under this subdivision are a supplement to be used by the agency with other sources of funding, and the agency must consider the award of a grant under this subdivision when making decisions under other funding programs for preservation and rehabilitation of foreclosed, abandoned, or vacant residential properties.

(c) The agency shall use 50 percent of funds from any nonprofit housing bonds issued under this subdivision for the purpose of making loans or grants, on terms and conditions the agency deems appropriate, to finance the costs of acquisition, preservation, and rehabilitation of foreclosed, abandoned, or vacant residential rental properties. The agency shall make loans or grants under this paragraph in a manner that meets the requirements of the economic development and housing challenge program under section 462A.33.

Sec. 43. Minnesota Statutes 2008, section 462A.36, subdivision 4, is amended to read:

Subd. 4. ~~Appropriation~~ **Appropriations; payment to the 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~~ subdivisions 2 and 2a, respectively.

(b) Each July 15, beginning in 2009 and through 2031, if any nonprofit housing bonds issued under subdivision 2 remain outstanding, the commissioner of management and budget must transfer to the nonprofit housing bond account established under section 462A.21, subdivision 32, the amount certified under paragraph (a), not to exceed \$2,400,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

(c) Each July 15, beginning in 2011 and through 2031, if any nonprofit housing bonds issued under subdivision 2a remain outstanding, the commissioner of management and budget must transfer to the nonprofit housing bond account the amount certified under paragraph (a), not to exceed \$400,000 annually. The amounts necessary to make the transfers are appropriated from the general fund to the commissioner of management and budget.

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



Sec. 44. Laws 2005, chapter 20, article 1, section 19, subdivision 4, is amended to read:

Subd. 4. **Red Rock Corridor Transit Way**

500,000

For preliminary engineering and environmental review, acquisition of real property or interests in real property and construction of the Red Rock corridor transit way from Hastings through St. Paul to Minneapolis.

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

Sec. 45. Laws 2005, chapter 20, article 1, section 23, subdivision 12, as amended by Laws 2006, chapter 171, section 2, and Laws 2006, chapter 258, section 50, is amended to read:

Subd. 12. **Bioscience Development**

18,500,000

For grants to political subdivisions to predesign, design, acquire, construct, furnish, and equip publicly owned infrastructure required to support bioscience development in this state.

\$2,500,000 is for a grant to the city of Worthington.

\$14,000,000 cumulatively is for grants to the counties of Ramsey and Anoka for public improvements to the portion of County Road J located within each county, and for road and bridge improvement costs at marked Trunk Highway 36 and Rice Street in Ramsey County in support of bioscience business development. This amount may be used to repay loans the proceeds of which were used for the public improvement. The grants to the individual counties shall be in amounts proportionate to the individual counties' costs associated with the public improvements.

\$2,000,000 is for bioscience business development public infrastructure grants under new Minnesota Statutes, section 116J.435.

Sec. 46. Laws 2006, chapter 258, section 5, subdivision 3, is amended to read:

Subd. 3. **Frechette Hall Asset Preservation**

25,000

~~To begin to design the renovation of Frechette Hall, including a new electrical system, new HVAC system, new windows, plumbing upgrades, removal of the fireplace and sunken seating in the commons area, addition of recreational space for students to utilize during inclement weather, and repair of the Scout Cabin. For asset preservation on either campus of the academies, to be spent in accordance with Minnesota Statutes, section 16B.307.~~

Sec. 47. Laws 2006, chapter 258, section 8, subdivision 4, is amended to read:

Subd. 4. **Koochiching Renewable Energy Clean Air Project**  
**(RECAP)**

2,500,000

For a grant to Koochiching County ~~to prepare a site for and or the Koochiching Development Authority to design, construct, and equip~~ a plasma torch gasification facility that converts municipal solid waste into energy and slag, reducing the need to dispose of the waste in a landfill.

After the design has been completed, this appropriation may be used for any or all or any combination of the following: (1) to upgrade an existing waste transfer station in Koochiching County to serve the facility by performing site work, construction, or placement of equipment; or (2) to prepare a site for or to construct or equip a portion of the plasma torch gasification facility.

This appropriation, or any portion of it, is not available until the commissioner has determined that at least an equal amount has been committed to the project as matched, dollar for dollar, with money from nonstate sources.

Sec. 48. Laws 2006, chapter 258, section 17, subdivision 5, is amended to read:

Subd. 5. **Red Rock corridor transit way**

500,000

For preliminary engineering and environmental review, acquisition of real property or interests in real property and construction of the Red Rock corridor transit way between Hastings and Minneapolis via St. Paul.

Sec. 49. Laws 2006, chapter 258, section 21, subdivision 14, as amended by Laws 2008, chapter 179, section 66, is amended to read:

Subd. 14. **Itasca County - infrastructure**

12,000,000

For a grant to Itasca County for public infrastructure needed to support a steel plant in Itasca County and economic development projects in the surrounding area. Grant money may be used by Itasca County and the Itasca County Regional Railroad Authority to acquire right-of-way and mitigate loss of wetlands and runoff of storm water; ~~and to predesign, design, construct, and equip roads and rail lines;~~ and, in cooperation with Nashwauk Municipal Utility, ~~may be used by the Public Utilities Commission to acquire right-of-way and mitigate loss of wetlands and runoff of storm water and to predesign, design, construct, and equip natural gas pipelines, electric infrastructure, water supply systems, and wastewater collection and treatment systems.~~ If the county determines that any of the listed uses are not needed, then the grant may be used for the remaining listed uses.

The public ownership requirement contained in article XI, section 5, paragraph (a), of the Minnesota Constitution may be satisfied by way of Itasca County, the Itasca County Regional Railroad Authority, or the Nashwauk Public Utilities Commission possessing the required ownership interest even though the grant is only to Itasca County.

Up to \$4,000,000 of this appropriation may be spent before the full financing for either project has been closed.

Sec. 50. Laws 2008, chapter 152, article 2, section 3, subdivision 2, is amended to read:

Subd. 2. **State Road Construction**

1,717,694,000

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

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

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

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

(4) \$100,000,000 in each fiscal year for fiscal years 2011 through 2013 through 2016, and the commissioner may use up to \$17,000,000 of the amount in each fiscal year for program delivery.

(b) Of the amount in fiscal year 2009, \$40,000,000 is for construction of interchanges involving a trunk highway, where the interchange will promote economic development, increase employment, relieve growing traffic congestion, and promote traffic safety. The amount under this paragraph must be allocated 50 percent to the department's metropolitan district, and 50 percent to districts in greater Minnesota.

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

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

(e) Of the total appropriation under this subdivision provided to the Department of Transportation's district 7, the commissioner shall first expend funds as necessary to accelerate all projects that (1) are on a trunk highway classified as a medium priority interregional corridor, (2) are included in the district's long-range transportation plan, but are not included in the state transportation improvement program or the ten-year highway work plan, and (3) expand capacity from a two-lane highway to a freeway or expressway, as defined in Minnesota Statutes, section 160.02, subdivision 19. The commissioner shall establish as the highest priority under this paragraph any project that currently has a final environmental impact statement completed. The requirement under this paragraph does not change the department's funding allocation process or the amount otherwise allocated to each transportation district.

(f) The appropriation in this subdivision cancels as specified under section 16A.642, except that the commissioner of management and budget shall count the start of authorization for issuance of state bonds as the first day of the fiscal year specified under paragraph (a), clause (1), (2), (3), or (4), respectively, and not as the date of enactment of this subdivision.

Sec. 51. Laws 2008, chapter 179, section 5, subdivision 4, is amended to read:

Subd. 4. ~~Mott Memorial Hall~~ **Technology Center** 100,000

To predesign ~~the renovation of Mott Memorial Hall~~ a technology center for the Minnesota State Academies.

Sec. 52. Laws 2008, chapter 179, section 7, subdivision 8, is amended to read:

Subd. 8. **Mississippi River Aquatic Invasive Species Barrier** 500,000

To predesign ~~and~~ design, renovate, or construct an adequate barrier in the Mississippi River to prevent aquatic invasive species from migrating up river. ~~This money may be used by the commissioner to match available federal money and money from other states. The commissioner must inform and work with affected federal and state agencies and local communities along the Mississippi River before constructing the river barrier.~~

Sec. 53. Laws 2008, chapter 179, section 7, subdivision 27, 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.

\$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~~ the Marsh Lake Dam.

\$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. 54. Laws 2008, chapter 179, section 21, subdivision 9, is amended to read:

Subd. 9. **Itasca County - Steel Plant Infrastructure**

28,000,000

For a grant to Itasca County for public infrastructure needed to support a steel plant in Itasca County and economic development projects in the surrounding area. Grant money may be used by Itasca County and the Itasca County Regional Railroad Authority to acquire right-of-way and mitigate loss of wetlands and runoff of storm water, and to predesign, design, construct, and equip roads and rail lines; ~~and in cooperation with~~ may be used by the Nashwauk Municipal Utility, Public Utilities Commission to acquire right-of-way and mitigate loss of wetlands and runoff of storm water and to predesign, design, construct, and equip natural gas pipelines, electric infrastructure, water supply systems, and wastewater collection and treatment systems. If the county determines that any of the listed uses are not needed, then the grant may be used for the remaining listed uses.

The public ownership requirement contained in article XI, section 5, paragraph (a), of the Minnesota Constitution may be satisfied by way of Itasca County, the Itasca County Regional Railroad Authority, or the Nashwauk Public Utilities Commission possessing the required ownership interest even though the grant is only to Itasca County.

Sec. 55. Laws 2008, chapter 365, section 4, subdivision 3, is amended to read:

Subd. 3. **Old Cedar Avenue Bridge** 2,000,000

For a grant to the city of Bloomington ~~for removal and replacement of~~ to renovate the old Cedar Avenue bridge for bicycle commuters and recreational users. This appropriation is added to the appropriation in Laws 2006, chapter 258, section 17, subdivision 8.

Sec. 56. Laws 2008, chapter 365, section 5, subdivision 2, is amended to read:

Subd. 2. **Minneapolis Veterans Home Campus**

(a) **Building 9 Demolition** 1,000,000

To demolish Building 9 ~~and~~, relocate a water main serving the campus, and make associated site improvements and modifications necessary to complete the project. This appropriation is to cover 100 percent of the cost of this portion of the project.

(b) **New Nursing Facility** 9,100,000

To design, construct, furnish, and equip a 100-bed nursing facility on the Minneapolis campus.

The appropriation is to cover the 35 percent state share of this portion of the project.

Sec. 57. Laws 2008, chapter 365, section 24, subdivision 2, is amended to read:

Subd. 2. **Management.** All lands acquired for Lake Vermilion State Park must be administered in the same manner as provided for other state parks and must be perpetually dedicated for that use. After acquisition of lands for Lake Vermilion State Park, but prior to any infrastructure development for the state park, public access and use, including, but not limited to, hunting, fishing, and trail use, shall continue as allowed prior to the acquisition. No additional restrictions may be implemented for public access and use until development of state park infrastructure commences.

Sec. 58. Laws 2008, chapter 365, section 25, is amended to read:

Sec. 25. **ACQUISITION; LAKE VERMILION STATE PARK.**

The commissioner of natural resources may acquire by gift or purchase the lands for Lake Vermilion State Park. Minnesota Statutes, section 84.0272, subdivision 1, does not apply to a purchase, except for the requirement that the lands be appraised. ~~The commissioner must not pay more than 12 percent above the appraised value of the land.~~

Sec. 59. Laws 2009, chapter 93, article 1, section 11, subdivision 5, is amended to read:

Subd. 5. **Intercity Passenger Rail Projects**

26,000,000

To implement capital improvements and betterments for intercity passenger rail projects as identified in the statewide freight and passenger rail plan under Minnesota Statutes, section 174.03, subdivision 1b, which are determined to be eligible for USDOT funding. Notwithstanding any law to the contrary, a portion or phase of an intercity passenger rail project may be accomplished with one or more state appropriations, and an intercity passenger rail project need not be completed with any one appropriation. Capital improvements and betterments include preliminary engineering, design, engineering, environmental analysis and mitigation, acquisition of land and right-of-way, and construction. The commissioner may spend a portion of this appropriation to pay for capital costs of agency staff directly attributable to this capital project, consistent with the policies adopted by the Department of Management and Budget.

Sec. 60. Laws 2009, chapter 93, article 1, section 20, is amended to read:

Sec. 20. **BOND SALE SCHEDULE.**

The commissioner of ~~finance management and budget~~ shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2011, no more than ~~\$1,085,281,000~~ \$957,001,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of ~~finance 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. 61. **LEASE REVENUE; ST. CLOUD TECHNICAL COLLEGE.**

Notwithstanding Minnesota Statutes, section 16A.695, subdivision 2, the Board of Trustees of the Minnesota State Colleges and Universities shall pay the commissioner of management and budget one-third of the lease revenue received from the property acquired for St. Cloud Technical College pursuant to Laws 2006, chapter 258, section 3, subdivision 22, paragraph (c). The commissioner shall deposit the amount received in the state bond fund to be used to pay, redeem, or defease bonds issued to finance the property in accordance with the commissioner's order authorizing their issuance. The commissioner shall credit the board's total general obligation bond debt service assessment by an amount equal to the lease revenue it receives from the board under this provision.

Sec. 62. **BUY AMERICAN/BUY LOCAL CERTIFICATION.**

(a) No money appropriated in this act may be spent to acquire and better public land and buildings and make other improvements of a capital nature until the commissioner of management and budget receives a certification from the entity to whom the appropriation was made that: (1) all iron, steel, and manufactured goods to be purchased are produced in the United States and obtained through local suppliers and manufacturers; and (2) preference will be given to the employment of local workers when workers are hired in connection with the project.

(b) The certification required in paragraph (a) is not required if the entity certifies to the commissioner of management and budget before any money appropriated by this act is spent that: (1) the iron, steel, and other relevant goods are not produced in the United States and this state in sufficient and reasonably available quantities of satisfactory quality; or (2) requiring iron, steel, and manufactured goods produced in the United States and this state will increase the overall cost of the project.

The entity must also publish the certificate under this paragraph in the State Register promptly after it is submitted to the commissioner.

Sec. 63. **REPEALER.**

Laws 2009, chapter 93, article 1, section 45, is repealed.

Sec. 64. **EFFECTIVE DATE.**

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

## ARTICLE 2

### FLOOD HAZARD MITIGATION AND PREVENTION

Section 1. **APPROPRIATION SUMMARY.**

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 spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, state agencies or officials may spend a portion of an appropriation under this article to pay for the capital costs of staff directly attributable to the capital project or projects funded by the appropriation consistent with policies adopted by the Department 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>Natural Resources</u>	<u>\$50,000,000</u>
<u>Board of Water and Soil Resources</u>	<u>30,000,000</u>
<u>Bond Sale Expenses</u>	<u>80,000</u>
<b><u>TOTAL</u></b>	<b><u>\$80,080,000</u></b>
<u>Bond Proceeds Fund</u>	<u>80,080,000</u>

**APPROPRIATIONS**Sec. 2. **NATURAL RESOURCES**Subdivision 1. **Total Appropriation****\$50,000,000**

To the commissioner of natural resources for the purposes specified in this section.

To the extent possible, a person conducting prairie restoration with state money must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination.

Subd. 2. **Flood Hazard Mitigation Grants**50,000,000

(a) For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161, and enhance natural resources consistent with the flood damage reduction mediation agreement. Within this paragraph, the commissioner shall determine project priorities as appropriate, based on need.

(b) \$23,500,000 is for the following Red River Basin impoundment projects:

(1) Bois de Sioux Watershed District, North Ottawa, and Redpath projects;

(2) Brandt-Angus;

(3) Hay Creek-Norland; and

(4) Wild Rice River Watershed District, South Branch project.

For any project listed in this paragraph 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 another impoundment project identified in the flood damage reduction mediation agreement.

(c) \$26,500,000 is for the following projects:

(1) Ada;

(2) Afton;

(3) Austin;

(4) Clay County;

(5) Crookston;

(6) Granite Falls;

(7) Montevideo;

(8) Moorhead;

(9) Oakport Township;

(10) Oslo;

(11) Roseau;

(12) Rushford; and

(13) Halstad, Shelly, Nielsville, Climax, St. Vincent, Felton, Borup, Perley, Hendrum, and Georgetown, all in the Red River Basin.

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.

### Sec. 3. **BOARD OF WATER AND SOIL RESOURCES**

#### Subdivision 1. **Total Appropriation**

**\$30,000,000**

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

To the extent possible, a person conducting prairie restoration with state money must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination.

**Subd. 2. RIM Conservation Reserve****30,000,000**

(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 7, and to protect uplands. Of this appropriation, up to ten percent may be used to implement the program.

The board shall give priority to the area designated for relief and recovery from the flooding that occurred on or after August 18, 2007, in the area of southeast Minnesota designated under Presidential Declaration of Major Disaster DR-1717.

At least \$2,000,000 of this amount is available for use by the Cedar River and Turtle Creek Watershed Districts in Freeborn, Mower, and Steele Counties to restore wetlands and reduce flooding in the Austin area.

Up to \$8,000,000 of this amount is available for use in Minnesota counties in the Red River Basin to restore wetlands and reduce flooding.

Up to \$500,000 is for use in the Rum River watershed.

Up to \$500,000 is for use in Area II.

\$7,500,000 is for use in the seven-county metropolitan area.

(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. The board must submit to the legislative committees with jurisdiction over environment finance and capital investment an interim report on this program by October 1, 2010, and a final report by February 1, 2011.

**Sec. 4. BOND SALE EXPENSES****\$80,000**

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

Sec. 5. **BOND SALE AUTHORIZATIONS.**

To provide the money appropriated in this article from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$80,080,000 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.

Sec. 6. Minnesota Statutes 2008, section 103F.161, subdivision 3, is amended to read:

Subd. 3. **Red River basin flood mitigation projects.** Notwithstanding subdivision 2, a grant for implementation of a flood hazard mitigation project in the Red River basin that is consistent with the 1998 mediation agreement and approved by the Red River flood damage reduction work group may be for up to 75 percent of the cost of the proposed mitigation measures ~~for the Agassiz-Audubon, North Ottawa, Hay Creek, and Thief River subwatershed projects.~~

Sec. 7. **EFFECTIVE DATE.**

This article is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; cancelling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, sections 16A.105; 16A.66, subdivision 2; 103F.161, subdivision 3; 103F.515, by adding a subdivision; 116J.435, as amended; 174.50, subdivisions 6, 7; 256E.37, subdivisions 1, 2; 462A.36, subdivision 4, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 16A.647, subdivisions 1, 5; 16A.86, subdivision 3a; Laws 2005, chapter 20, article 1, sections 19, subdivision 4; 23, subdivision 12, as amended; Laws 2006, chapter 258, sections 5, subdivision 3; 8, subdivision 4; 17, subdivision 5; 21, subdivision 14, as amended; Laws 2008, chapter 152, article 2, section 3, subdivision 2; Laws 2008, chapter 179, sections 5, subdivision 4; 7, subdivisions 8, 27; 21, subdivision 9; Laws 2008, chapter 365, sections 4, subdivision 3; 5, subdivision 2; 24, subdivision 2; 25; Laws 2009, chapter 93, article 1, sections 11, subdivision 5; 20; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; repealing Laws 2009, chapter 93, article 1, section 45."

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.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 2763, A bill for an act relating to taxation; accelerating the income tax charitable deduction for relief of Haitian earthquake victims; amending Minnesota Statutes 2009 Supplement, section 290.01, subdivision 19.

Reported the same back with the following amendments:

Page 2, after line 19, insert:

"Sec. 2. Minnesota Statutes 2009 Supplement, section 290.01, subdivision 19b, is amended to read:

Subd. 19b. **Subtractions from federal taxable income.** For individuals, estates, and trusts, there shall be subtracted from federal taxable income:

(1) net interest income on obligations of any authority, commission, or instrumentality of the United States to the extent includable in taxable income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) if included in federal taxable income, the amount of any overpayment of income tax to Minnesota or to any other state, for any previous taxable year, whether the amount is received as a refund or as a credit to another taxable year's income tax liability;

(3) the amount paid to others, less the amount used to claim the credit allowed under section 290.0674, not to exceed \$1,625 for each qualifying child in grades kindergarten to 6 and \$2,500 for each qualifying child in grades 7 to 12, for tuition, textbooks, and transportation of each qualifying child in attending an elementary or secondary school situated in Minnesota, North Dakota, South Dakota, Iowa, or Wisconsin, wherein a resident of this state may legally fulfill the state's compulsory attendance laws, which is not operated for profit, and which adheres to the provisions of the Civil Rights Act of 1964 and chapter 363A. For the purposes of this clause, "tuition" includes fees or tuition as defined in section 290.0674, subdivision 1, clause (1). As used in this clause, "textbooks" includes books and other instructional materials and equipment purchased or leased for use in elementary and secondary schools in teaching only those subjects legally and commonly taught in public elementary and secondary schools in this state. Equipment expenses qualifying for deduction includes expenses as defined and limited in section 290.0674, subdivision 1, clause (3). "Textbooks" does not include instructional books and materials used in the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship, nor does it include books or materials for, or transportation to, extracurricular activities including sporting events, musical or dramatic events, speech activities, driver's education, or similar programs. No deduction is permitted for any expense the taxpayer incurred in using the taxpayer's or the qualifying child's vehicle to provide such transportation for a qualifying child. For purposes of the subtraction provided by this clause, "qualifying child" has the meaning given in section 32(c)(3) of the Internal Revenue Code;

(4) income as provided under section 290.0802;

(5) to the extent included in federal adjusted gross income, income realized on disposition of property exempt from tax under section 290.491;

(6) to the extent not deducted or not deductible pursuant to section 408(d)(8)(E) of the Internal Revenue Code in determining federal taxable income by an individual who does not itemize deductions for federal income tax purposes for the taxable year, an amount equal to 50 percent of the excess of charitable contributions over \$500 allowable as a deduction for the taxable year under section 170(a) of the Internal Revenue Code ~~and~~, under the provisions of Public Law 109-1, and under the provisions of Public Law 111-126;

(7) for taxable years beginning before January 1, 2008, the amount of the federal small ethanol producer credit allowed under section 40(a)(3) of the Internal Revenue Code which is included in gross income under section 87 of the Internal Revenue Code;

(8) for individuals who are allowed a federal foreign tax credit for taxes that do not qualify for a credit under section 290.06, subdivision 22, an amount equal to the carryover of subnational foreign taxes for the taxable year, but not to exceed the total subnational foreign taxes reported in claiming the foreign tax credit. For purposes of this clause, "federal foreign tax credit" means the credit allowed under section 27 of the Internal Revenue Code, and "carryover of subnational foreign taxes" equals the carryover allowed under section 904(c) of the Internal Revenue Code minus national level foreign taxes to the extent they exceed the federal foreign tax credit;

(9) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19a, clause (7), or 19c, clause (15), in the case of a shareholder of a corporation that is an S corporation, an amount equal to one-fifth of the delayed depreciation. For purposes of this clause, "delayed depreciation" means the amount of the addition made by the taxpayer under subdivision 19a, clause (7), or subdivision 19c, clause (15), in the case of a shareholder of an S corporation, minus the positive value of any net operating loss under section 172 of the Internal Revenue Code generated for the tax year of the addition. The resulting delayed depreciation cannot be less than zero;

(10) job opportunity building zone income as provided under section 469.316;

(11) to the extent included in federal taxable income, the amount of compensation paid to members of the Minnesota National Guard or other reserve components of the United States military for active service performed in Minnesota, excluding compensation for services performed under the Active Guard Reserve (AGR) program. For purposes of this clause, "active service" means (i) state active service as defined in section 190.05, subdivision 5a, clause (1); (ii) federally funded state active service as defined in section 190.05, subdivision 5b; or (iii) federal active service as defined in section 190.05, subdivision 5c, but "active service" excludes service performed in accordance with section 190.08, subdivision 3;

(12) to the extent included in federal taxable income, the amount of compensation paid to Minnesota residents who are members of the armed forces of the United States or United Nations for active duty performed outside Minnesota under United States Code, title 10, section 101(d); United States Code, title 32, section 101(12); or the authority of the United Nations;

(13) an amount, not to exceed \$10,000, equal to qualified expenses related to a qualified donor's donation, while living, of one or more of the qualified donor's organs to another person for human organ transplantation. For purposes of this clause, "organ" means all or part of an individual's liver, pancreas, kidney, intestine, lung, or bone marrow; "human organ transplantation" means the medical procedure by which transfer of a human organ is made from the body of one person to the body of another person; "qualified expenses" means unreimbursed expenses for both the individual and the qualified donor for (i) travel, (ii) lodging, and (iii) lost wages net of sick pay, except that such expenses may be subtracted under this clause only once; and "qualified donor" means the individual or the individual's dependent, as defined in section 152 of the Internal Revenue Code. An individual may claim the subtraction in this clause for each instance of organ donation for transplantation during the taxable year in which the qualified expenses occur;

(14) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19a, clause (8), or 19c, clause (16), in the case of a shareholder of a corporation that is an S corporation, an amount equal to one-fifth of the addition made by the taxpayer under subdivision 19a, clause (8), or 19c, clause (16), in the case of a shareholder of a corporation that is an S corporation, minus the positive value of any net operating loss under section 172 of the Internal Revenue Code generated for the tax year of the addition. If the net operating loss exceeds the addition for the tax year, a subtraction is not allowed under this clause;

(15) to the extent included in federal taxable income, compensation paid to a service member as defined in United States Code, title 10, section 101(a)(5), for military service as defined in the Servicemembers Civil Relief Act, Public Law 108-189, section 101(2);

(16) international economic development zone income as provided under section 469.325;

(17) to the extent included in federal taxable income, the amount of national service educational awards received from the National Service Trust under United States Code, title 42, sections 12601 to 12604, for service in an approved Americorps National Service program; and

(18) to the extent included in federal taxable income, discharge of indebtedness income resulting from reacquisition of business indebtedness included in federal taxable income under section 108(i) of the Internal Revenue Code. This subtraction applies only to the extent that the income was included in net income in a prior year as a result of the addition under section 290.01, subdivision 19a, clause (16).

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2008."

Correct the title numbers accordingly

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.

Mullery from the Committee on Civil Justice to which was referred:

S. F. No. 140, A bill for an act relating to consumer protection; regulating consumer fraud; amending Minnesota Statutes 2008, section 325F.69, by adding a subdivision.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

S. F. No. 341, A bill for an act relating to health; modifying provisions for disposition of a deceased person; amending Minnesota Statutes 2008, sections 3.736, subdivision 6; 149A.80, subdivision 2; 466.05, subdivision 2; 573.02, subdivisions 1, 3.

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

The report was adopted.

Mullery from the Committee on Civil Justice to which was referred:

S. F. No. 1494, A bill for an act relating to examinations; prohibiting certain practices in preparation for a licensing or certifying examination; establishing civil liability and remedies; proposing coding for new law in Minnesota Statutes, chapter 604.

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

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 208, 497, 655, 731, 1537 and 2552 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 140, 341 and 1494 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Jackson introduced:

H. F. No. 2823, A bill for an act relating to real property; making changes relating to common interest community certificates; amending Minnesota Statutes 2009 Supplement, sections 508.351, subdivisions 1, 5, 7; 508A.351, subdivisions 1a, 5, 7.

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

Hayden, Atkins, Clark, Nelson and Mullery introduced:

H. F. No. 2824, A bill for an act relating to real property; modifying time for requesting a hearing on an order to secure a building; modifying notice of sale requirements; requiring a certificate of sale and specified information to be provided to political subdivisions; authorizing political subdivisions to recover costs and attorney fees associated with obtaining a five-week redemption period; amending Minnesota Statutes 2008, sections 580.03; 580.12; 580.30, subdivision 1; 582.03, subdivision 1; 582.032, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 463.251, subdivision 3; 580.04.

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

Hortman introduced:

H. F. No. 2825, A bill for an act relating to property held in trust; clarifying status of certain distributions; changing certain relationship and inheritance provisions; providing for emergency and temporary conservators; amending Minnesota Statutes 2008, sections 501B.64, subdivision 3; 524.1-201; 524.2-114; Minnesota Statutes 2009 Supplement, section 524.5-409; proposing coding for new law in Minnesota Statutes, chapter 524.

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



Haws introduced:

H. F. No. 2826, A bill for an act relating to burials; including adult children with financial means in requirement to pay funeral expense; amending Minnesota Statutes 2009 Supplement, section 261.035.

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

Hosch introduced:

H. F. No. 2827, A bill for an act relating to public safety; allowing use of flashing red light on protective agent vehicle while escorting oversized vehicle; amending Minnesota Statutes 2008, section 169.64, by adding a subdivision.

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

Jackson introduced:

H. F. No. 2828, A bill for an act relating to real property; clarifying requirements for an instrument intended to secure debt; amending Minnesota Statutes 2008, section 287.03.

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

Champion introduced:

H. F. No. 2829, A bill for an act relating to landlord tenant law; modifying provisions related to expungement of eviction records; providing access to a unit for the personal representative of deceased tenant; amending Minnesota Statutes 2008, sections 484.014, subdivisions 2, 3, by adding subdivisions; 504B.225; 504B.231; 504B.375, subdivisions 1, 2, 5.

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

Faust introduced:

H. F. No. 2830, A bill for an act relating to adoption; providing for adoption of an adult by a guardian; amending Minnesota Statutes 2008, section 259.241.

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

Hayden introduced:

H. F. No. 2831, A bill for an act relating to child support enforcement; updating provisions on access to certain information; authorizing certain actions by a public authority; requiring a notice; imposing certain duties; providing for survival of certain child support judgments; amending Minnesota Statutes 2008, sections 256.978, subdivision 2; 518A.46, subdivision 5, by adding a subdivision; 541.04; 548.09, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2008, sections 548.091, subdivision 3b; 548.092.

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

Drazkowski and Anderson, B., Shimanski introduced:

H. F. No. 2832, A bill for an act relating to liquor; farm wineries; increasing annual production limit; amending Minnesota Statutes 2009 Supplement, section 340A.315, subdivisions 2, 7.

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

Johnson and Hoppe introduced:

H. F. No. 2833, A bill for an act relating to utilities; modifying wire crossing or paralleling utility line provisions; amending Minnesota Statutes 2008, section 237.04.

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

Hornstein introduced:

H. F. No. 2834, A bill for an act relating to energy; requiring public utilities commission to open docket to examine integration of electric vehicles into Minnesota's electricity grid; requiring a report.

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

Emmer introduced:

H. F. No. 2835, A bill for an act relating to the environment; repealing requirements to develop regional approach to controlling greenhouse gas emissions; repealing Minnesota Statutes 2008, section 216H.02, subdivision 6.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Brod, Downey, Demmer, Kohls, Zellers and Buesgens introduced:

H. F. No. 2836, A bill for an act proposing an amendment to the Minnesota Constitution, article X, by adding a section; prohibiting imposition of tax on income; requiring a replacement tax.

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

Knuth; Kalin; Wagenius; Persell; Loeffler; Gunther; Davnie; Johnson; Brynaert; Thissen; Hansen; Eken; Sailer; Clark; Bly; Murphy, M.; Hilty and Atkins introduced:

H. F. No. 2837, A bill for an act relating to economic development; amending the definition of "green economy" to include the concept of "green chemistry"; amending Minnesota Statutes 2008, section 116J.437, subdivision 1.

The bill was read for the first time and referred to the Higher Education and Workforce Development Finance and Policy Division.

Dill introduced:

H. F. No. 2838, A bill for an act relating to natural resources; authorizing the acquisition of certain lands for Lake Vermilion State Park; incorporating lands from an existing state park into Lake Vermilion State Park; repealing Minnesota Statutes 2008, section 85.012, subdivision 53a.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Bunn, Hortman, Masin, Gunther, Dittrich, Ruud, Slawik, Nelson, Rosenthal, Norton, McFarlane, Downey, Loon, Shimanski, Olin, Reinert, Welti, Bly, Lenczewski, Brynaert and Swails introduced:

H. F. No. 2839, A bill for an act relating to economic development; authorizing the development of a virtual assistance network for Minnesota entrepreneurs; appropriating money.

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

Swails; McFarlane; Greiling; Lanning; Mariani; Anderson, P.; Norton; Morrow; Winkler; Marquart; Ward and Reinert introduced:

H. F. No. 2840, A bill for an act relating to state government; establishing a collaborative governance council; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 6.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Hayden introduced:

H. F. No. 2841, A bill for an act relating to human services; directing the ombudsman for long-term care to expand the volunteer ombudsman program; appropriating money.

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

Benson introduced:

H. F. No. 2842, A bill for an act relating to taxation; authorizing a valuation exclusion for certain improvements to homestead properties; amending Minnesota Statutes 2008, section 273.11, subdivision 16.

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

Downey, Gottwalt, Nornes, Zellers and Dettmer introduced:

H. F. No. 2843, A bill for an act relating to education; creating liberty school district pilot program; authorizing rulemaking.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Smith; Olin; Hackbarth; Kelliher; Cornish; Ward; Howes; Hosch; Lillie; Morrow; Lieder; Murphy, M.; Scalze; Winkler; Nelson; Laine; Doty; Hilty; Simon; Davids; Bunn; Ruud; Loon; Atkins; Welti; Slawik; Eastlund; Bigham; Hilstrom; Kelly; Severson; Haws and Reinert introduced:

H. F. No. 2844, A bill for an act relating to public safety; appropriating money for public safety-related purposes.

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

Downey, Mack, Gottwalt, Ruud, Dettmer and Nornes introduced:

H. F. No. 2845, A bill for an act relating to public safety; authorizing judges to prohibit certain juvenile sex offenders from residing near their victims; amending Minnesota Statutes 2008, section 260B.198, by adding a subdivision; Minnesota Statutes 2009 Supplement, section 260B.198, subdivision 1.

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

Downey, Kelly, Mack, Gottwalt and Nornes introduced:

H. F. No. 2846, A bill for an act relating to education; repealing or modifying certain mandates; amending Minnesota Statutes 2008, sections 120A.41; 124D.121; 124D.122; 124D.127; repealing Minnesota Statutes 2008, section 123B.05; Minnesota Statutes 2009 Supplement, section 120A.40.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Davnie, Knuth and Kahn introduced:

H. F. No. 2847, A bill for an act relating to taxation; sales and use; extending a construction exemption for a hydrogenerating facility; amending Minnesota Statutes 2008, section 297A.71, subdivision 39.

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

Hortman and Beard introduced:

H. F. No. 2848, A bill for an act relating to public safety; modifying allocation of certain state fines and forfeitures; amending Minnesota Statutes 2009 Supplement, section 299D.03, subdivision 5.

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

Norton, Doty, Ward, Swails, Gunther, Dittrich, Slawik, Ruud, Rosenthal, Morgan, Bunn, McFarlane, Downey, Loon and Shimanski introduced:

H. F. No. 2849, A bill for an act relating to business development; providing for a comparative study of state laws affecting small business start-ups in Minnesota and Wisconsin; appropriating money.

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

Newton, Brown and Dittrich introduced:

H. F. No. 2850, A bill for an act relating to education finance; providing additional flexibility for school districts that sell or exchange school buildings; amending Minnesota Statutes 2008, section 123B.51, subdivision 6.

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

Nornes introduced:

H. F. No. 2851, A bill for an act relating to highways; removing route from trunk highway system.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Johnson and Beard introduced:

H. F. No. 2852, A bill for an act relating to cable communications; clarifying requirements for the granting of additional cable franchises; amending Minnesota Statutes 2008, section 238.08, subdivision 1.

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

Downey, Kelly, Mack, Gottwalt, Nornes, Loon, Zellers and Drazkowski introduced:

H. F. No. 2853, A bill for an act relating to education; permitting nonunion teacher contracts; amending Minnesota Statutes 2008, sections 122A.40, by adding a subdivision; 179A.03, subdivision 2; repealing Minnesota Statutes 2008, section 179A.06, subdivision 3.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Morgan introduced:

H. F. No. 2854, A bill for an act relating to corrections; regulating the location of transitional housing for criminal offenders subject to noncustodial supervision; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Gunther, Mahoney and Nelson introduced:

H. F. No. 2855, A bill for an act relating to labor and industry; modifying boiler provisions; amending and imposing civil and criminal penalties; amending Minnesota Statutes 2008, sections 326B.94, as amended; 326B.954; 326B.956; 326B.958; 326B.96; 326B.961, as added if enacted; 326B.964; 326B.966; 326B.97; 326B.98; 326B.986, subdivision 10; 326B.99; 326B.994, subdivision 3; 326B.998; Minnesota Statutes 2009 Supplement, sections 326B.972; 326B.986, subdivision 8; 326B.988; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2008, sections 326B.952; 326B.962; 326B.968; 326B.982; 326B.996; Minnesota Statutes 2009 Supplement, section 326B.986, subdivision 2; Minnesota Rules, parts 5225.1400; 5225.3100; 5225.3150; 5225.3200.

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

Atkins, Zellers, Simon and Hoppe introduced:

H. F. No. 2856, A bill for an act relating to commerce; making changes in required continuing education of real estate brokers and salespersons; amending Minnesota Statutes 2008, sections 82.29, subdivision 4; 82.33, subdivision 4; Minnesota Statutes 2009 Supplement, section 82.32.

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

Murdock introduced:

H. F. No. 2857, A bill for an act relating to capital investment; appropriating money for the Perham Resource Recovery Facility; authorizing the sale and issuance of state bonds.

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

Brown introduced:

H. F. No. 2858, A bill for an act relating to capital investment; appropriating money for the Blazing Star Trail; authorizing the sale and issuance of state bonds.

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

Simon, Thissen, Winkler, Hornstein and Abeler introduced:

H. F. No. 2859, A bill for an act relating to human services; modifying a nursing facility rate provision; amending Minnesota Statutes 2008, section 256B.431, subdivision 35.

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

Newton, Ward and Knuth introduced:

H. F. No. 2860, A bill for an act relating to education finance; modifying the lease levy revenue amounts; amending Minnesota Statutes 2008, section 126C.40, subdivision 1.

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

Newton, Doty, Ward and Masin introduced:

H. F. No. 2861, A bill for an act relating to taxation; modifying benefits under the Minnesota property tax homestead market value exemption program for disabled veterans and their surviving spouses; amending Minnesota Statutes 2008, section 273.13, subdivision 34.

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

Seifert; Westrom; Peppin; Gunther; Nornes; Howes; Anderson, P.; Kiffmeyer; Urdahl; Brod and Anderson, B., introduced:

H. F. No. 2862, A resolution urging the President and the Congress of the United States to refuse to enact cap-and-trade legislation that would negatively impact Americans by increasing the costs of goods and services and instead enact legislation that encourages states to establish and develop their own renewable energy portfolio standards.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Mariani introduced:

H. F. No. 2863, A bill for an act relating to education; increasing the compulsory attendance age; amending Minnesota Statutes 2008, sections 120A.22, subdivision 5; 120A.24, subdivision 1; 260C.007, subdivision 19; repealing Minnesota Statutes 2008, section 120A.22, subdivision 8.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Gardner and Lillie introduced:

H. F. No. 2864, A bill for an act relating to public safety; authorizing a pilot project to allow judges to order electronic monitoring for domestic abuse offenders on pretrial release; amending Minnesota Statutes 2008, section 629.72, subdivision 2a.

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

Fritz introduced:

H. F. No. 2865, A bill for an act relating to mental health; establishing procedures for administration of electroconvulsive therapy; proposing coding for new law in Minnesota Statutes, chapter 253B.

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

Carlson; Falk; Kelliher; Reinert; Sertich; Solberg; Juhnke; Loeffler; Champion; Winkler; Greiling; Laine; Olin; Ward; Murphy, M.; Ruud; Masin; Newton; Clark and Wagenius introduced:

H. F. No. 2866, A bill for an act relating to state government; modifying authority of the executive branch to reduce unexpended allotments; amending Minnesota Statutes 2008, section 16A.152, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16A.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Newton, Greiling, Mariani, Dittrich, Anzelc, Tillberry and Ward introduced:

H. F. No. 2867, A bill for an act relating to education; clarifying the definition of a child with a disability; specifying obligations to children with disabilities; amending Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 125A; repealing Minnesota Statutes 2008, section 125A.03.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Jackson introduced:

H. F. No. 2868, A bill for an act relating to capital investment; appropriating money for a pedestrian bridge in Milaca; authorizing the sale and issuance of state bonds.

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

Doty introduced:

H. F. No. 2869, A bill for an act relating to capital investment; appropriating money for Camp Ripley troop support facility; authorizing the sale and issuance of state bonds.

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

Doty introduced:

H. F. No. 2870, A bill for an act relating to capital investment; appropriating money for a veterans nursing home in Little Falls; authorizing the sale and issuance of state bonds.

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

Doty introduced:

H. F. No. 2871, A bill for an act relating to highways; authorizing issuance of trunk highway bonds; appropriating money for the Little Falls Truck Station.

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

Ward and Howes introduced:

H. F. No. 2872, A bill for an act relating to highways; authorizing issuance and sale of trunk highway bonds; appropriating money to reconstruct highway 371 between the cities of Nisswa and Jenkins.

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



Ward introduced:

H. F. No. 2873, A bill for an act relating to capital investment; appropriating money for a veterans nursing home in Brainerd; authorizing the sale and issuance of state bonds.

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

Ward introduced:

H. F. No. 2874, A bill for an act relating to capital investment; appropriating money for a veterans nursing home in Crosby; authorizing the sale and issuance of state bonds.

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

Solberg introduced:

H. F. No. 2875, A bill for an act relating to capital investment; appropriating money for the acquisition and development of the Northwoods Regional All-Terrain Vehicle Trail; authorizing the sale and issuance of state bonds.

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

Solberg introduced:

H. F. No. 2876, A bill for an act relating to taxation; eliminating property tax exemption for real and personal property used for pollution control as part of an electric generation system; authorizing a rate rider to compensate for tax increase; amending Minnesota Statutes 2008, section 272.02, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Solberg introduced:

H. F. No. 2877, A bill for an act relating to state lands; authorizing conveyance of tax-forfeited lands bordering public waters.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Peppin introduced:

H. F. No. 2878, A bill for an act relating to natural resources; requiring rulemaking to amend Mississippi River management plan.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Bigham introduced:

H. F. No. 2879, A bill for an act relating to insurance; allowing certain minors to contract for automobile insurance; proposing coding for new law in Minnesota Statutes, chapter 65B.

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

Kath, Greiling, Brynaert, Benson and Peterson introduced:

H. F. No. 2880, A bill for an act relating to education; amending requirement for GRAD retakes; amending Minnesota Statutes 2009 Supplement, section 120B.30, subdivision 1.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Kath, Simon, Morrow, Hilstrom and Olin introduced:

H. F. No. 2881, A bill for an act relating to public safety; authorizing certain qualified persons with medical training or supervision to take blood samples from DWI offenders; providing legal immunity; amending Minnesota Statutes 2008, section 169A.51, subdivision 7.

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

Hansen, Gunther, Kelliher, Dill, McNamara, Morrow, Dittrich and Solberg introduced:

H. F. No. 2882, A bill for an act relating to state government; appropriating money from constitutionally dedicated funds for outdoor heritage purposes.

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

Slocum and Lenczewski introduced:

H. F. No. 2883, A bill for an act relating to capital investment; appropriating money for a public parking facility at Bloomington Central Station in the city of Bloomington; authorizing the sale and issuance of state bonds.

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

Mariani, Greiling, Brynaert, Mullery and Nelson introduced:

H. F. No. 2884, A bill for an act relating to state government; establishing the Legislative Commission for Policy Innovation and Research; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Davnie, Greiling and Dittrich introduced:

H. F. No. 2885, A bill for an act relating to education finance; modifying the capital project referendum ballot language in cases where the same level of taxing authority is renewed; amending Minnesota Statutes 2008, section 123B.63, subdivision 3.

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

Drazkowski; Kiffmeyer; Eastlund; Dettmer; Anderson, B.; Shimanski and Davids introduced:

H. F. No. 2886, A bill for an act relating to taxation; property; extending the limited market value for agricultural property; amending Minnesota Statutes 2008, section 273.11, subdivision 1a.

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

Drazkowski and Welti introduced:

H. F. No. 2887, A bill for an act relating to taxation; local government aid; disaster aid to city of St. Charles; amending Laws 2009, chapter 93, article 4, section 1.

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

Bigham, Garofalo, Morrow, Welti and Olin introduced:

H. F. No. 2888, A bill for an act relating to crimes; providing penalty for careless driving resulting in death; amending Minnesota Statutes 2008, section 169.13, by adding a subdivision.

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

Juhnke introduced:

H. F. No. 2889, A bill for an act relating to agriculture; allowing a temporary lien for livestock production inputs for 30 days following a mediation request; amending Minnesota Statutes 2008, section 514.966, by adding a subdivision.

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

Haws introduced:

H. F. No. 2890, A bill for an act relating to education finance; relieving certain districts of a contract penalty; amending Minnesota Statutes 2008, section 123B.05, by adding a subdivision.

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

Lieder and Hornstein introduced:

H. F. No. 2891, 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; authorizing the sale and issuance of state bonds; appropriating money.

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

Anzelc introduced:

H. F. No. 2892, A bill for an act relating to state lands; creating a pilot land exchange process for tax-forfeited lands in Itasca County.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Howes introduced:

H. F. No. 2893, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and terminating existing programs; authorizing the sale of state bonds; canceling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, sections 16A.105; 16A.66, subdivision 2; 403.275, subdivision 2; 462A.36, by adding subdivisions; Minnesota Statutes 2009 Supplement, section 16A.647, subdivisions 1, 5; Laws 2005, chapter 20, article 1, section 23, subdivision 12, as amended; Laws 2008, chapter 152, article 2, section 3, subdivision 2; Laws 2008, chapter 179, section 5, subdivision 4; Laws 2008, chapter 365, section 5, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 2008, sections 116J.431, subdivisions 3, 7, 8; 116J.435, subdivisions 1, 4, 5, 6, 7; Minnesota Statutes 2009 Supplement, sections 116J.431, subdivisions 1, 1a, 2, 4, 6; 116J.435, subdivisions 2, 3.

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

Marquart, Koenen, Hoppe, Olin and Magnus introduced:

H. F. No. 2894, A bill for an act relating to natural resources; increasing watershed district borrowing authority; amending Minnesota Statutes 2008, section 103D.335, subdivision 17.

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

Juhnke introduced:

H. F. No. 2895, A bill for an act relating to human services; modifying ICF/MR variable payment rates; appropriating money; amending Minnesota Statutes 2009 Supplement, section 256B.5012, subdivision 8.

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

Mack and Loon introduced:

H. F. No. 2896, A bill for an act relating to civil law; extending civil immunity to municipalities that donate public safety equipment; amending Minnesota Statutes 2008, section 466.03, by adding a subdivision.

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

Norton and Murphy, E.,Ruud introduced:

H. F. No. 2897, A bill for an act relating to health occupations; modifying licensure requirements for psychologists; amending Minnesota Statutes 2008, sections 148.915; 148.916, subdivision 1; 148.96, subdivision 3.

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

Huntley introduced:

H. F. No. 2898, A bill for an act relating to human services; prohibiting certain restrictions on waived service living arrangements; requiring the transfer of certain clients from group residential housing to waived services; modifying certain group residential housing supplementary service payment rate caps; amending Minnesota Statutes 2008, section 256B.49, by adding subdivisions.

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

Pelowski, Kahn, Holberg, Nelson, Emmer, Hilstrom, Olin, Marquart, Poppe, Smith, Winkler, Scott, Kiffmeyer, Hilty, Sterner, Simon and Draskowski introduced:

H. F. No. 2899, A bill for an act relating to data practices; providing an administrative remedy for certain data practices and open meetings law violations; providing civil penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 13; 13D; repealing Minnesota Statutes 2008, sections 13.08, subdivision 4; 13D.06.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Dill and Anderson, S.,Rukavina introduced:

H. F. No. 2900, A bill for an act relating to occupational licensing; modifying electrical licenses; amending Minnesota Statutes 2008, sections 326B.31, subdivisions 14, 15, 17, 25, 28, by adding subdivisions; 326B.32, subdivision 2; 326B.33, subdivisions 12, 17, 21, by adding a subdivision; 326B.35; 326B.36, subdivision 2; 326B.37, subdivision 6; Minnesota Statutes 2009 Supplement, section 326B.33, subdivision 19.

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

Brod and Dean introduced:

H. F. No. 2901, A bill for an act relating to human services; implementing governor's health care reform; creating interstate health insurance choice; creating a flexible benefit plan and repealing the small employer flexible benefits plan; creating primary provider care tiering for Minnesota health care programs; creating a MinnesotaCare modern benefit plan; authorizing rulemaking; amending Minnesota Statutes 2008, sections 256B.0754, by adding subdivisions; 256L.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62L; 256L; proposing coding for new law as Minnesota Statutes, chapter 62V; repealing Minnesota Statutes 2008, section 62L.056; Minnesota Statutes 2009 Supplement, section 256B.032.

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

Atkins, Hoppe, Mahoney, Fritz and Davids introduced:

H. F. No. 2902, A bill for an act relating to commerce; regulating motor vehicle sales and distribution; amending Minnesota Statutes 2008, sections 80E.01; 80E.03, by adding a subdivision; 80E.13; 80E.14, subdivision 1, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 80E.09, subdivisions 1, 3; 80E.12; 80E.135; 80E.14, subdivision 3.

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

Wagenius introduced:

H. F. No. 2903, A bill for an act relating to alcohol; creating a special license for the Museum of Russian Art; amending Minnesota Statutes 2008, section 340A.404, subdivision 2.

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

Hilty and Murphy, M., introduced:

H. F. No. 2904, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Anderson, P.; Urdahl; Torkelson; Murdock; McFarlane; Shimanski; Ward and Doty introduced:

H. F. No. 2905, A bill for an act relating to taxation; sales and use; exempting water used for public safety purposes; amending Minnesota Statutes 2008, section 297A.70, subdivision 3.

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

Hackbarth introduced:

H. F. No. 2906, A bill for an act relating to game and fish; modifying decoy restrictions; amending Minnesota Statutes 2009 Supplement, section 97B.811, subdivision 3; repealing Minnesota Statutes 2008, section 97B.811, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Johnson, Masin, Sailer, Persell and Juhnke introduced:

H. F. No. 2907, A bill for an act relating to communications; setting state goals for the deployment and speed of high-speed broadband; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Sterner; Newton; Bigham; Juhnke; Otremba; Obermueller; Knuth; Koenen; Falk; Sertich; Persell; Sailer; Thissen; Marquart; Masin; Doty; Greiling; Swails; Ward; Mahoney; Jackson; Benson; Liebling; Haws; Kath; Rosenthal; Kelliher; Welti; Murphy, E.; Ruud; Bunn; Hayden; Clark; Champion and Fritz introduced:

H. F. No. 2908, A resolution urging payment of the Federal Respite Leave Benefit for members of the 1st of the 34th Brigade of the Minnesota National Guard who served in Iraq during the Troop Surge of 2007.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Anderson, S.; Murdock; Nornes; McNamara and Scalze introduced:

H. F. No. 2909, A bill for an act relating to capital investment; requiring state agencies to track and report on the number of jobs created or retained as a result of capital project funding; amending Minnesota Statutes 2008, section 16A.633, by adding a subdivision.

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

Davnie, Dittrich, Mariani, Greiling, Newton, Benson and Tillberry introduced:

H. F. No. 2910, A bill for an act relating to education finance; authorizing school districts to bill nonpublic schools and charter schools for any unreimbursed pupil transportation costs; amending Minnesota Statutes 2008, section 123B.92, subdivision 9; Minnesota Statutes 2009 Supplement, section 124D.10, subdivision 16.

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

Kohls; Anderson, S.; Gottwalt; Dettmer; Nornes; Westrom; Davids and Anderson, B., introduced:

H. F. No. 2911, A bill for an act relating to stadiums; directing the Metropolitan Sports Facilities Commission to offer the Metrodome to the professional football team; abolishing the commission.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Atkins and Simon introduced:

H. F. No. 2912, A bill for an act relating to employment; regulating overtime payment obligations of employers; amending Minnesota Statutes 2008, section 177.25, subdivision 1.

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

Reinert introduced:

H. F. No. 2913, A bill for an act relating to local government; requiring an adjustment in continuation health insurance premiums charged for certain disabled retired local government employees; amending Minnesota Statutes 2008, section 471.61, subdivision 2b.

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

Mariani introduced:

H. F. No. 2914, A bill for an act relating to motor vehicles; prohibiting sale of illegally tinted motor vehicle windows; amending Minnesota Statutes 2008, section 169.71, by adding a subdivision.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Lieder, Morrow, Morgan and Koenen introduced:

H. F. No. 2915, A bill for an act relating to bridges; providing for ongoing prioritization of bridge projects; amending Minnesota Statutes 2008, section 165.14, subdivision 4, by adding a subdivision.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Juhnke introduced:

H. F. No. 2916, A bill for an act relating to veterans; clarifying the role of the commissioner and Department of Veterans Affairs in providing certain resources for the county veterans service offices; amending Minnesota Statutes 2008, sections 197.60, subdivision 1; 197.601; 197.605; 197.606; 197.609, subdivisions 1, 2.

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

Brod; Kelliher; Sterner; Sertich; Juhnke; Zellers; Magnus; Demmer; Reinert; Obermueller; Anderson, B.; Downey; Severson; Kiffmeyer; Scott; Shimanski; Smith and Gottwalt introduced:

H. F. No. 2917, A resolution relating to payment of the Federal Respite Leave Benefit for members of the 1st of the 34th Brigade of the Minnesota National Guard who served in Iraq during the Troop Surge of 2007.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.



**MOTIONS AND RESOLUTIONS**

Davids moved that his name be stricken as an author on H. F. No. 127. The motion prevailed.

Simon moved that the name of Sterner be added as an author on H. F. No. 224. The motion prevailed.

Tillberry moved that the name of Benson be added as an author on H. F. No. 253. The motion prevailed.

Zellers moved that the names of Urdahl, Draskowski, Kelly, Murdock, Scott and Demmer be added as authors on H. F. No. 363. The motion prevailed.

Downey moved that the name of Gottwalt be added as an author on H. F. No. 1194. The motion prevailed.

Brod moved that the name of Newton be added as an author on H. F. No. 1757. The motion prevailed.

Lanning moved that the name of Ruud be added as an author on H. F. No. 2062. The motion prevailed.

Laine moved that the name of Wagenius be added as an author on H. F. No. 2256. The motion prevailed.

Rukavina moved that the name of Norton be added as an author on H. F. No. 2322. The motion prevailed.

Hansen moved that the name of Lenczewski be added as an author on H. F. No. 2412. The motion prevailed.

Morrow moved that the name of Fritz be added as an author on H. F. No. 2427. The motion prevailed.

Greiling moved that the name of Fritz be added as an author on H. F. No. 2431. The motion prevailed.

Hilstrom moved that the names of Bigham and Olin be added as authors on H. F. No. 2470. The motion prevailed.

Carlson moved that the name of Ruud be added as an author on H. F. No. 2475. The motion prevailed.

Hansen moved that the names of Slocum, Lenczewski and Brown be added as authors on H. F. No. 2477. The motion prevailed.

Sterner moved that the names of Masin and Obermueller be added as authors on H. F. No. 2484. The motion prevailed.

Johnson moved that the name of Slocum be added as an author on H. F. No. 2492. The motion prevailed.

Ward moved that the name of Olin be added as an author on H. F. No. 2538. The motion prevailed.

Simon moved that the name of Ruud be added as an author on H. F. No. 2554. The motion prevailed.

Kahn moved that the name of Anderson, S., be added as an author on H. F. No. 2557. The motion prevailed.

Hausman moved that the names of Kahn, Paymar and Laine be added as authors on H. F. No. 2560. The motion prevailed.

Ward moved that the name of Olin be added as an author on H. F. No. 2563. The motion prevailed.

Emmer moved that the names of Sanders and Shimanski be added as authors on H. F. No. 2579. The motion prevailed.

Lenczewski moved that the names of Haws, Norton and Reinert be added as authors on H. F. No. 2580. The motion prevailed.

Hilstrom moved that the name of Slocum be added as an author on H. F. No. 2608. The motion prevailed.

Hilstrom moved that the name of Davnie be added as an author on H. F. No. 2613. The motion prevailed.

Mullery moved that the name of Slocum be added as an author on H. F. No. 2615. The motion prevailed.

Doty moved that the name of Slocum be added as an author on H. F. No. 2621. The motion prevailed.

Rukavina moved that the name of Laine be added as an author on H. F. No. 2625. The motion prevailed.

Masin moved that the name of Slocum be added as an author on H. F. No. 2633. The motion prevailed.

Dettmer moved that the name of Newton be added as an author on H. F. No. 2647. The motion prevailed.

Dettmer moved that the name of Shimanski be added as an author on H. F. No. 2648. The motion prevailed.

Dettmer moved that the name of Shimanski be added as an author on H. F. No. 2649. The motion prevailed.

Dettmer moved that the name of Sterner be added as an author on H. F. No. 2673. The motion prevailed.

Murphy, E., moved that the names of Slocum and Laine be added as authors on H. F. No. 2680. The motion prevailed.

Dauids moved that the name of Reinert be added as an author on H. F. No. 2682. The motion prevailed.

Norton moved that the name of Brown be added as an author on H. F. No. 2689. The motion prevailed.

Sertich moved that the names of Slocum, Simon, Laine, Ruud and Greiling be added as authors on H. F. No. 2690. The motion prevailed.

Scalze moved that the name of Ruud be added as an author on H. F. No. 2693. The motion prevailed.

Lenczewski moved that the names of Slocum and Ruud be added as authors on H. F. No. 2695. The motion prevailed.

Benson moved that the names of Ruud and Murphy, M., be added as authors on H. F. No. 2702. The motion prevailed.

Greiling moved that the name of Laine be added as an author on H. F. No. 2703. The motion prevailed.

Abeler moved that the name of Kiffmeyer be added as an author on H. F. No. 2728. The motion prevailed.

Anderson, S., moved that the names of Scott and Sterner be added as authors on H. F. No. 2732. The motion prevailed.

Lenczewski moved that the name of Slocum be added as an author on H. F. No. 2734. The motion prevailed.

Wagenius moved that the name of McNamara be added as an author on H. F. No. 2738. The motion prevailed.

Carlson moved that the name of Loeffler be added as an author on H. F. No. 2749. The motion prevailed.

Davnie moved that the names of Knuth; Olin; Anderson, S.; Urdahl; Haws; Gottwalt; Fritz; Norton; Reinert; Kahn and Demmer be added as authors on H. F. No. 2750. The motion prevailed.

Morgan moved that the names of Benson, Champion, Mullery and Slocum be added as authors on H. F. No. 2751. The motion prevailed.

Emmer moved that the names of Jackson and Laine be added as authors on H. F. No. 2752. The motion prevailed.

Swails moved that the name of Benson be added as an author on H. F. No. 2755. The motion prevailed.

Lillie moved that the name of Loeffler be added as an author on H. F. No. 2758. The motion prevailed.

Jackson moved that the name of Loeffler be added as an author on H. F. No. 2759. The motion prevailed.

Slawik moved that the names of Benson and Loeffler be added as authors on H. F. No. 2760. The motion prevailed.

Lenczewski moved that the names of McNamara, Simon, Benson, Reinert, Tillberry and Kahn be added as authors on H. F. No. 2763. The motion prevailed.

Kohls moved that the names of Dettmer and Anderson, S., be added as authors on H. F. No. 2768. The motion prevailed.

Winkler moved that the name of Anderson, S., be added as an author on H. F. No. 2770. The motion prevailed.

Winkler moved that the name of Benson be added as an author on H. F. No. 2771. The motion prevailed.

Hansen moved that the name of Sterner be added as an author on H. F. No. 2774. The motion prevailed.

Torkelson moved that the names of Westrom, Nornes and Murdock be added as authors on H. F. No. 2779. The motion prevailed.

Nelson moved that the name of Hortman be added as an author on H. F. No. 2788. The motion prevailed.

Juhnke moved that the name of Ward be added as an author on H. F. No. 2789. The motion prevailed.

Knuth moved that the names of Laine, Benson, Reinert and Kahn be added as authors on H. F. No. 2792. The motion prevailed.

Hornstein moved that the name of Kahn be added as an author on H. F. No. 2793. The motion prevailed.

Tillberry moved that the name of Laine be added as an author on H. F. No. 2800. The motion prevailed.

Obermueller moved that the names of Persell, Greiling, Jackson, Hornstein, Hortman, Ward, Loeffler, Reinert and Kahn be added as authors on H. F. No. 2801. The motion prevailed.

Swails moved that the name of Downey be added as an author on H. F. No. 2804. The motion prevailed.

Severson moved that the names of Shimanski and Reinert be added as authors on H. F. No. 2805. The motion prevailed.

Juhnke moved that the names of Poppe and Reinert be added as authors on H. F. No. 2806. The motion prevailed.

Hornstein moved that the name of Champion be added as an author on H. F. No. 2807. The motion prevailed.

Severson moved that the names of Shimanski and Reinert be added as authors on H. F. No. 2808. The motion prevailed.

Severson moved that the names of Shimanski and Reinert be added as authors on H. F. No. 2809. The motion prevailed.

Doty moved that the name of Ward be added as an author on H. F. No. 2818. The motion prevailed.

Mullery moved that the name of Jackson be added as an author on H. F. No. 2819. The motion prevailed.

Severson moved that the names of Shimanski and Reinert be added as authors on H. F. No. 2822. The motion prevailed.

#### MOTION TO FIX TIME TO CONVENE

Sertich moved that when the House adjourns today it adjourn until 10:30 a.m., Friday, February 12, 2010. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

#### RECESS

#### RECONVENED

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

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

## JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Reverend Dennis J. Johnson, House Chaplain.

The roll being called the following Senators answered to their names: Anderson, Bakk and Berglin.

Senator Pogemiller moved that further proceedings of the roll call be dispensed with. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Eric J. Magnuson, Chief Justice of the Supreme Court, and the Honorable Associate Justices of the Supreme Court, and the Honorable Edward Toussaint, Jr., Chief Judge of the Court of Appeals of the State of Minnesota. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mark Ritchie, Secretary of State; Rebecca Otto, State Auditor and Lori Swanson, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governors: the Honorable Wendell R. Anderson and the Honorable Albert H. Quie. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Carol L. Molnau, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Tim Pawlenty, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

## ADDRESS BY THE GOVERNOR

The President of the Joint Convention, the Honorable Margaret Anderson Kelliher, presented the Honorable Governor Tim Pawlenty and he delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Pogemiller moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

## RECONVENED

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

## ADJOURNMENT

Sertich moved that the House adjourn. The motion prevailed and the Speaker declared the House stands adjourned until 10:30 a.m., Friday, February 12, 2010.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives