The House of Representatives convened at 11:00 a.m. and was called to order by Melissa Hortman, Speaker pro tempore.

Prayer was offered by the Reverend Paul Rogers, Minneapolis, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler
Anderson, B.
Anderson, P.
Anderson, S.
Anzelc
Beard
Benson
Bigham
Bly
Brod
Brown
Brynaert
Buesgens
Bunn
Carlson
Champion
Clark
Cornish
Davids
Davnie
Dean
Demmer

Dettmer
Dittrich
Doepke
Doty
Downey
Drazkowski
Eastlund
Eken
Emmer
Falk
Faust
Fritz
Gardner
Garofalo
Gottwald
Greiling
Gunther
Hackbarth
Hamilton
Hansen
Hausman

Haws
Hilstrom
Hilty
Hoppe
Hornstein
Hortman
Hosch
Howes
Huntley
Johnson
Kahn
Kahn
Kath
Kelly
Knuth
Koenen
Kohls
Laine

Lanning
Lenczewski
Lieder
Lillie
Loeffler
Loon
Magnus
Mahoney
Mariani
Marquart
Masin
McFarlane
McNamara
Morgan
Morrow
Mul In
Murdock
Murphy, E.
Murphy, M.
Nelson
Newton

Nornes
Norton
Obermueller
Olin
Otremba
Paymar
Pelowski
Peppin
Persell
Peter son
Poppe
Reimert
Ruskavina
Ruud
Sailer
Sanders
Scale
Seifert
Severt
Sertich
Shimanski
Simon
Slawik
Slocum
Smith
Solberg
Sterner
Swails
Thao
Thissen
Tillberry
Torkelson
Urda1
Ward
Welti
Westrom
Winkler
Spk. Kelliher

A quorum was present.

Lesch was excused.

Liebling was excused until 1:45 p.m. Hayden was excused until 1:55 p.m. Atkins was excused until 4:35 p.m. Wagenius was excused until 4:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Morrow moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 680, A bill for an act relating to energy; providing direction for use of federal stimulus funds for energy programs.

Reported the same back with the following amendments:

Page 2, line 9, delete “and"

Page 2, line 11, delete the period and insert “; and”

Page 2, after line 11, insert:

“(8) ensuring that projects are cost-effective and maximize energy savings per dollar of stimulus funding expended.”

Page 3, after line 4, insert:

“Subd. 3. Background check. Any person offering employment to an individual to conduct weatherization activities under this section shall request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on that individual. In order for an individual to be eligible for employment, the individual must provide an executed criminal history consent form and a money order or check payable to the Bureau of Criminal Apprehension in an amount equal to the actual cost to the Bureau of Criminal Apprehension of conducting the background check. The superintendent of the Bureau of Criminal Apprehension shall conduct the background check by retrieving criminal history data maintained in the criminal justice information system computers.

Subd. 4. Employment prohibited. An individual convicted of a violent crime, as defined in Minnesota Statutes, section 611A.08, subdivision 6, or a crime against property may not be hired to conduct weatherization activities under this section.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1362, A bill for an act relating to state government; establishing the health and human services budget; making changes to licensing; Minnesota family investment program, children, and adult supports; child support; the Department of Health and health care; health care programs; making technical changes; chemical and mental health; continuing care programs; establishing the State-County Results, Accountability, and Service Delivery Redesign; public health; health-related fees; making forecast adjustments; creating work groups and pilot projects; requiring reports; increasing fees; appropriating money for health and human services; amending Minnesota Statutes 2008, sections 13.465, subdivision 8; 62J.495; 62J.496; 62J.497, subdivisions 1, 2, by adding subdivisions; 62J.692, subdivision 7; 103I.208, subdivision 2; 125A.744, subdivision 3; 144.0724, subdivisions 2, 4, 8, by adding subdivisions; 144.121, subdivisions 1a, 1b; 144.122; 144.1222, subdivision 1a; 144.125, subdivision 1; 144.218,
subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivisions 1, 4; 144.72, subdivisions 1, 3; 144.9501, subdivisions 22b, 26a, by adding subdivisions; 144.9505, subdivisions 1g, 4; 144.9508, subdivisions 2, 3, 4; 144.9512, subdivision 2; 144.966, by adding a subdivision; 144.97, subdivisions 2, 4, 6, by adding subdivisions; 144.98, subdivisions 1, 2, 3, by adding subdivisions; 144.99, subdivision 1; 144A.073, by adding a subdivision; 144A.44, subdivision 2; 144A.46, subdivision 1; 144A.46, subdivision 2; 144A.70, by adding a subdivision; 148D.180, subdivisions 1, 2, 3, 5; 153A.17; 156.015; 157.15, by adding a subdivision; 157.16; 157.22; 176.011, subdivision 9; 245.4885, subdivision 1; 245A.03, by adding a subdivision; 245A.10, subdivisions 2, 3, 4, 5, by adding subdivisions; 245A.11, subdivision 2a, by adding a subdivision; 245A.16, subdivisions 1, 3; 245C.03, subdivision 2; 245C.04, subdivisions 1, 3; 245C.05, subdivision 4; 245C.08, subdivision 2; 245C.10, subdivision 3, by adding subdivisions; 245C.17, by adding a subdivision; 245C.20; 245C.21, subdivision 1a; 245C.23, subdivision 2; 246.50, subdivision 5, by adding subdivisions; 246.51; 246B.01, by adding subdivisions; 246B.02, by adding a subdivision; 246B.02, subdivision 1; 246B.03, by adding a subdivision; 246B.05, subdivision 1; 246B.09, subdivision 2; 246B.09, subdivision 3, by adding a subdivision; 246B.09, subdivision 4; 246B.15, subdivisions 1, 1a, 1h, 2, by adding subdivisions; 246B.37, subdivisions 1, 5; 246B.437, subdivision 6; 246B.441, subdivisions 48, 55, by adding subdivisions; 246B.49, subdivisions 12, 13, 14, 17, by adding subdivisions; 246B.501, subdivision 4a; 246B.5011, subdivision 2; 246B.5012, by adding a subdivision; 246B.5013, subdivision 1; 246B.5015, by adding a subdivision; 246B.69, subdivisions 5a, 5c, 5f; 246B.76, subdivisions 1, 4, by adding a subdivision; 246B.761; 246D.03, subdivision 4; 246D.051, subdivision 2a; 246D.0515; 246D.06, subdivision 2; 246D.09, subdivision 6; 246D.44, subdivision 5; 246D.49, subdivision 3; 246G.02, subdivision 6; 246G.03, subdivision 7; 246G.03, subdivisions 1a, 7c; 246J.20, subdivision 3; 246J.24, subdivisions 5a, 10; 246J.37, subdivision 3a, by adding a subdivision; 246J.38, subdivision 1; 246J.45, subdivision 3; 246J.57, subdivisions 3, 6, 7; 246J.621; 246J.626, subdivision 6; 246J.751, by adding a subdivision; 246J.95, subdivision 12; 246L.04, subdivision 10a, by adding a subdivision; 246L.05, subdivision 1, by adding subdivisions; 246L.11, subdivisions 1, 7; 246L.12, subdivision 9; 246L.17, subdivision 3; 246L.17, subdivision 4; 246L.18, subdivision 3; 246L.18, subdivision 4; 246L.21, subdivision 3; 246L.21, subdivision 4; 246L.556, subdivision 3c; 246L.5572, subdivisions 6, 13, 21; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 1, as amended; Laws 2007, chapter 147, article 19, section 3, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 62Q; 144; 156; 246B; 254B; 256B; proposing coding for new law as Minnesota Statutes, chapter 402A; repealing Minnesota Statutes 2008, sections 62U.08; 103H.112; 144.9501, subdivision 17b; 148D.180, subdivision 8; 246.51, subdivision 1; 246.53, subdivision 3; 256.962, subdivision 7; 256B.0655, subdivisions 1, 1a, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 256B.071, subdivisions 1, 2, 3, 4; 256B.092, subdivision 5a; 256B.19, subdivision 1d; 256B.431, subdivision 23; 256D.46; 256D.06, subdivision 9; 256D.626, subdivision 7; 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4; 327.14, subdivisions 5, 6; Laws 1988, chapter 689, section 251; Minnesota Rules, parts 462.60, subpart 9; 9100.0400, subparts 1, 3; 9100.0500; 9100.0600; 9500.1243, subpart 3; 9500.1261, subparts 3, 4, 5, 6; 9555.6125, subpart 4, item B.

Reported the same back with the following amendments:

Page 21, after line 5, insert:
"Sec. 32. [Redacted] Minnesota Statutes 2008, section 256B.0945, subdivision 4, is amended to read:

Subd. 4. Payment rates. (a) Notwithstanding sections 256B.19 and 256B.041, payments to counties for residential services provided by a residential facility shall only be made of federal earnings for services provided under this section, and the nonfederal share of costs for services provided under this section shall be paid by the county from sources other than federal funds or funds used to match other federal funds. Payment to counties for services provided according to this section shall be a proportion of the per day contract rate that relates to rehabilitative mental health services and shall not include payment for costs or services that are billed to the IV-E program as room and board.

(b) Per diem rates paid to providers under this section by prepaid plans shall be the proportion of the per-day contract rate that relates to rehabilitative mental health services and shall not include payment for group foster care costs or services that are billed to the county of financial responsibility.

(c) The commissioner shall set aside a portion not to exceed five percent of the federal funds earned for county expenditures under this section to cover the state costs of administering this section, and to reduce licensing fees charged to facilities providing services under this section. Any unexpended funds from the set aside shall be distributed to the counties in proportion to their earnings under this section.

Page 29, line 35, delete "$125" and insert "$70"

Page 30, line 5, delete "$125" and insert "$70"

Page 65, line 28, delete "retroactively from August 1, 2008" and insert "August 1, 2010"

Page 74, delete lines 23 to 36 and insert:

"(d) A beneficiary's interest in a pooled trust is considered an available asset unless the trust provides that upon the death of the beneficiary or termination of the trust during the beneficiary's lifetime, whichever is sooner, the department receives any amount, up to the amount of medical assistance benefits paid on behalf of the beneficiary, remaining in the beneficiary's trust account after a deduction for reasonable administrative fees and expenses, and an additional remainder amount. The retained remainder amount of the subaccount must not exceed ten percent of the account value at the time of the beneficiary's death or termination of the trust, and must only be used for the benefit of disabled individuals who have a beneficiary interest in the pooled trust."

Page 76, line 12, delete "January 1, 2010" and insert "July 1, 2011"

Page 91, line 9, delete everything after the second "and " and insert "a designee of the commissioner of health"

Page 91, line 10, delete everything before the period

Page 91, after line 25, insert:

"(d) The Health Services Policy Committee shall monitor and track the practice patterns of physicians providing services to medical assistance, MinnesotaCare, and general assistance medical care enrollees under fee-for-service, managed care, and county-based purchasing. The committee shall focus on services or specialties for which there is a high variation in utilization across physicians, or which are associated with high medical costs. The commissioner, based upon the findings of the committee, shall regularly notify physicians whose practice patterns indicate higher than average utilization or costs. Managed care and county-based purchasing plans shall provide the committee with utilization and cost data necessary to implement this paragraph."
Page 120, line 9, delete "January 1, 2010" and insert "July 1, 2011"

Page 122, after line 19, insert:

"EFFECTIVE DATE. This section is effective July 1, 2011, or upon federal approval, whichever is later."

Page 136, delete section 57

Page 172, line 5, delete "June 1, 2009" and insert "July 1, 2011"

Page 172, line 15, delete "2009" and insert "2011"

Page 172, line 29, delete "2009" and insert "2011"

Page 172, line 32, delete "2011" and insert "2013"

Page 178, lines 20 to 22, reinstate the stricken language

Page 178, lines 22 to 26, delete the new language

Page 179, delete lines 25 and 26

Page 182, delete lines 1 and 2

Page 184, after line 33, insert:

"Sec. 23. Minnesota Statutes 2008, section 256B.0641, subdivision 3, is amended to read:

Subd. 3. Facility in receivership. Subdivision 2 does not apply to the change of ownership of a facility to a nonrelated organization while the facility to be sold, transferred or reorganized is in receivership under section 144A.14, 144A.15, 245A.12, or 245A.13, and the commissioner during the receivership has not determined the need to place residents of the facility into a newly constructed or newly established facility. Nothing in this subdivision limits the liability of a former owner."

Page 209, line 20, strike "or" and insert "and"

Page 231, line 17, delete "and"

Page 231, line 20, delete the period and insert "; and"

Page 231, after line 20, insert:

"(14) request reassessments at least 60 days prior to the end of the current authorization for personal care assistant services on forms provided by the commissioner."

Page 237, line 6, delete "15 calendar" and insert "20 working"

Page 259, line 5, delete everything after the period

Page 259, delete line 6

Page 270, line 11, after "21" insert a period
Page 270, after line 11, insert:

"Sec. 81. REVIEW OF ELIGIBILITY.

A county may utilize an eligibility review panel comprised of the county social services director or designee, a county commissioner, and a social worker to review the eligibility of each person currently receiving services under Minnesota Statutes, sections 256B.0659, 256B.092, and 256B.49. If a person currently receiving services is found to be ineligible, the county must discontinue the inappropriately received services to that person. The commissioner of human services may provide technical assistance to the counties in redetermining eligibility for these programs.

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

Page 272, line 10, after "for" insert "all" and after "programs" insert "based on the current level of resources available"

Page 272, line 12, delete "outcome" and insert "performance"

Page 272, line 13, delete "goals" and insert "measures"

Page 272, line 19, delete "outcome goals" and insert "performance measures"

Page 272, line 21, delete "three-year schedule of ongoing program" and insert "schedule to complete program reviews of all essential services within three years."

Page 272, line 22, delete "reviews to" and delete "outcome goals" and insert "performance measures and goals based on those measures"

Page 272, line 23, delete the comma and insert a period and delete "taking" and insert "The funding recommendations shall take"

Page 272, lines 29 and 30, delete "outcome goals" and insert "performance measures"

Page 272, line 31, delete "achievement of these goals" and insert "data will be collected and performance"

Page 272, line 33, delete "included" and insert "addressed" and delete "outcome goals" and insert "performance measures"

Page 273, line 12, after "the" insert "governor and"

Page 273, line 13, delete "outcome goals" and insert "performance measures"

Page 273, line 14, delete "identify" and insert "recommend" and delete "administrative"

Page 273, delete lines 18 to 21

Page 286, line 9, delete "commissioners" and insert "commissioner"

Page 294, line 11, delete "144.97;" and insert "144.97 to"
Page 294, after line 17, insert:

"Sec. 35. Minnesota Statutes 2008, section 153A.17, is amended to read:

153A.17 EXPENSES; FEES.

(a) The expenses for administering the certification requirements including the complaint handling system for certified hearing aid dispensers in sections 153A.14 and 153A.15 and the Consumer Information Center under section 153A.18 must be paid from initial application and examination fees, renewal fees, penalties, and fines. All fees are nonrefundable.

(b) The certificate application fee is $350, the examination fee is $250 for the written portion and $250 for the practical portion each time one or the other is taken, and the trainee application fee is $200. The penalty fee for late submission of a renewal application is $200. The fee for verification of certification to other jurisdictions or entities is $25. All fees are nonrefundable.

(c) All fees, penalties, and fines received must be deposited in the state government special revenue fund. The commissioner may prorate the certification fee for new applicants based on the number of quarters remaining in the annual certification period.

(d) The fees charged by the commissioner must reflect the actual costs of administering the program under paragraph (a). Fees must not be increased to cover the costs associated with investigating allegations against uncertified hearing aid dispensers."

Page 310, line 11, delete everything after the period

Page 310, delete lines 12 to 14

Page 314, delete section 10

Page 318, delete article 13 and insert:

"ARTICLE 13

MISCELLANEOUS

Section 1. Minnesota Statutes 2008, section 256.045, subdivision 3, is amended to read:

Subd. 3. State agency hearings. (a) State agency hearings are available for the following:

(1) any person applying for, receiving or having received public assistance, medical care, or a program of social services granted by the state agency or a county agency or the federal Food Stamp Act whose application for assistance is denied, not acted upon with reasonable promptness, or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly paid;

(2) any patient or relative aggrieved by an order of the commissioner under section 252.27;

(3) a party aggrieved by a ruling of a prepaid health plan;

(4) except as provided under chapter 245C, any individual or facility determined by a lead agency to have maltreated a vulnerable adult under section 626.557 after they have exercised their right to administrative reconsideration under section 626.557;
(5) any person whose claim for foster care payment according to a placement of the child resulting from a child protection assessment under section 626.556 is denied or not acted upon with reasonable promptness, regardless of funding source;

(6) any person to whom a right of appeal according to this section is given by other provision of law;

(7) an applicant aggrieved by an adverse decision to an application for a hardship waiver under section 256B.15;

(8) an applicant aggrieved by an adverse decision to an application or redetermination for a Medicare Part D prescription drug subsidy under section 256B.04, subdivision 4a;

(9) except as provided under chapter 245A, an individual or facility determined to have maltreated a minor under section 626.556, after the individual or facility has exercised the right to administrative reconsideration under section 626.556; or

(10) except as provided under chapter 245C, an individual disqualified under sections 245C.14 and 245C.15, on the basis of serious or recurring maltreatment; a preponderance of the evidence that the individual has committed an act or acts that meet the definition of any of the crimes listed in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under section 626.556, subdivision 3, or 626.557, subdivision 3. Hearings regarding a maltreatment determination under clause (4) or (9) and a disqualification under this clause in which the basis for a disqualification is serious or recurring maltreatment, which has not been set aside under sections 245C.22 and 245C.23, shall be consolidated into a single fair hearing. In such cases, the scope of review by the human services referee shall include both the maltreatment determination and the disqualification. The failure to exercise the right to an administrative reconsideration shall not be a bar to a hearing under this section if federal law provides an individual the right to a hearing to dispute a finding of maltreatment. Individuals and organizations specified in this section may contest the specified action, decision, or final disposition before the state agency by submitting a written request for a hearing to the state agency within 30 days after receiving written notice of the action, decision, or final disposition, or within 90 days of such written notice if the applicant, recipient, patient, or relative shows good cause why the request was not submitted within the 30-day time limit; or

(11) any person with an outstanding debt resulting from receipt of public assistance, medical care, or the federal Food Stamp Act who is contesting a setoff claim by the Department of Human Services or a county agency. The scope of the appeal is the validity of the claimant agency's intention to request a setoff of a refund under chapter 270A against the debt.

(b) The hearing for an individual or facility under paragraph (a), clause (4), (9), or (10), is the only administrative appeal to the final agency determination specifically, including a challenge to the accuracy and completeness of data under section 13.04. Hearings requested under paragraph (a), clause (4), apply only to incidents of maltreatment that occur on or after October 1, 1995. Hearings requested by nursing assistants in nursing homes alleged to have maltreated a resident prior to October 1, 1995, shall be held as a contested case proceeding under the provisions of chapter 14. Hearings requested under paragraph (a), clause (9), apply only to incidents of maltreatment that occur on or after July 1, 1997. A hearing for an individual or facility under paragraph (a), clause (9), is only available when there is no juvenile court or adult criminal action pending. If such action is filed in either court while an administrative review is pending, the administrative review must be suspended until the judicial actions are completed. If the juvenile court action or criminal charge is dismissed or the criminal action overturned, the matter may be considered in an administrative hearing.

(c) For purposes of this section, bargaining unit grievance procedures are not an administrative appeal.

(d) The scope of hearings involving claims to foster care payments under paragraph (a), clause (5), shall be limited to the issue of whether the county is legally responsible for a child's placement under court order or voluntary placement agreement and, if so, the correct amount of foster care payment to be made on the child's behalf and shall not include review of the propriety of the county's child protection determination or child placement decision.
(e) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor under contract with a county agency to provide social services is not a party and may not request a hearing under this section, except if assisting a recipient as provided in subdivision 4.

(f) An applicant or recipient is not entitled to receive social services beyond the services prescribed under chapter 256M or other social services the person is eligible for under state law.

(g) The commissioner may summarily affirm the county or state agency’s proposed action without a hearing when the sole issue is an automatic change due to a change in state or federal law.

Sec. 2. Minnesota Statutes 2008, section 256.983, subdivision 1, is amended to read:

Subdivision 1. Programs established. Within the limits of available appropriations, the commissioner of human services shall require the maintenance of budget neutral fraud prevention investigation programs in the counties participating in the fraud prevention investigation project established under this section. If funds are sufficient, the commissioner may also extend fraud prevention investigation programs to other counties provided the expansion is budget neutral to the state. Under any expansion, the commissioner has the final authority in decisions regarding the creation and realignment of individual count or regional operations.

Sec. 3. Minnesota Statutes 2008, section 259.67, is amended by adding a subdivision to read:

Subd. 3b. Extension; adoption finalized after age 16. A child who has attained the age of 16 prior to finalization of their adoption is eligible for extension of the adoption assistance agreement to the date the child attains age 21 if the child is:

(1) completing a secondary education program or a program leading to an equivalent credential;

(2) enrolled in an institution which provides postsecondary or vocational education;

(3) participating in a program or activity designed to promote or remove barriers to employment;

(4) employed for at least 80 hours per month; or

(5) incapable of doing any of the activities described in clauses (1) to (4) due to a medical condition which incapability is supported by regularly updated information in the case plan of the child.

EFFECTIVE DATE. This section is effective October 1, 2010.

Sec. 4. Minnesota Statutes 2008, section 270A.09, is amended by adding a subdivision to read:

Subd. 1b. Department of Human Services claims. Notwithstanding subdivision 1, any debtor contesting a setoff claim by the Department of Human Services or a county agency whose claim relates to a debt resulting from receipt of public assistance, medical care, or the federal Food Stamp Act shall have a hearing conducted in the same manner as an appeal under sections 256.045 and 256.0451.

Page 328, delete article 14

Page 330, line 6, delete "15" and insert "14"

Page 331, delete article 16 and insert:
"ARTICLE 15

APPROPRIATIONS

Section 1. SUMMARY OF APPROPRIATIONS.

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

<table>
<thead>
<tr>
<th>Fund</th>
<th>2010</th>
<th>2011</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$4,362,970,000</td>
<td>$5,223,144,000</td>
<td>$9,586,114,000</td>
</tr>
<tr>
<td>State Government Special Revenue</td>
<td>63,219,000</td>
<td>63,139,000</td>
<td>126,358,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>484,881,000</td>
<td>575,920,000</td>
<td>1,060,801,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>288,605,000</td>
<td>256,149,000</td>
<td>544,754,000</td>
</tr>
<tr>
<td>Lottery Prize</td>
<td>1,665,000</td>
<td>1,665,000</td>
<td>3,330,000</td>
</tr>
<tr>
<td>Federal Fund</td>
<td>104,300,000</td>
<td>0</td>
<td>104,300,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,305,640,000</strong></td>
<td><strong>$6,120,010,000</strong></td>
<td><strong>$11,425,657,000</strong></td>
</tr>
</tbody>
</table>

Sec. 2. HEALTH AND HUMAN SERVICES APPROPRIATION.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations from the federal fund are from money received under the American Reinvestment and Recovery Act of 2009, Public Law 111-5, unless otherwise specified. Appropriations for the fiscal year ending June 30, 2009, are effective the day following final enactment.

**APPROPRIATIONS**

<table>
<thead>
<tr>
<th>Available for the Year</th>
<th>Ending June 30</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>2011</td>
</tr>
</tbody>
</table>

Sec. 3. HUMAN SERVICES

Subdivision 1. Total Appropriation

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>4,282,964,000</td>
<td>5,153,316,000</td>
</tr>
<tr>
<td>State Government Special Revenue</td>
<td>1,315,000</td>
<td>565,000</td>
</tr>
</tbody>
</table>
Receipts for Systems Projects. Appropriations and federal receipts for information systems projects for MAXIS, PRISM, MMIS, and SSIS must be deposited in the state system account authorized in Minnesota Statutes, section 256.014. Money appropriated for computer projects approved by the Minnesota Office of Enterprise Technology, funded by the legislature, and approved by the commissioner of finance, may be transferred from one project to another and from development to operations as the commissioner of human services considers necessary. Any unexpended balance in the appropriation for these projects does not cancel but is available for ongoing development and operations.

Nonfederal Share Transfers. The nonfederal share of activities for which federal administrative reimbursement is appropriated to the commissioner may be transferred to the special revenue fund.

TANF Maintenance of Effort.

(a) In order to meet the basic maintenance of effort (MOE) requirements of the TANF block grant specified under Code of Federal Regulations, title 45, section 263.1, the commissioner may only report nonfederal money expended for allowable activities listed in the following clauses as TANF/MOE expenditures:

1. MFIP cash, diversionary work program, and food assistance benefits under Minnesota Statutes, chapter 256J;

2. the child care assistance programs under Minnesota Statutes, sections 119B.03 and 119B.05, and county child care administrative costs under Minnesota Statutes, section 119B.15;

3. state and county MFIP administrative costs under Minnesota Statutes, chapters 256J and 256K;

4. state, county, and tribal MFIP employment services under Minnesota Statutes, chapters 256J and 256K;

5. expenditures made on behalf of noncitizen MFIP recipients who qualify for the medical assistance without federal financial participation program under Minnesota Statutes, section 256B.06, subdivision 4, paragraphs (d), (e), and (j); and
(6) qualifying working family credit expenditures under Minnesota Statutes, section 290.0671.

(b) The commissioner shall ensure that sufficient qualified nonfederal expenditures are made each year to meet the state's TANF/MOE requirements. For the activities listed in paragraph (a), clauses (2) to (6), the commissioner may only report expenditures that are excluded from the definition of assistance under Code of Federal Regulations, title 45, section 260.31.

(c) For fiscal years beginning with state fiscal year 2003, the commissioner shall ensure that the maintenance of effort used by the commissioner of finance for the February and November forecasts required under Minnesota Statutes, section 16A.103, contains expenditures under paragraph (a), clause (1), equal to at least 16 percent of the total required under Code of Federal Regulations, title 45, section 263.1.

(d) For the federal fiscal years beginning on or after October 1, 2007, the commissioner may not claim an amount of TANF/MOE in excess of the 75 percent standard in Code of Federal Regulations, title 45, section 263.1(a)(2), except:

1. to the extent necessary to meet the 80 percent standard under Code of Federal Regulations, title 45, section 263.1(a)(1), if it is determined by the commissioner that the state will not meet the TANF work participation target rate for the current year;

2. to provide any additional amounts under Code of Federal Regulations, title 45, section 264.5, that relate to replacement of TANF funds due to the operation of TANF penalties; and

3. to provide any additional amounts that may contribute to avoiding or reducing TANF work participation penalties through the operation of the excess MOE provisions of Code of Federal Regulations, title 45, section 261.43(a)(2).

For the purposes of clauses (1) to (3), the commissioner may supplement the MOE claim with working family credit expenditures to the extent such expenditures or other qualified expenditures are otherwise available after considering the expenditures allowed in this section.

(e) Minnesota Statutes, section 256.011, subdivision 3, which requires that federal grants or aids secured or obtained under that subdivision be used to reduce any direct appropriations provided by law, do not apply if the grants or aids are federal TANF funds.

(f) Notwithstanding any contrary provision in this article, this provision expires June 30, 2013.
Working Family Credit Expenditures as TANF/MOE. The commissioner may claim as TANF/MOE up to $6,707,000 per year for fiscal year 2010 through fiscal year 2011.

Working Family Credit Expenditures to be Claimed for TANF/MOE. The commissioner may count the following amounts of working family credit expenditure as TANF/MOE:

1. fiscal year 2010, $23,688,000;
2. fiscal year 2011, $42,002,000;
3. fiscal year 2012, $48,701,000; and
4. fiscal year 2013, $49,359,000.

Notwithstanding any contrary provision in this article, this rider expires June 30, 2013.

TANF Transfer to Federal Child Care and Development Fund. The following TANF fund amounts are appropriated to the commissioner for the purposes of MFIP and transition year child care under Minnesota Statutes, section 119B.05:

1. fiscal year 2010, $0;
2. fiscal year 2011, $8,959,000;
3. fiscal year 2012, $35,129,000; and
4. fiscal year 2013, $35,848,000.

The commissioner shall authorize the transfer of sufficient TANF funds to the federal child care and development fund to meet this appropriation and shall ensure that all transferred funds are expended according to federal child care and development fund regulations. The transferred funds shall be used to offset any general fund reductions to MFIP child care in this article.

Emergency Fund for the TANF Program. TANF Emergency Contingency funds available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) are appropriated to the commissioner. The commissioner must request TANF Emergency Contingency funds from the Secretary of the Department of Health and Human Services to the extent the commissioner meets or expects to meet the requirements of section 403(c) of the Social Security Act. The commissioner must seek to maximize such grants. The funds received must be used as appropriated.
Subd. 2. **Agency Management**

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) **Financial Operations**

<table>
<thead>
<tr>
<th>Appointments by Fund</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>3,380,000</td>
<td>3,908,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>1,241,000</td>
<td>1,016,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>122,000</td>
<td>122,000</td>
</tr>
</tbody>
</table>

(b) **Legal and Regulatory Operations**

<table>
<thead>
<tr>
<th>Appointments by Fund</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>13,710,000</td>
<td>13,495,000</td>
</tr>
<tr>
<td>State Government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>440,000</td>
<td>440,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>943,000</td>
<td>943,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>100,000</td>
<td>100,000</td>
</tr>
</tbody>
</table>

**Base Adjustment.** The general fund base is decreased $4,550,000 in fiscal year 2012 and $4,550,000 in fiscal year 2013. The state government special revenue fund base is increased $4,500,000 in fiscal year 2012 and $4,500,000 in fiscal year 2013.

(c) **Management Operations**

<table>
<thead>
<tr>
<th>Appointments by Fund</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>4,715,000</td>
<td>4,715,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>242,000</td>
<td>242,000</td>
</tr>
</tbody>
</table>

(d) **Information Technology Operations**

<table>
<thead>
<tr>
<th>Appointments by Fund</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>28,077,000</td>
<td>28,077,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>4,856,000</td>
<td>4,868,000</td>
</tr>
</tbody>
</table>

Subd. 3. **Revenue and Pass-Through Revenue Expenditures** 65,746,000 76,027,000

This appropriation is from the federal TANF fund.
Subd. 4. **Children and Economic Assistance Grants**

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

**(a) MFIP/DWP Grants**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>General</th>
<th>Federal TANF</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>68,634,000</td>
<td>98,587,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>96,357,000</td>
<td>68,320,000</td>
</tr>
</tbody>
</table>

**(b) Support Services Grants**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>General</th>
<th>Federal TANF</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>8,715,000</td>
<td>8,715,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>113,711,000</td>
<td>99,111,000</td>
</tr>
</tbody>
</table>

**MFIP Consolidated Fund.** The MFIP consolidated fund TANF appropriation is reduced by $5,500,000 in fiscal year 2011.

**Integrated Services Program Funding.** The TANF appropriation for integrated services program funding is $1,250,000 in fiscal year 2010 and $0 in fiscal year 2011.

**TANF Emergency Fund; Nonrecurrent Short-Term Benefits.**

TANF Emergency Contingency fund grants received due to increases in expenditures for nonrecurrent short-term benefits must be used to offset the increase in these expenditures for counties under the MFIP consolidated fund under Minnesota Statutes, section 256J.626, and the diversionary work program. The commissioner shall develop procedures to maximize reimbursement of these expenditures over the TANF emergency fund base year quarters.

**(c) MFIP Child Care Assistance Grants**

<table>
<thead>
<tr>
<th></th>
<th>(18,000)</th>
<th>(9,254,000)</th>
</tr>
</thead>
</table>

**(d) Child Care Development Grants**

<table>
<thead>
<tr>
<th></th>
<th>4,000</th>
<th>4,000</th>
</tr>
</thead>
</table>

**(e) Child Support Enforcement Grants**

<table>
<thead>
<tr>
<th></th>
<th>3,705,000</th>
<th>3,705,000</th>
</tr>
</thead>
</table>

**(f) Children's Services Grants**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>General</th>
<th>Federal TANF</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>47,533,000</td>
<td>50,498,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>340,000</td>
<td>240,000</td>
</tr>
</tbody>
</table>
Base Adjustment. The general fund base is increased by $3,094,000 in fiscal year 2012 and $18,907,000 in fiscal year 2013.

Privatized Adoption Grants. Federal reimbursement for privatized adoption grant and foster care recruitment grant expenditures is appropriated to the commissioner for adoption grants and foster care and adoption administrative purposes.

Adoption Assistance Incentive Grants. Federal funds available during fiscal year 2010 and fiscal year 2011 for the adoption incentive grants are appropriated to the commissioner for these purposes.

Adoption Assistance and Relative Custody Assistance. The commissioner may transfer unencumbered appropriation balances for adoption assistance and relative custody assistance between fiscal years and between programs.

(g) Children and Community Services Grants

Targeted Case Management Temporary Funding Adjustment. The commissioner shall recover from each county and tribe receiving a targeted case management temporary funding payment in fiscal year 2008 an amount equal to that payment. The commissioner shall recover one-half of the funds by February 1, 2010, and the remainder by February 1, 2011. At the commissioner's discretion and at the request of a county or tribe, the commissioner may revise the payment schedule, but full payment must not be delayed beyond May 1, 2011. The commissioner may use the recovery procedure under Minnesota Statutes, section 256.017, to recover the funds. Recovered funds must be deposited into the general fund.

(h) General Assistance Grants

General Assistance Standard. The commissioner shall set the monthly standard of assistance for general assistance units consisting of an adult recipient who is childless and unmarried or living apart from parents or a legal guardian at $203. The commissioner may reduce this amount according to Laws 1997, chapter 85, article 3, section 54.

Combining Emergency Assistance for MSA and GA. The amount appropriated for emergency general assistance funds is limited to no more than $8,989,812 in fiscal year 2010 and $8,989,812 in fiscal year 2011. Funds to counties must be allocated by the commissioner using the allocation method specified in Minnesota Statutes, section 256D.06.

(i) Minnesota Supplemental Aid Grants
(j) Group Residential Housing Grants

(k) Other Children and Economic Assistance Grants

Homeless and Runaway Youth. $238,000 in fiscal year 2010 is for the Runaway and Homeless Youth Act under Minnesota Statutes, section 256K.45. Funds shall be spent in each area of the continuum of care to ensure that programs are meeting the greatest need. Any unexpended balance in the first year is available in the second year. Beginning July 1, 2011, the base is increased by $119,000 each year.

Foodshelf Programs. $275,000 in fiscal year 2010 is for foodshelf programs under Minnesota Statutes, section 256E.34. This is a onetime appropriation and is available until expended. This appropriation is to complement the federal funding under the American Recovery and Reinvestment Act.

Supportive Housing Services. $1,500,000 each year is for supportive services under Minnesota Statutes, section 256K.26. This is a onetime appropriation. Beginning in fiscal year 2012, the base is increased by $68,000 per year.

Community Action Grants. Community action grants are reduced one time by $1,764,000 each year. This reduction is due to the availability of federal funds under the American Recovery and Reinvestment Act.

(l) Children's Mental Health Grants

Funding Usage. Up to 75 percent of a fiscal year's appropriation for children's mental health grants may be used to fund allocations in that portion of the fiscal year ending December 31.

Subd. 5. Children and Economic Assistance Management

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) Children and Economic Assistance Administration

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>General</th>
<th>Federal TANF</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10,218,000</td>
<td>496,000</td>
</tr>
<tr>
<td></td>
<td>10,208,000</td>
<td>496,000</td>
</tr>
</tbody>
</table>

(b) Children and Economic Assistance Operations
Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>33,773,000</td>
<td>33,423,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>361,000</td>
<td>361,000</td>
</tr>
</tbody>
</table>

Financial Institution Data Match and Payment of Fees. The commissioner is authorized to allocate up to $310,000 each year in fiscal years 2010 and 2011 from the PRISM special revenue account to make payments to financial institutions in exchange for performing data matches between account information held by financial institutions and the public authority's database of child support obligors as authorized by Minnesota Statutes, section 13B.06, subdivision 7.

Subd. 6. Basic Health Care Grants

ARRA Food Support Administration. The funds available for food support administration under American Recovery and Reinvestment Act of 2009 must be appropriated to the commissioner for implementing the food support benefit increases, increased eligibility determinations and outreach. Of these funds, 20 percent shall be allocated to the commissioner and 80 percent must be allocated to counties. The commissioner shall reimburse counties proportionate to their food support caseload based on data for the most recent quarter available. Tribal reimbursement must be made from the state portion based on a caseload factor equivalent to that of a county.

Expenditure Limit; Critical Access Dental. For calendar years beginning on or after January 1, 2010, the commissioner shall limit annual expenditures for the critical access dental provider program under Minnesota Statutes, sections 256B.76, subdivisions 4 and 4a, and 256L.11, subdivision 7, to 75 percent of the expenditure level for the calendar year ending December 31, 2008.

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

(a) MinnesotaCare Grants 414,258,000 500,972,000

This appropriation is from the health care access fund.

(b) MA Basic Health Care Grants - Families and Children 755,232,000 983,066,000

Medical Education Research Costs (MERC). Of these funds, the commissioner of human services shall transfer $38,000,000 in fiscal year 2010 to the medical education research fund. These funds must restore the fiscal year 2009 unallotment of the transfers under Minnesota Statutes, section 256B.69, subdivision 5c, paragraph (a), for the July 1, 2008, through June 30, 2009, period.
Local Share Payment Modification Required for ARRA Compliance. Effective retroactively from October 1, 2008, to June 30, 2009, the state shall reduce Hennepin County's monthly contribution to the nonfederal share of medical assistance costs to the percentage required on September 1, 2008, to meet federal requirements for enhanced federal match under the American Reinvestment and Recovery Act of 2009. Notwithstanding the requirements of Minnesota Statutes 2008, section 256B.19, subdivision 1c, paragraph (d), for the period beginning October 1, 2008, to June 30, 2009, Hennepin County's monthly payment under that provision is reduced to $434,688.

Capitation Payments. Effective retroactively from October 1, 2008, to December 31, 2010, and notwithstanding the requirements of Minnesota Statutes 2008, section 256B.19, subdivision 1c, paragraph (c), the commissioner of human services shall increase capitation payments made to the Metropolitan Health Plan under Minnesota Statutes 2008, section 256B.69, by $6,800,000 to recognize higher than average medical education costs. The increased amount includes federal matching money.

(c) MA Basic Health Care Grants - Elderly and Disabled

<table>
<thead>
<tr>
<th></th>
<th>FY 2009</th>
<th>FY 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>969,033,000</td>
<td>1,177,128,000</td>
<td></td>
</tr>
</tbody>
</table>

(d) General Assistance Medical Care Grants

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>FY 2009</th>
<th>FY 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>237,043,000</td>
<td>380,536,000</td>
</tr>
<tr>
<td>Federal</td>
<td>104,300,000</td>
<td>0</td>
</tr>
</tbody>
</table>

Use of Federal Funds. $99,300,000 in fiscal year 2010 is appropriated from the fiscal stabilization funds in the federal fund. This is a onetime appropriation.

(e) Other Health Care Grants

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>FY 2009</th>
<th>FY 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>295,000</td>
<td>295,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>940,000</td>
<td>190,000</td>
</tr>
</tbody>
</table>

Subd. 7. Health Care Management

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) Health Care Administration
Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>General</th>
<th>Health Care Access</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>7,779,000</td>
<td>1,812,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>7,535,000</td>
<td>906,000</td>
</tr>
</tbody>
</table>

(b) Health Care Operations

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>General</th>
<th>Health Care Access</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>19,902,000</td>
<td>24,753,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>18,869,000</td>
<td>25,578,000</td>
</tr>
</tbody>
</table>

**Base Adjustment.** The health care access fund base is decreased by $62,000 in fiscal year 2012 and $149,000 in fiscal year 2013. The general fund base is decreased by $157,000 in fiscal year 2012 and $157,000 in fiscal year 2013.

Subd. 8. Continuing Care Grants

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) Aging and Adult Services Grants

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>General</th>
<th>Federal</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>13,186,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Federal</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

**Base Adjustment.** The general fund base is increased by $6,643,000 in fiscal year 2012 and $7,511,000 in fiscal year 2013.

**Information and Assistance Reimbursement.** Federal administrative reimbursement obtained from information and assistance services provided by the Senior LinkAge or Disability Linkage lines to people who are identified as eligible for medical assistance shall be appropriated to the commissioner for this activity.

**Community Service Development Grant Reduction.** Funding for community service development grants must be reduced by $240,000 per year for fiscal years 2010 and 2011. This reduction shall not adjust the base appropriation.

**Senior Nutrition Use of Federal Funds.** For fiscal year 2010, general fund grants for home-delivered meals and congregate dining shall be reduced by $500,000. The commissioner must replace these general fund reductions with equal amounts from federal funding for senior nutrition from the American Recovery and Reinvestment Act of 2009.
(b) Alternative Care Grants

Base Adjustment. The general fund base is decreased by $6,068,000 in fiscal year 2012 and $6,449,000 in fiscal year 2013.

Alternative Care Transfer. Any money allocated to the alternative care program that is not spent for the purposes indicated does not cancel but must be transferred to the medical assistance account.

(c) Medical Assistance Grants; Long-Term Care Facilities.

(d) Medical Assistance Long-Term Care Waivers and Home Care Grants

Manage Growth in TBI and CADI Waivers. During the fiscal years beginning on July 1, 2011, and July 1, 2012, the commissioner shall allocate money for home and community-based waiver programs under Minnesota Statutes, section 256B.49, to ensure a reduction in state spending that is equivalent to limiting the caseload growth of the TBI waiver to 12.5 allocations per month each year of the biennium and the CADI waiver to 95 allocations per month each year of the biennium. Limits do not apply: (1) when there is an approved plan for nursing facility bed closures for individuals under age 65 who require relocation due to the bed closure; (2) to fiscal year 2009 waiver allocations delayed due to unallotment; or (3) to transfers authorized by the commissioner from the personal care assistance program of individuals having a home care rating of "CS," "MT," or "HL." Priorities for the allocation of funds must be for individuals anticipated to be discharged from institutional settings or who are at imminent risk of a placement in an institutional setting.

Manage Growth in DD Waiver. The commissioner shall manage the growth in the DD waiver by limiting the allocations included in the February 2009 forecast to 15 additional diversion allocations each month for the calendar years that begin on January 1, 2012, and January 1, 2013. Additional allocations must be made available for transfers authorized by the commissioner from the personal care program of individuals having a home care rating of "CS," "MT," or "HL."

Adjustment to Lead Agency Waiver allocations. Prior to the availability of the alternative license defined in Minnesota Statutes, section 245A.11, subdivision 8, the commissioner shall reduce lead agency waiver allocations for the purposes of implementing a moratorium on corporate foster care.

(e) Mental Health Grants
Funding Usage. Up to 75 percent of a fiscal year’s appropriation for adult mental health grants may be used to fund allocations in that portion of the fiscal year ending December 31.

Base Adjustment. The general fund base is reduced by $525,000 in fiscal year 2012 and $525,000 in fiscal year 2013.

(f) Deaf and Hard-of-Hearing Grants

(g) Chemical Dependency Entitlement Grants

Payments for Substance Abuse Treatment. For services provided in fiscal years 2010 and 2011, county-negotiated rates and provider claims to the consolidated chemical dependency fund must not exceed rates charged for services in excess of those in effect on January 1, 2009. If statutes authorize a cost-of-living adjustment during fiscal years 2010 and 2011, then notwithstanding any law to the contrary, fiscal years 2010 and 2011 rates must not exceed those in effect on January 2, 2009, plus any authorized cost-of-living adjustments.

Chemical Dependency Special Revenue Account. For fiscal year 2010, $750,000 must be transferred from the consolidated chemical dependency treatment fund administrative account and deposited into the general fund.

County CD Share of MA Costs for ARRA Compliance. Notwithstanding the provisions of Minnesota Statutes, chapter 254B, for chemical dependency services provided during the period July 1, 2009, to December 31, 2010, and reimbursed by medical assistance at the enhanced federal matching rate provided under the American Recovery and Reinvestment Act of 2009, the county share is 30 percent of the nonfederal share.

(h) Chemical Dependency Nonentitlement Grants

(i) Other Continuing Care Grants

Base Adjustment. The general fund base is decreased $1,076,000 in fiscal year 2012 and decreased $2,005,000 in fiscal year 2013.

Other Continuing Care Grants; HIV Grants. Money appropriated for the HIV drug and insurance grant program in fiscal year 2010 may be used in either year of the biennium.
Subd. 9. **Continuing Care Management**

**Appropriations by Fund**

<table>
<thead>
<tr>
<th>Fund</th>
<th>General</th>
<th>24,571,000</th>
<th>24,275,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Government</td>
<td>Special Revenue</td>
<td>875,000</td>
<td>125,000</td>
</tr>
<tr>
<td>Lottery Prize</td>
<td></td>
<td>157,000</td>
<td>157,000</td>
</tr>
</tbody>
</table>

**County Maintenance of Effort.** $350,000 in fiscal year 2010 is from the general fund for the State-County Results Accountability and Service Delivery Reform under Minnesota Statutes, chapter 402A.

The general fund base is decreased $2,211,000 in fiscal year 2012 and $2,156,000 in fiscal year 2013.

Subd. 10. **State-Operated Services**

The amounts that may be spent from the appropriation for each purpose are as follows:

**Transfer Authority Related to State-Operated Services.** Money appropriated to finance state-operated services may be transferred between the fiscal years of the biennium with the approval of the commissioner of finance.

**County Past Due Receivables.** The commissioner is authorized to withhold county federal administrative reimbursement when the county of financial responsibility for cost-of-care payments due the state under Minnesota Statutes, section 246.54 or 253B.045, is 90 days past due. The commissioner shall deposit the withheld federal administrative earnings for the county into the general fund to settle the claims with the county of financial responsibility. The process for withholding funds is governed by Minnesota Statutes, section 256.017.

**(a) Adult Mental Health Services**

**Appropriation Limitation.** No part of the appropriation in this article to the commissioner for mental health treatment services provided by state-operated services shall be used for the Minnesota sex offender program.

**Community Behavioral Health Hospitals.** Under Minnesota Statutes, section 246.51, subdivision 1, a determination order for the clients served in a community behavioral health hospital operated by the commissioner of human services is only required when a client’s third-party coverage has been exhausted.
(b) **Minnesota Sex Offender Services**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>64,843,000</td>
<td>67,503,000</td>
</tr>
</tbody>
</table>

(c) **Minnesota Security Hospital and METO Services**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>83,735,000</td>
<td>83,735,000</td>
</tr>
</tbody>
</table>

**Minnesota Security Hospital.** For the purposes of enhancing the safety of the public, improving supervision, and enhancing community-based mental health treatment, state-operated services may establish additional community capacity for providing treatment and supervision of clients who have been ordered into a less restrictive alternative of care from the state-operated services transitional services program consistent with Minnesota Statutes, section 246.014.

Sec. 4. **COMMISSIONER OF HEALTH**

**Subdivision 1. Total Appropriation**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$165,590,000</td>
<td>$161,787,000</td>
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</tbody>
</table>

Appropriations by Fund

<table>
<thead>
<tr>
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<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>73,699,000</td>
<td>64,171,000</td>
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<tr>
<td>State Government</td>
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<td></td>
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<tr>
<td>Special Revenue</td>
<td>45,433,000</td>
<td>45,789,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>34,725,000</td>
<td>40,094,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>11,733,000</td>
<td>11,733,000</td>
</tr>
</tbody>
</table>

**Subd. 2. Community and Family Health Promotion**

Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>43,761,000</td>
<td>38,501,000</td>
</tr>
<tr>
<td>State Government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>1,033,000</td>
<td>1,304,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>11,733,000</td>
<td>11,733,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>21,642,000</td>
<td>28,719,000</td>
</tr>
</tbody>
</table>

**Support Services for Families With Children Who are Deaf or Have Hearing Loss.** Of the state government special revenue fund amount, $18,000 in fiscal year 2010 and $271,000 in fiscal year 2011 is for support services to families with children who are deaf or have hearing loss. Of this amount, in fiscal year 2011, $198,000 is for grants and the balance is for administrative costs. Base funding in fiscal years 2012 and 2013 is $288,000 each year. Of this amount, $215,000 each year is for grants and the balance is for administrative costs.
**Funding Usage.** Up to 75 percent of the fiscal year 2012 appropriation for local public health grants may be used to fund calendar year 2011 allocations for this program. The general fund reduction of $5,060,000 in fiscal year 2011 for local public health grants is onetime and the base funding for local public health grants for fiscal year 2012 is increased by $5,060,000.

**Grants Reduction.** Effective July 1, 2009, base-level funding for general fund community and family health grants issued under this paragraph shall be reduced by 2.55 percent at the allotment level. Effective July 1, 2011, base-level funding for general fund community and family health grants issued under this paragraph shall be reduced by 5.5 percent at the allotment level. The positive alternatives grant is exempt from this reduction. The base for the positive alternatives grant is $2,357,000 per year.

**Colorectal Screening.** $100,000 in fiscal year 2010 is for grants to the Hennepin County Medical Center and MeritCare Bemidji for colorectal screening demonstration projects.

**Women’s Heart Health Pilot Project.** $100,000 in fiscal year 2010 is for the women’s heart health pilot project. This is a onetime appropriation and is available until expended.

**Feasibility Pilot Project for Cancer Surveillance.** Of this appropriation for fiscal year 2010, the commissioner of health must provide grant funding from the Department of Health’s current resources for the Chronic Disease and Environmental Epidemiology section. The grant must cover the cost of one full-time equivalent position at the Hennepin County Medical Center. The grant must be sufficient to cover the responsibilities associated with carrying out the feasibility pilot project but shall not exceed $100,000.

**TANF Appropriations.** (1) $1,156,000 of the TANF funds are appropriated each year to the commissioner for family planning grants under Minnesota Statutes, section 145.925.

(2) $3,579,000 of the TANF funds are appropriated each year to the commissioner for home visiting and nutritional services listed under Minnesota Statutes, section 145.882, subdivision 7, clauses (6) and (7). Funds must be distributed to community health boards according to Minnesota Statutes, section 145A.131, subdivision 1.

(3) $2,000,000 of the TANF funds are appropriated each year to the commissioner for decreasing racial and ethnic disparities in infant mortality rates under Minnesota Statutes, section 145.928, subdivision 7.
(4) $4,998,000 of the TANF funds are appropriated each year to the commissioner for the family home visiting grant program according to Minnesota Statutes, section 145A.17. $4,000,000 of the funding must be distributed to community health boards according to Minnesota Statutes, section 145A.131, subdivision 1. $998,000 of the funding must be distributed to tribal governments according to Minnesota Statutes, section 145A.14, subdivision 2a. The commissioner may use five percent of the funds appropriated each fiscal year to conduct the ongoing evaluations required under Minnesota Statutes, section 145A.17, subdivision 7, and may use ten percent of the funds appropriated each fiscal year to provide training and technical assistance as required under Minnesota Statutes, section 145A.17, subdivisions 4 and 5.

**TANF Carryforward.** Any unexpended balance of the TANF appropriation in the first year of the biennium does not cancel but is available for the second year.

**Subd. 3. Policy Quality and Compliance**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>13,069,000</td>
<td>8,801,000</td>
</tr>
<tr>
<td>State Government</td>
<td>14,173,000</td>
<td>14,276,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>13,083,000</td>
<td>11,375,000</td>
</tr>
</tbody>
</table>

**Rural Pharmacy Planning.** $100,000 in fiscal year 2010 is for the rural pharmacy planning and transition grant program under Minnesota Statutes, section 144.1476. The appropriation is available until expended.

**Value-Based Insurance Designs.** The commissioner of health, in consultation with the commissioner of human services, commerce, and Minnesota management and budget, shall study and report to the legislature on value-based insurance designs that vary enrollee cost-sharing based on clinical or cost-effectiveness of services. In performing this study, the commissioner shall consult with and seek input from health plans, health care providers, and employers. The commissioner shall report to the legislature by January 15, 2010.

**Health Information Technology.** Of the general fund appropriation, $4,000,000 is to fund the revolving loan account under Minnesota Statutes, section 62J.496. This appropriation must not be expended unless it is matched with federal funding under the federal Health Information Technology for Economic and Clinical Health (HITECH) Act. This appropriation must not be included in the agency's base budget for the fiscal year beginning July 1, 2012.
**Base Adjustment.** The general fund base is $8,801,000 in fiscal year 2012 and $8,593,000 in fiscal year 2013. The health care access fund base is $10,775,000 in fiscal year 2012 and $6,641,000 in fiscal year 2013. The state government special revenue fund base is $14,234,000 for each of fiscal years 2012 and 2013.

**Subd. 4. Health Protection**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>9,679,000</td>
<td>9,679,000</td>
</tr>
<tr>
<td>State Government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>30,227,000</td>
<td>30,209,000</td>
</tr>
</tbody>
</table>

**Grants Reduction.** Effective July 1, 2009, base-level funding for general fund health protection grants issued under this paragraph shall be reduced by 2.55 percent at the allotment level. Effective July 1, 2011, base-level funding for general fund health protection grants issued under this paragraph shall be reduced by 5.5 percent at the allotment level.

**Session Laws Adjustment.** (a) $163,000 each year is for the lead abatement grant program. This adjustment is onetime.

(b) $100,000 each year is for emergency preparedness and response activities. This adjustment is onetime. Of this amount, $50,000 each year is for tuberculosis prevention and control.

**Subd. 5. Administrative Support Services**

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>7,190,000</td>
<td>7,190,000</td>
</tr>
</tbody>
</table>

**Sec. 5. HEALTH-RELATED BOARDS**

**Subdivision 1. Total Appropriation**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
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<tbody>
<tr>
<td>$14,753,000</td>
<td>$15,036,000</td>
</tr>
</tbody>
</table>

This appropriation is from the state government special revenue fund.

**Transfer From Special Revenue Fund.** During the fiscal year beginning July 1, 2011, the commissioner of finance shall transfer $10,000,000 from the state government special revenue fund to the general fund. The boards must allocate this reduction to boards carrying a positive balance as of July 1, 2011.

The amounts that may be spent for each purpose are specified in the following subdivisions.

**Subd. 2. Board of Chiropractic Examiners**

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>492,000</td>
<td>509,000</td>
</tr>
</tbody>
</table>

**Subd. 3. Board of Dentistry**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1,100,000</td>
<td>1,136,000</td>
</tr>
</tbody>
</table>
Subd. 4. Board of Dietetic and Nutrition Practice  105,000  105,000

Subd. 5. Board of Marriage and Family Therapy  159,000  167,000

Subd. 6. Board of Medical Practice  3,682,000  3,682,000

Subd. 7. Board of Nursing  3,368,000  3,521,000

Subd. 8. Board of Nursing Home Administrators  1,358,000  1,262,000

Administrative Services Unit - Operating Costs. Of this appropriation, $524,000 in fiscal year 2010 and $526,000 in fiscal year 2011 are for operating costs of the administrative services unit. The administrative services unit may receive and expend reimbursements for services performed by other agencies.

Administrative Services Unit - Retirement Costs. Of this appropriation in fiscal year 2010, $201,000 is for onetime retirement costs in the health-related boards. This funding may be transferred to the health boards incurring those costs for their payment. These funds are available either year of the biennium.

Administrative Services Unit - Volunteer Health Care Provider Program. Of this appropriation, $79,000 in fiscal year 2010 and $89,000 in fiscal year 2011 are to pay for medical professional liability coverage required under Minnesota Statutes, section 214.40.

Administrative Services Unit - Contested Cases and Other Legal Proceedings. Of this appropriation, $200,000 in fiscal year 2010 and $200,000 in fiscal year 2011 are for costs of contested case hearings and other unanticipated costs of legal proceedings involving health-related boards funded under this section. Upon certification of a health-related board to the administrative services unit that the costs will be incurred and that there is insufficient money available to pay for the costs out of money currently available to that board, the administrative services unit is authorized to transfer money from this appropriation to the board for payment of those costs with the approval of the commissioner of finance. This appropriation does not cancel. Any unencumbered and unspent balances remain available for these expenditures in subsequent fiscal years.

Subd. 9. Board of Optometry  105,000  108,000

Subd. 10. Board of Pharmacy  1,509,000  1,579,000

Subd. 11. Board of Physical Therapy  346,000  356,000

Subd. 12. Board of Podiatry  61,000  64,000
Subd. 13. **Board of Psychology**

876,000  907,000

Subd. 14. **Board of Social Work**

958,000  996,000

Subd. 15. **Board of Veterinary Medicine**

240,000  250,000

Subd. 16. **Board of Behavioral Health and Therapy**

394,000  394,000

Sec. 6. **EMERGENCY MEDICAL SERVICES BOARD**

$4,024,000  $4,054,000

**Appropriations by Fund**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>3,288,000</td>
<td>3,288,000</td>
</tr>
<tr>
<td>State Government Special Revenue</td>
<td>736,000</td>
<td>766,000</td>
</tr>
<tr>
<td>Cooper/Sams Volunteer Ambulance Trust</td>
<td>625,000</td>
<td>0</td>
</tr>
</tbody>
</table>

**Longevity Award and Incentive Program.** Of the general fund appropriation, $700,000 in fiscal year 2010 and $700,000 in fiscal year 2011 are to the board for the ambulance service personnel longevity award and incentive program, under Minnesota Statutes, section 144E.40.

**Transfer.** In fiscal year 2010, $626,000 is transferred from the Cooper/Sams volunteer ambulance trust, established under Minnesota Statutes, section 144E.42, to the general fund.

**Health Professional Services Program.** $736,000 in fiscal year 2010 and $766,000 in fiscal year 2011 from the state government special revenue fund are for the health professional services program.

**Regional Medical Services Program.** (a) $400,000 in the first year is transferred from the Cooper/Sams volunteer ambulance trust to the emergency medical services system fund.

(b) $400,000 in the first year from the emergency medical services system fund is for the regional emergency medical services programs. This amount shall be distributed equally to the eight emergency medical service regions. Notwithstanding Minnesota Statutes, section 144E.50, 100 percent of the appropriation shall be passed on to the emergency medical service regions.

**Comprehensive Advanced Life-Support Educational (CALS) Program.** $100,000 in the first year from the Cooper/Sams volunteer ambulance trust is for the comprehensive advanced
life-support educational (CALS) program established under Minnesota Statutes, section 144E.37. This appropriation is to extend availability and affordability of the CALS program for rural emergency medical personnel and to assist hospital staff in attaining the credentialing levels necessary for implementation of the statewide trauma system.

**Emergency Medical Services for Children (EMS-C) Program.** $25,000 in the first year from the Cooper/Sams volunteer ambulance trust is for the emergency medical services for children (EMS-C) program. This appropriation is to meet increased need for medical training specific to pediatric emergencies.

Sec. 7. **DEPARTMENT OF VETERANS AFFAIRS**  
Veterans Paramedic Apprenticeship Program. $200,000 in the first year is from the Cooper/Sams volunteer ambulance trust to the commissioner of veterans affairs for a grant to the Minnesota Ambulance Association to implement a veterans paramedic apprenticeship program to reintegrate returning military medics into Minnesota's workforce in the field of paramedic and emergency services, thereby guaranteeing returning military medics gainful employment with livable wages and benefits. This appropriation is available until expended.

Sec. 8. **DEPARTMENT OF PUBLIC SAFETY**  
Medical Response Unit Reimbursement Pilot Program. (a) $250,000 in the first year is from the Cooper/Sams volunteer ambulance trust to the Department of Public Safety for a medical response unit reimbursement pilot program. Of this appropriation, $75,000 is for administrative costs to the Department of Public Safety, including providing contract staff support and technical assistance to the pilot program partners if necessary.

(b) Of the amount in paragraph (a), $175,000 is to the Department of Public Safety to be used to provide a predetermined reimbursement amount to the participating medical response units. The Department of Public Safety or its contract designee will develop an agreement with the medical response units outlining reimbursement and program requirements to include HIPAA compliance while participating in the pilot program.

Sec. 9. **COUNCIL ON DISABILITY**  
$524,000  $524,000

Sec. 10. **OMBUDSMAN FOR MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**  
$1,655,000  $1,580,000

Sec. 11. **OMBUDSPERSON FOR FAMILIES**  
$265,000  $265,000
Sec. 12. Laws 2007, chapter 147, article 19, section 3, subdivision 4, as amended by Laws 2008, chapter 277, article 5, section 1; and Laws 2008, chapter 363, article 18, section 7, is amended to read:

Subd. 4. **Children and Economic Assistance Grants**

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

(a) **MFIP/DWP Grants**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>62,069,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>75,904,000</td>
</tr>
</tbody>
</table>

(b) **Support Services Grants**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>8,715,000</td>
</tr>
<tr>
<td>Federal TANF</td>
<td>113,429,000</td>
</tr>
</tbody>
</table>

**TANF Prior Appropriation Cancellation.** Notwithstanding Laws 2001, First Special Session chapter 9, article 17, section 2, subdivision 11, paragraph (b), any unexpended TANF funds appropriated to the commissioner to contract with the Board of Trustees of Minnesota State Colleges and Universities, to provide tuition waivers to employees of health care and human service providers that are members of qualifying consortia operating under Minnesota Statutes, sections 116L.10 to 116L.15, must cancel at the end of fiscal year 2007.

**MFIP Pilot Program.** Of the TANF appropriation, $100,000 in fiscal year 2008 and $750,000 in fiscal year 2009 are for a grant to the Stearns-Benton Employment and Training Council for the Workforce U pilot program. Base level funding for this program shall be $750,000 in 2010 and $0 in 2011.

**Supported Work.** (1) Of the TANF appropriation, $5,468,000 in fiscal year 2008 is for supported work for MFIP participants, to be allocated to counties and tribes based on the criteria under clauses (2) and (3), and is available until expended. Paid transitional work experience and other supported employment under this rider provides a continuum of employment assistance, including outreach and recruitment, program orientation and intake, testing and assessment, job development and marketing, preworksite training, supported worksite experience, job coaching, and postplacement follow-up, in addition to extensive case management and referral services. *(The preceding text "and $7,291,000 in fiscal year 2009" was indicated as vetoed by the governor.)*
(2) A county or tribe is eligible to receive an allocation under this rider if:

(i) the county or tribe is not meeting the federal work participation rate;

(ii) the county or tribe has participants who are required to perform work activities under Minnesota Statutes, chapter 256J, but are not meeting hourly work requirements; and

(iii) the county or tribe has assessed participants who have completed six weeks of job search or are required to perform work activities and are not meeting the hourly requirements, and the county or tribe has determined that the participant would benefit from working in a supported work environment.

(3) A county or tribe may also be eligible for funds in order to contract for supplemental hours of paid work at the participant's child's place of education, child care location, or the child's physical or mental health treatment facility or office. This grant to counties and tribes is specifically for MFIP participants who need to work up to five hours more per week in order to meet the hourly work requirement, and the participant's employer cannot or will not offer more hours to the participant.

Work Study. Of the TANF appropriation, $750,000 each year are to the commissioner to contract with the Minnesota Office of Higher Education for the biennium beginning July 1, 2007, for work study grants under Minnesota Statutes, section 136A.233, specifically for low-income individuals who receive assistance under Minnesota Statutes, chapter 256J, and for grants to opportunities industrialization centers. *(The preceding text beginning 'Work Study. Of the TANF appropriation,' was indicated as vetoed by the governor.)*

Integrated Service Projects. $2,500,000 in fiscal year 2008 and $2,500,000 in fiscal year 2009 are appropriated from the TANF fund to the commissioner to continue to fund the existing integrated services projects for MFIP families, and if funding allows, additional similar projects.

Base Adjustment. The TANF base for fiscal year 2010 is $115,902,000 and for fiscal year 2011 is $115,152,000.

(c) MFIP Child Care Assistance Grants

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>74,654,000</td>
<td>71,951,000</td>
</tr>
</tbody>
</table>

(d) Basic Sliding Fee Child Care Assistance Grants

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>42,995,000</td>
<td>45,008,000</td>
</tr>
</tbody>
</table>
**Base Adjustment.** The general fund base is $44,881,000 for fiscal year 2010 and $44,852,000 for fiscal year 2011.

**At-Home Infant Care Program.** No funding shall be allocated to or spent on the at-home infant care program under Minnesota Statutes, section 119B.035.

(e) **Child Care Development Grants**

<table>
<thead>
<tr>
<th></th>
<th>4,390,000</th>
<th>6,390,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Prekindergarten Exploratory Projects.** Of the general fund appropriation, $2,000,000 the first year and $4,000,000 the second year are for grants to the city of St. Paul, Hennepin County, and Blue Earth County to establish scholarship demonstration projects to be conducted in partnership with the Minnesota Early Learning Foundation to promote children's school readiness. This appropriation is available until June 30, 2009.

**Child Care Services Grants.** Of this appropriation, $250,000 each year are for the purpose of providing child care services grants under Minnesota Statutes, section 119B.21, subdivision 5. This appropriation is for the 2008-2009 biennium only, and does not increase the base funding.

**Early Childhood Professional Development System.** Of this appropriation, $250,000 each year are for purposes of the early childhood professional development system, which increases the quality and continuum of professional development opportunities for child care practitioners. This appropriation is for the 2008-2009 biennium only, and does not increase the base funding.

**Base Adjustment.** The general fund base is $1,515,000 for each of fiscal years 2010 and 2011.

(f) **Child Support Enforcement Grants**

<table>
<thead>
<tr>
<th></th>
<th>11,038,000</th>
<th>3,705,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Child Support Enforcement.** $7,333,000 for fiscal year 2008 is to make grants to counties for child support enforcement programs to make up for the loss under the 2005 federal Deficit Reduction Act of federal matching funds for federal incentive funds passed on to the counties by the state.

This appropriation is available until June 30, 2009.

(g) **Children's Services Grants**
Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>63,647,000</td>
<td>71,147,000</td>
</tr>
<tr>
<td>Health Care Access</td>
<td>250,000</td>
<td>-0-</td>
</tr>
<tr>
<td>TANF</td>
<td>240,000</td>
<td>340,000</td>
</tr>
</tbody>
</table>

**Grants for Programs Serving Young Parents.** Of the TANF fund appropriation, $140,000 each year is for a grant to a program or programs that provide comprehensive services through a private, nonprofit agency to young parents in Hennepin County who have dropped out of school and are receiving public assistance. The program administrator shall report annually to the commissioner on skills development, education, job training, and job placement outcomes for program participants.

**County Allocations for Rate Increases.** County Children and Community Services Act allocations shall be increased by $197,000 effective October 1, 2007, and $696,000 effective October 1, 2008, to help counties pay for the rate adjustments to day training and habilitation providers for participants paid by county social service funds. Notwithstanding the provisions of Minnesota Statutes, section 256M.40, the allocation to a county shall be based on the county's proportion of social services spending for day training and habilitation services as determined in the most recent social services expenditure and grant reconciliation report.

**Privatized Adoption Grants.** Federal reimbursement for privatized adoption grant and foster care recruitment grant expenditures is appropriated to the commissioner for adoption grants and foster care and adoption administrative purposes.

**Adoption Assistance Incentive Grants.** Federal funds available during fiscal year 2008 and fiscal year 2009 for the adoption incentive grants are appropriated to the commissioner for these purposes.

**Adoption Assistance and Relative Custody Assistance.** The commissioner may transfer unencumbered appropriation balances for adoption assistance and relative custody assistance between fiscal years and between programs.

**Children's Mental Health Grants.** Of the general fund appropriation, $5,913,000 in fiscal year 2008 and $6,825,000 in fiscal year 2009 are for children's mental health grants. The purpose of these grants is to increase and maintain the state's children's mental health service capacity, especially for school-based mental health services. The commissioner shall require grantees to utilize all available third party reimbursement sources.
as a condition of using state grant funds. At least 15 percent of these funds shall be used to encourage efficiencies through early intervention services. At least another 15 percent shall be used to provide respite care services for children with severe emotional disturbance at risk of out-of-home placement.

Mental Health Crisis Services. Of the general fund appropriation, $2,528,000 in fiscal year 2008 and $2,850,000 in fiscal year 2009 are for statewide funding of children's mental health crisis services. Providers must utilize all available funding streams.

Children's Mental Health Evidence-Based and Best Practices. Of the general fund appropriation, $375,000 in fiscal year 2008 and $750,000 in fiscal year 2009 are for children's mental health evidence-based and best practices including, but not limited to: Adolescent Integrated Dual Diagnosis Treatment services; school-based mental health services; co-location of mental health and physical health care, and; the use of technological resources to better inform diagnosis and development of treatment plan development by mental health professionals. The commissioner shall require grantees to utilize all available third-party reimbursement sources as a condition of using state grant funds.

Culturally Specific Mental Health Treatment Grants. Of the general fund appropriation, $75,000 in fiscal year 2008 and $300,000 in fiscal year 2009 are for children's mental health grants to support increased availability of mental health services for persons from cultural and ethnic minorities within the state. The commissioner shall use at least 20 percent of these funds to help members of cultural and ethnic minority communities to become qualified mental health professionals and practitioners. The commissioner shall assist grantees to meet third-party credentialing requirements and require them to utilize all available third-party reimbursement sources as a condition of using state grant funds.

Mental Health Services for Children with Special Treatment Needs. Of the general fund appropriation, $50,000 in fiscal year 2008 and $200,000 in fiscal year 2009 are for children's mental health grants to support increased availability of mental health services for children with special treatment needs. These shall include, but not be limited to: victims of trauma, including children subjected to abuse or neglect, veterans and their families, and refugee populations; persons with complex treatment needs, such as eating disorders; and those with low incidence disorders.

MFIP and Children's Mental Health Pilot Project. Of the TANF appropriation, $100,000 in fiscal year 2008 and $200,000 in fiscal year 2009 are to fund the MFIP and children's mental health pilot project. Of these amounts, up to $100,000 may be expended on evaluation of this pilot.
Prenatal Alcohol or Drug Use. Of the general fund appropriation, $75,000 each year is to award grants beginning July 1, 2007, to programs that provide services under Minnesota Statutes, section 254A.171, in Pine, Kanabec, and Carlton Counties. This appropriation shall become part of the base appropriation.

Base Adjustment. The general fund base is $62,572,000 in fiscal year 2010 and $62,575,000 in fiscal year 2011.

(h) Children and Community Services Grants

| General | 101,369,000 | 69,208,000 |

Base Adjustment. The general fund base is $69,274,000 in each of fiscal years 2010 and 2011.

Targeted Case Management Temporary Funding. (a) Of the general fund appropriation, $32,667,000 in fiscal year 2008 is transferred to the targeted case management contingency reserve account in the general fund to be allocated to counties and tribes affected by reductions in targeted case management federal Medicaid revenue as a result of the provisions in the federal Deficit Reduction Act of 2005, Public Law 109-171.

(b) Contingent upon (1) publication by the federal Centers for Medicare and Medicaid Services of final regulations implementing the targeted case management provisions of the federal Deficit Reduction Act of 2005, Public Law 109-171, or (2) the issuance of a finding by the Centers for Medicare and Medicaid Services of federal Medicaid overpayments for targeted case management expenditures, up to $32,667,000 is appropriated to the commissioner of human services. Prior to distribution of funds, the commissioner shall estimate and certify the amount by which the federal regulations or federal disallowance will reduce targeted case management Medicaid revenue over the 2008-2009 biennium.

(c) Within 60 days of a contingency described in paragraph (b), the commissioner shall distribute the grants proportionate to each affected county or tribe's targeted case management federal earnings for calendar year 2005, not to exceed the lower of (1) the amount of the estimated reduction in federal revenue or (2) $32,667,000.

(d) These funds are available in either year of the biennium. Counties and tribes shall use these funds to pay for social service-related costs, but the funds are not subject to provisions of the Children and Community Services Act grant under Minnesota Statutes, chapter 256M.

(e) This appropriation shall be available to pay counties and tribes for expenses incurred on or after July 1, 2007. The appropriation shall be available until expended.
(i) **General Assistance Grants**

General  37,876,000  38,253,000

**General Assistance Standard.** The commissioner shall set the monthly standard of assistance for general assistance units consisting of an adult recipient who is childless and unmarried or living apart from parents or a legal guardian at $203. The commissioner may reduce this amount according to Laws 1997, chapter 85, article 3, section 54.

**Emergency General Assistance.** The amount appropriated for emergency general assistance funds is limited to no more than $7,889,812 in fiscal year 2008 and $7,889,812 in fiscal year 2009. Funds to counties must be allocated by the commissioner using the allocation method specified in Minnesota Statutes, section 256D.06.

(j) **Minnesota Supplemental Aid Grants**

General  30,505,000  30,812,000

**Emergency Minnesota Supplemental Aid Funds.** The amount appropriated for emergency Minnesota supplemental aid funds is limited to no more than $1,100,000 in fiscal year 2008 and $1,100,000 in fiscal year 2009. Funds to counties must be allocated by the commissioner using the allocation method specified in Minnesota Statutes, section 256D.46.

(k) **Group Residential Housing Grants**

General  91,069,000  98,671,000

**People Incorporated.** Of the general fund appropriation, $460,000 each year is to augment community support and mental health services provided to individuals residing in facilities under Minnesota Statutes, section 256I.05, subdivision 1m.

(l) **Other Children and Economic Assistance Grants**

General  20,183,000  16,333,000

Federal TANF  1,500,000  1,500,000

**Base Adjustment.** The general fund base shall be $16,033,000 in fiscal year 2010 and $15,533,000 in fiscal year 2011. The TANF base shall be $1,500,000 in fiscal year 2010 and $1,181,000 in fiscal year 2011.
Homeless and Runaway Youth. Of the general fund appropriation, $500,000 each year are for the Runaway and Homeless Youth Act under Minnesota Statutes, section 256K.45. Funds shall be spent in each area of the continuum of care to ensure that programs are meeting the greatest need. This is a onetime appropriation.

Long-Term Homelessness. Of the general fund appropriation, $2,000,000 in fiscal year 2008 is for implementation of programs to address long-term homelessness and is available in either year of the biennium. This is a onetime appropriation.

Minnesota Community Action Grants. (a) Of the general fund appropriation, $250,000 each year is for the purposes of Minnesota community action grants under Minnesota Statutes, sections 256E.30 to 256E.32. This is a onetime appropriation.

(b) Of the TANF appropriation, $1,500,000 each year is for community action agencies for auto repairs, auto loans, and auto purchase grants to individuals who are eligible to receive benefits under Minnesota Statutes, chapter 256J, or who have lost eligibility for benefits under Minnesota Statutes, chapter 256J, due to earnings in the prior 12 months. Base level funding for this activity shall be $1,500,000 in fiscal year 2010 and $1,181,000 in fiscal year 2011. * (The preceding text beginning "(b) Of the TANF appropriation," was indicated as vetoed by the governor.)

(c) Money appropriated under paragraphs (a) and (b) that is not spent in the first year does not cancel but is available for the second year.

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

Sec. 13. FEDERAL STIMULUS FUNDS; REPORT.

By February 15, 2010, the commissioner of health shall submit to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public health and public safety finance a report on how funds from the American Recovery and Reinvestment Act of 2009 are used: (1) to support advancing the objectives of the Minnesota Department of Health's Sexual Violence Prevention Plan; and (2) to support any pilot programs that might demonstrate and evaluate how use of community-based prevention grants might serve as a model for future investment of state resources to help advance the department's Sexual Violence Prevention Plan.

Sec. 14. EMERGENCY SERVICES SHELTER GRANTS FROM AMERICAN RECOVERY AND REINVESTMENT ACT.

To the extent permitted under federal law, the commissioner of human services, when determining the uses of the emergency services shelter grants provided under the American Recovery and Reinvestment Act, shall give priority to programs that serve the following:

(1) homeless youth:
(2) American Indian women who are victims of trafficking;

(3) high-risk adult males considered to be very likely to enter or reenter state or county correctional programs, or chemical and mental health programs;

(4) battered women; and

(5) families affected by foreclosure.

Sec. 15. TRANSFERS.

Subdivision 1. Grants. The commissioner of human services, with the approval of the commissioner of finance, and after notification of the chairs of the relevant senate budget division and house of representatives finance division committee, may transfer unencumbered appropriation balances for the biennium ending June 30, 2011, within fiscal years among the MFIP, general assistance, general assistance medical care, medical assistance, MinnesotaCare, MFIP child care assistance under Minnesota Statutes, section 119B.05, Minnesota supplemental aid, and group residential housing programs, and the entitlement portion of the chemical dependency consolidated treatment fund, and between fiscal years of the biennium.

Subd. 2. Administration. Positions, salary money, and nonsalary administrative money may be transferred within the Departments of Human Services and Health as the commissioners consider necessary, with the advance approval of the commissioner of finance. The commissioner shall inform the chairs of the relevant house and senate health committees quarterly about transfers made under this provision.

Sec. 16. EXPIRATION OF UNCODIFIED LANGUAGE.

All uncodified language contained in this article expires on June 30, 2011, unless a different expiration date is explicit.

Sec. 17. EFFECTIVE DATE.

The provisions in this article are effective July 1, 2009, unless a different effective date is specified."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "for health and human services" and insert "to various state agencies for health and human services provisions"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 680 and 1362 were read for the second time.
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sterner introduced:

H. F. No. 2349, A bill for an act relating to taxation; sales and use; expanding eligibility and increasing fund-raising sales exemption for nonprofits; amending Minnesota Statutes 2008, section 297A.70, subdivision 13.

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

Sterner introduced:

H. F. No. 2350, A bill for an act relating to taxation; sales and use; increasing fund-raising sales exemption for nonprofits; amending Minnesota Statutes 2008, section 297A.70, subdivision 13.

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

Masin, Obermueller and Slocum introduced:

H. F. No. 2351, A bill for an act relating to traffic regulations; prohibiting certain use of cellular phones while driving; amending Minnesota Statutes 2008, section 169.475.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Mariani, Slawik, Hornstein and Rukavina introduced:

H. F. No. 2352, A bill for an act relating to employment; enabling low-income workers to meet basic needs; providing child care assistance to low-income workers; increasing working family credit; increasing minimum wage; amending Minnesota Statutes 2008, sections 119B.02, subdivisions 1, 2; 119B.03, subdivisions 3, 9, 10; 119B.035, subdivisions 1, 2, 4, 5; 119B.05, subdivision 5; 119B.08; 119B.09, subdivisions 4a, 7; 119B.10; 119B.11, subdivision 1; 119B.12, subdivision 2; 119B.15; 119B.24; 290.0671, subdivisions 1, 7; repealing Minnesota Statutes 2008, sections 119B.011, subdivisions 20, 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.05, subdivision 1; 119B.07; 119B.09, subdivision 3; 119B.11, subdivision 4.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:
H. F. No. 1122, A bill for an act relating to appropriations; appropriating money for agriculture, the Board of Animal Health, Rural Finance Authority, veterans, and the military; changing certain agricultural and animal health requirements and programs; establishing a program; eliminating a sunset; requiring certain studies and reports; amending Minnesota Statutes 2008, sections 3.737, subdivision 1; 3.7371, subdivision 3; 13.643, by adding a subdivision; 17.115, subdivision 2; 18.75; 18.76; 18.77, subdivisions 1, 3, 5, by adding subdivisions; 18.78, subdivision 1, by adding a subdivision; 18.79; 18.80, subdivision 1; 18.81, subdivision 3, by adding subdivisions; 18.82, subdivisions 1, 3; 18.83; 18.84, subdivisions 1, 2, 3; 18.86; 18.87; 18.88; 18B.01, subdivision 8, by adding subdivisions; 18B.065, subdivisions 1, 2, 2a, 3, 7, by adding subdivisions; 18B.26, subdivisions 1, 3; 18B.31, subdivisions 3, 4; 18B.37, subdivision 1; 18C.415, subdivision 3; 18C.421; 18C.425, subdivisions 4, 6; 18E.03, subdivisions 2, 4; 18E.06; 18H.02, subdivision 12a, by adding subdivisions; 18H.07, subdivisions 2, 3; 18H.09; 18H.10; 28A.085, subdivision 1; 28A.21, subdivision 5; 31.94; 32.394, subdivision 8; 41A.09, subdivisions 2a, 3a; 41B.039, subdivision 2; 41B.04, subdivision 8; 41B.042, subdivision 4; 41B.043, subdivision 1b; 41B.045, subdivision 2; 43A.11, subdivision 7; 43A.23, subdivision 1; 97A.045, subdivision 1; 171.06, subdivision 3; 171.07, by adding a subdivision; 171.12, by adding a subdivision; 197.455, subdivision 1; 197.46; 198.003, by adding subdivisions; 239.791, subdivisions 1, 1a; 336.9-601; 343.11; 550.365, subdivision 2; 559.209, subdivision 2; 582.039, subdivision 2; 583.215; 626.8517; Laws 2008, chapter 297, article 2, section 26, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 17; 18; 18B; 31; 41A; 41B; 41H; 171.06, subdivision 3; repealing Minnesota Statutes 2008, sections 17.49, subdivision 3; 18G.12, subdivision 5; 38.02, subdivisions 3, 4; 41.51; 41.52; 41.53; 41.55; 41.56; 41.57; 41.58, subdivisions 1, 2; 41.59, subdivision 1; 41.60; 41.61, subdivision 1; 41.62; 41.63; 41.65; Minnesota Rules, part 1505.0820.

The Senate has appointed as such committee:

Senators Vickerman, Dille, Skogen, Erickson Ropes and Fobbe.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1301, A bill for an act relating to public safety; providing for public safety, courts, and corrections including requirements for predatory offenders regarding registration, computer access, electronic solicitation, and special license plates; crime victims of criminal sexual conduct and domestic abuse; domestic fatality review teams; public defenders eligibility for representation, appointment, and reimbursement; courts regarding judges’ evidence from recording equipment in a law enforcement vehicle; driver’s license reinstatement diversion pilot program; driver’s license records; corrections regarding probation, pretrial release, and correctional officers, sentencing, and evidence-based practices for community supervision; sentencing guidelines; emergency response team; controlled substances; financial crimes; unsafe recalled toys; animal fighting; public employer consideration of criminal records in hiring; peace officer and public safety dispatcher employment; assault on public utility workers; trespass in police cordoned-off areas; peace officer education; communications regarding criminal history, background checks, warrant information, CIBRS data, criminal justice data, and Statewide Radio Board; authorizing requests for proposals to replace alcohol concentration breath testing devices; providing for boards, task forces, and programs; providing for reports; providing for penalties; amending Minnesota Statutes 2008, sections 12.03, by adding a subdivision; 13.87, subdivision 1; 122A.18, subdivision 8; 123B.03, subdivision 1; 152.02, subdivisions 6, 12; 152.027, by adding a subdivision; 169.71, subdivision 1; 243.166, subdivisions 1a, 4, 4b, 6; 244.05, subdivision 6;
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244.052, subdivision 1; 246.13, subdivision 2; 253B.141, subdivision 1; 299A.681; 299C.115; 299C.17; 299C.21;
299C.40, subdivisions 1, 2; 299C.46, subdivision 1; 299C.52, subdivisions 1, 3, 4; 299C.53, subdivision 1; 299C.62,
subdivision 1; 299C.65, subdivisions 1, 5; 299C.68, subdivision 2; 343.31, subdivision 1; 357.021, subdivision 6;
388.24, subdivision 4; 401.025, subdivision 1; 401.065, subdivision 3a; 403.36, subdivision 2, by adding a
subdivision; 471.59, by adding subdivisions; 480.23; 484.91, subdivision 1; 491A.03, subdivision 1; 518.165,
subdivision 5; 518B.01, subdivisions 2, 20; 524.5-118, subdivision 2; 609.131, subdivision 1; 609.223, by adding a
subdivision; 609.352, subdivision 2a; 609.605, subdivision 1; 611.17; 611.18; 611.20, subdivision 3; 611.21;
611.272; 611A.0315, subdivision 1; 626.843, subdivisions 1, 3; 626.845, subdivision 1; 626.863; 628.69,
subdivision 6; 629.34, subdivision 1; 629.341, subdivision 1; Laws 1999, chapter 216, article 2, section 27,
subdivisions 1, as amended, 3c, as added, 4; proposing coding for new law in Minnesota Statutes, chapters 12; 168;
169A; 244; 260B; 325F; 364; 634; repealing Minnesota Statutes 2008, sections 260B.199, subdivision 2; 260B.201,
subdivision 3; 299C.61, subdivision 8; 299C.67, subdivision 3; 383B.65, subdivision 2; 403.36, subdivision 1f;
Laws 2002, chapter 266, section 1, as amended.

The Senate has appointed as such committee:

Senators Moua; Olson, M.; Ortman; Higgins and Betzold.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Madam Speaker:

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

S. F. No. 2081, A bill for an act relating to economic development and housing; establishing and modifying
certain programs; providing for regulation of certain activities and practices; amending certain unemployment
insurance provisions; providing for accounts, assessments, and fees; changing codes and licensing provisions;
amending Iron Range resources provisions; regulating debt management and debt settlement services; increasing
certain occupation license fees; making technical changes; proposing coding for new law in Minnesota Statutes, chapters 12; 168;
169A; 244; 260B; 325F; 364; 634; repealing Minnesota Statutes 2008, sections 260B.199, subdivision 2; 260B.201,
subdivision 3; 299C.61, subdivision 8; 299C.67, subdivision 3; 383B.65, subdivision 2; 403.36, subdivision 1f;
Laws 2002, chapter 266, section 1, as amended.
subdivisions 3, 16; 326B.94, subdivision 4; 326B.972; 326B.986, subdivisions 2, 5, 8; 327B.04, subdivisions 7, 8, by adding a subdivision; 327C.03, by adding a subdivision; 327C.095, subdivision 12; 322A.02, subdivisions 5, 8, 9, 10, 13, by adding subdivisions; 322A.04, subdivision 6; 322A.08; 322A.10; 322A.11, subdivision 2; 322A.14; 469.169, subdivision 3; Laws 1998, chapter 404, section 23, subdivision 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 1; 116J; 137; 161; 268; 298; 326B; proposing coding for new law as Minnesota Statutes, chapter 332B; repealing Minnesota Statutes 2008, sections 116J.402; 116J.413; 116J.58, subdivision 1; 116J.59; 116J.61; 116J.656; 116L.16; 116L.88; 116U.65; 129D.13, subdivision 4; 176.135, subdivision 1b; 268.085, subdivision 14; 268.086; Minnesota Rules, part 1350.8300.

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

Senators Tomassoni, Metzen, Sparks, Kelash and Koch.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Rukavina moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2081. The motion prevailed.

Madam Speaker:

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

S. F. No. 2083, A bill for an act relating to higher education; classifying data; amending postsecondary education provisions; setting deadlines; allowing certain advertising; establishing the Minnesota P-20 education partnership; regulating course equivalency guides; requiring notice to prospective students; requiring lists of enrolled students; amending Minnesota Office of Higher Education responsibilities; establishing programs; defining terms; regulating grants, scholarships, and work-study; requiring an annual certificate; regulating certain board membership provisions; requiring job placement impact reviews; regulating oral health care practitioner provisions; establishing fees; providing criminal penalties; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 13.3215; 124D.09, subdivision 9; 135A.08, subdivision 1; 135A.17, subdivision 2; 135A.25, subdivision 4; 136A.08, subdivision 1, by adding a subdivision; 136A.101, subdivision 5a; 136A.121, by adding subdivisions; 136A.127, subdivisions 2, 4, 9, 10, 12, 14, by adding a subdivision; 136A.1701, subdivision 10; 136A.87; 136F.02, subdivision 1; 136F.03, subdivision 4; 136F.04, subdivision 4; 136F.045; 136F.19, subdivision 1; 136F.31; 137.0245, subdivision 2; 137.0246, subdivision 2; 137.025, subdivision 1; 150A.01, by adding subdivisions; 150A.05, subdivision 2, by adding subdivisions; 150A.06, subdivisions 2d, 5, 6, by adding subdivisions; 150A.08, subdivisions 1, 3a, 5; 150A.09, subdivisions 1, 3; 150A.091, subdivisions 2, 3, 5, 8, 10; 150A.10, subdivisions 1, 2, 3, 4; 150A.11, subdivision 4; 150A.12; 150A.21, subdivisions 1, 4; 151.01, subdivision 23; 151.37, subdivision 2; 201.061, subdivision 3; 299A.45, subdivision 1; Laws 2007, chapter 144, article 1, section 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 127A; 135A; 136A; 136F; 150A; repealing Minnesota Statutes 2008, sections 136A.127, subdivisions 8, 13; 150A.061.

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

Senators Pappas, Robling, Lynch, Latz and Erickson Ropes.
Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Rukavina moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2083. The motion prevailed.

Madam Speaker:

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

S. F. No. 802, A bill for an act relating to public safety; appropriating money for public safety, corrections, and other criminal justice agencies; requiring annual appropriation of money in Bureau of Criminal Apprehension account to commissioner of public safety; repealing the mandatory minimum sentences for predatory offender registration offenses and subsequent controlled substances offenses; providing a 90-day cap on incarceration for certain first-time supervised release violations; eliminating the requirement that judges impose a minimum sentence on felony DWI offenders; requesting the Sentencing Guidelines Commission to rerank the felony DWI offense; providing for supervised release of offenders; expanding the challenge incarceration program; requiring the Sentencing Guidelines Commission and the Departments of Corrections and Public Safety to review its reports; requiring Department of Corrections to annually report on felony DWI offenders; requiring that reports to the legislature by criminal justice agencies be submitted electronically; modifying and expanding the conditional release program for nonviolent drug offenders; including an advisory board for consultation with the commissioner of corrections for the conditional release program; repealing the conditional release program's sunset; authorizing correctional facilities to forward surcharges from offender wages to court or other entity collecting the surcharge; repealing reports on out-of-state juvenile placement; implementing the legislative auditor's recommendations relating to MINNCOR; requiring the licensure of firefighters; expanding the stay of adjudication provision for low-level controlled substance offenders; imposing criminal penalties; appropriating money; amending Minnesota Statutes 2008, sections 3.195, subdivision 1, by adding a subdivision; 152.021, subdivision 3; 152.022, subdivision 3; 152.023, subdivision 3; 152.024, subdivision 3; 152.025, subdivision 3; 152.18, subdivision 1; 169A.275, subdivisions 3, 4, 5; 169A.276, subdivisions 1, 2; 171.29, subdivision 2; 241.27, subdivision 1a, by adding subdivisions; 243.166, subdivision 5; 244.055, subdivisions 2, 3, 5, 7, by adding subdivisions; 244.17; 244.172, subdivision 1; 299N.02, subdivision 3; 357.021, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 244; 299N; repealing Minnesota Statutes 2008, sections 152.026; 244.055, subdivisions 6, 11; 260B.199, subdivision 2; 260B.201, subdivision 3; 325E.22.

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

Senators Higgins, Foley, Moua, Latz and Olson, M.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Paymar moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 802. The motion prevailed.
Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 936, A bill for an act relating to human services; specifying criteria for communities for a lifetime; requiring the Minnesota Board on Aging to study and report on communities for a lifetime; amending Minnesota Statutes 2008, section 256.975, by adding a subdivision.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Thissen moved that the House refuse to concur in the Senate amendments to H. F. No. 936, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 457, 477, 926, 1172, 1754, 501, 640, 806, 1147, 1323, 1566, 1189, 1464, 1503, 1569 and 1884.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 457, A bill for an act relating to health; modifying provisions for volunteer health practitioners; amending Minnesota Statutes 2008, section 145A.06, subdivision 8.

The bill was read for the first time.

Thissen moved that S. F. No. 457 and H. F. No. 521, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 477, A bill for an act relating to solid waste; requiring a pilot program to be implemented by paint manufacturers to recycle paint; amending Minnesota Statutes 2008, section 13.7411, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the first time.

Sailer moved that S. F. No. 477 and H. F. No. 569, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 926, A bill for an act relating to telecommunications; modifying provisions relating to reduced rate regulation and promotion activities; amending Minnesota Statutes 2008, sections 237.411, subdivision 2; 237.626; repealing Laws 2004, chapter 261, article 6, section 5, as amended.
The bill was read for the first time.

Juhnke moved that S. F. No. 926 and H. F. No. 1149, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1172, A bill for an act relating to state government; extending the exemption from alcohol and controlled substances testing; amending Minnesota Statutes 2008, section 221.031, subdivision 10.

The bill was read for the first time.

Rosenthal moved that S. F. No. 1172 and H. F. No. 1820, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1754, A bill for an act relating to religious corporations; permitting a church benefits board to act as a trustee of a trust; amending Minnesota Statutes 2008, section 317A.909.

The bill was read for the first time.

Simon moved that S. F. No. 1754 and H. F. No. 1823, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 501, A bill for an act relating to human services; expanding the definition of services available under medical assistance for disabled children's services; amending Minnesota Statutes 2008, section 252.27, subdivision 1a.

The bill was read for the first time.

Hosch moved that S. F. No. 501 and H. F. No. 581, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 640, A bill for an act relating to waters; providing for temporary drawdown of public waters; proposing coding for new law in Minnesota Statutes, chapter 103G.

The bill was read for the first time.

Rosenthal moved that S. F. No. 640 and H. F. No. 1539, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 806, A bill for an act relating to financial institutions; regulating payday lending; providing penalties and remedies; amending Minnesota Statutes 2008, sections 47.60, subdivisions 4, 6; 53.09, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 47.

The bill was read for the first time.

Davnie moved that S. F. No. 806 and H. F. No. 914, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 1147, A bill for an act relating to real property; modifying provisions governing orders to secure vacant property; specifying notice requirements; modifying provisions governing the reduced redemption period for abandoned property; establishing a duty to protect vacant foreclosed property under certain circumstances; providing for the imposition of fines for failure to maintain property; altering the posting requirement for trespassing on construction sites; modifying provisions governing public nuisances; imposing civil and criminal penalties; amending Minnesota Statutes 2008, sections 463.251, subdivisions 2, 3; 504B.151, subdivision 1; 504B.178, subdivision 8; 580.021, subdivision 1; 580.04, 580.041, subdivision 1a; 580.042, subdivision 1; 582.031; 582.032, subdivisions 2, 4, 5; 609.605, subdivision 1; 617.80, subdivision 7, by adding a subdivision; 617.81, subdivisions 2, 4.

The bill was read for the first time. 

Hayden moved that S. F. No. 1147 and H. F. No. 1394, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.


The bill was read for the first time. 

Gardner moved that S. F. No. 1323 and H. F. No. 1372, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1566, A bill for an act relating to human services; amending health care eligibility provisions for medical assistance, MinnesotaCare, and general assistance medical care; establishing a Drug Utilization Review Board; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2008, sections 62J.2930, subdivision 3; 245.494, subdivision 3; 256.015, subdivision 7; 256.969, subdivision 3a; 256B.037, subdivision 5; 256B.056, subdivisions 1c, 3c, 6; 256B.0625, by adding subdivisions; 256B.094, subdivision 3; 256B.195, subdivisions 1, 2, 3; 256B.69, subdivision 5a; 256B.77, subdivision 13; 256D.03, subdivision 3; 256L.01, by adding a subdivision; 256L.03, subdivision 5; 256L.15, subdivision 2; 507.092, by adding a subdivision; Laws 2005, First Special Session chapter 4, article 8, sections 54; 61; 63; 66; 74; repealing Minnesota Statutes 2008, sections 256B.031; 256L.01, subdivision 4; Laws 2005, First Special Session chapter 4, article 8, sections 21; 22; 23; 24.

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

S. F. No. 1189, A bill for an act relating to occupations and professions; requiring certain training for school district boiler operators; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

S. F. No. 1464, A bill for an act relating to state government; authorizing use of state space for employee fitness and wellness activities; authorizing rulemaking; amending Minnesota Statutes 2008, section 16B.24, by adding a subdivision.

The bill was read for the first time.

Paymar moved that S. F. No. 1464 and H. F. No. 1268, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 1503, A bill for an act relating to human services; changing child welfare provisions; modifying provisions governing adoption records; amending Minnesota Statutes 2008, sections 13.46, subdivision 2; 256.01, subdivision 14b; 259.52, subdivisions 2, 6; 259.89, subdivisions 1, 2, 4, by adding a subdivision; 260.012; 260.93; 260B.007, subdivision 7; 260B.157, subdivision 3; 260B.198, subdivision 1; 260C.007, subdivisions 18, 25; 260C.151, subdivisions 1, 2, 3, by adding a subdivision; 260C.163, by adding a subdivision; 260C.175, subdivision 1; 260C.176, subdivision 1; 260C.178, subdivisions 1, 3; 260C.201, subdivisions 1, 3, 5, 11; 260C.209, subdivision 3; 260C.212, subdivisions 1, 2, 4, 4a, 5, 7; 260D.02, subdivision 5; 260D.03, subdivision 1; 260D.07; 484.76, subdivision 2; Laws 2008, chapter 361, article 6, section 58; proposing coding for new law in Minnesota Statutes, chapter 260C; repealing Minnesota Statutes 2008, section 260C.209, subdivision 4.

The bill was read for the first time.

Hosch moved that S. F. No. 1503 and H. F. No. 1709, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1569, A bill for an act relating to economic development; providing for local collaborative projects to deliver employment, training, and education services.

The bill was read for the first time.

Haws moved that S. F. No. 1569 and H. F. No. 1850, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1884, A bill for an act relating to human services; modifying licensing requirements related to child care centers; amending Minnesota Statutes 2008, sections 245A.06, subdivision 8; 245A.07, subdivision 5; 245C.301.

The bill was read for the first time.

Murphy, E., moved that S. F. No. 1884 and H. F. No. 2124, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Sertich.

FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 1309.

H. F. No. 1309 was reported to the House.
Beard, Dill, Hortman, Severson and Eken moved to amend H. F. No. 1309, the second engrossment, as follows:

Page 18, after line 8, insert:

"Section 1. Minnesota Statutes 2008, section 16A.152, subdivision 2, is amended to read:

Subd. 2. Additional revenues; priority. (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money to the following accounts and purposes in priority order:

(1) the cash flow account established in subdivision 1 until that account reaches $350,000,000;

(2) the budget reserve account established in subdivision 1a until that account reaches $653,000,000;

(3) the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve; and

(4) the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, paragraph (b), and Laws 2003, First Special Session chapter 9, article 5, section 34, as amended by Laws 2003, First Special Session chapter 23, section 20, by the same amount; and

(5) to the state airports fund, the amount necessary to restore the amount transferred from the state airports fund under Laws 2008, chapter 363, article 11, section 3, subdivision 5.

(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) To the extent that a positive unrestricted budgetary general fund balance is projected, appropriations under this section must be made before section 16A.1522 takes effect.

(d) The commissioner of finance shall certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education shall increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hamilton and Magnus moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 2, delete line 18 and insert:

"Subdivision 1. Total Appropriation $1,855,219,000 $1,989,216,000"
Page 2, delete line 21 and insert:
"General 23,997,000 16,437,000"

Page 4, delete line 24 and insert:
"(d) Transit $23,842,000 $16,282,000"

Page 4, delete line 26 and insert:
"General 23,067,000 15,507,000"

Page 4, line 29, delete "$17,774,000" and insert "$23,067,000"

Page 4, after line 30, insert:
"Of this appropriation, $5,293,000 in each year is for grants to political subdivisions to begin or expand transit service where no service is currently available. The commissioner shall establish application procedures and criteria for financial assistance, subject to Minnesota Statutes, section 174.24."

Page 11, delete line 21 and insert:
"Subdivision 1. Total Appropriation $69,893,000 $69,893,000"

Page 12, delete lines 3 to 5

Amend the appropriations by the specified amounts and correct the totals and the appropriations by fund accordingly.

A roll call was requested and properly seconded.

The question was taken on the Hamilton and Magnus amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, B.    Demmer    Gottwalt    Kelly    Olin    Urdahl
Anderson, P.    Dettmer    Gunther    Kiffmeyer    Otremba    Ward
Beard        Doty    Hackbarth    Lanning    Pelowski    Welti
Bly            Drazkowski    Hamilton    Magnus    Poppe    Westrom
Brod          Eastlund    Haws    Marquart    Seifert
Brown         Emmer    Howes    Morrow    Severson
Buesgens       Falk    Jackson    Murdock    Shimanski
Cornish        Faust    Kalin    Nornes    Smith
Davids         Fritz    Kath    Norton    Torkelson

Those who voted in the negative were:

Abeler         Bigham    Champion    Dill    Eken    Hansen
Anderson, S.    Brynaert    Clark    Dittrich    Gardner    Hausman
Anzelc         Bunn    Davnie    Doepke    Garofalo    Hilstrom
Benson         Carlson    Dean    Downey    Greiling    Hilty
The motion did not prevail and the amendment was not adopted.

Buesgens moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 25, delete section 15

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Abeler  Dean  Gottwalt  Lanning  Peppin  Smith
Anderson, B.  Demmer  Gunther  Loon  Peterson  Sterner
Anderson, P.  Dettmer  Hackbarth  Mack  Rosenthal  Torkelson
Anderson, S.  Dittrich  Hamilton  Magnus  Ruud  Urdahl
Beard  Doepke  Holberg  Masin  Sanders  Westrom
Brod  Downey  Hoppe  McFarlane  Scalze  Zellers
Buesgens  Drazkowski  Howes  McNamara  Scott
Bunn  Eastlund  Kelly  Murdock  Seifert
Cornish  Emmer  Kiffmeyer  Nornes  Severson
Davids  Garofalo  Kohls  Obermueller  Shimanski

Those who voted in the negative were:

Anzelc  Dill  Haws  Kahn  Mahoney  Norton
Benson  Doty  Hilstrom  Kalin  Mariani  Olin
Bigham  Eken  Hilty  Kath  Marquart  Otremba
Bly  Falk  Hornstein  Knuth  Morgan  Paymar
Brown  Faust  Hortman  Koenen  Morrow  Pelowski
Brynaert  Fritz  Hosh  Laine  Mullery  Persell
Carlson  Gardner  Huntley  Lenczewski  Murphy, E.  Poppe
Champion  Greiling  Jackson  Lieder  Murphy, M.  Reintert
Clark  Hansen  Johnson  Lillie  Nelson  Rukavina
Davnie  Hausman  Juhnke  Loefller  Newton  Sailer
The motion did not prevail and the amendment was not adopted.

Magnus and Hamilton moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 25, after line 30, insert:

"Sec. 16. **LOAN AGREEMENTS TO BUY AND REHABILITATE RAIL LINE.**

(a) The commissioner of transportation shall enter into an agreement to either forgive any money due (approximately $2,851,118) on loan agreements 65572 and 67106 or convert the loans to grants. The loans were made to the Buffalo Ridge Regional Railroad Authority, which was established by Rock and Nobles Counties, to enable the counties to purchase and rehabilitate 41.4 miles of rail line providing transportation service to the counties.

(b) The agreement must ensure that all terms, provisions, and conditions of the loan agreements are deemed to be fully satisfied and performed on the part of the railroad authority and counties."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Buesgens moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 2, delete line 18 and insert:

"Subdivision 1. **Total Appropriation**

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>$1,855,219,000</td>
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Page 2, delete line 21 and insert:

"General

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<tr>
<td>23,997,000</td>
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</table>

Page 6, delete line 17 and insert:

"(c) **State Road Construction**

<p>| | |</p>
<table>
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<tbody>
<tr>
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<td>562,593,000</td>
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</table>

Appropriations by Fund

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>General</td>
<td>5,293,000</td>
</tr>
<tr>
<td>Trunk Highway</td>
<td>557,300,000</td>
</tr>
</tbody>
</table>

Page 6, line 18, after "appropriation" insert "from the trunk highway fund"
Page 7, after line 7, insert:

"The general fund appropriation in each year is for reconstruction of the interchange at marked Interstate Highway 494 and marked Trunk Highway 169."

Page 11, delete line 21 and insert:

"Subdivision 1. **Total Appropriation**

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>$69,893,000</td>
<td>$69,893,000</td>
</tr>
</tbody>
</table>

Page 12, delete lines 3 to 5

Amend the appropriations by the specified amounts and correct the totals and the appropriations by fund accordingly.

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 24 yeas and 105 nays as follows:

Those who voted in the affirmative were:

Anderson, S.  Demmer  Hackbarth  Lenczewski  Scott
Brod  Doepke  Hamilton  Loo  Seifert
Buesgens  Downey  Hoppe  Magnus  Smith
Cornish  Drazkowski  Howes  Rosenthal  Torkelson
Davids  Gunther  Kohls  Ruud

Those who voted in the negative were:

Abeler  Dittrich  Hornstein  Loeffler  Obermueller  Slawik
Anderson, B.  Doty  Hortman  Mack  Olin  Solcum
Anderson, P.  Eastlund  Hosch  Mahoney  Otrema  Solberg
Anzelc  Eken  Huntley  Mariani  Paymar  Sterner
Beard  Emmer  Jackson  Marquart  Pelowski  Swails
Benson  Falk  Johnson  Masin  Peppin  Thao
Bigham  Faust  Juhnke  McFarlane  Persell  Thissen
Bly  Fritz  Kahn  McNamara  Peterson  Tillberry
Brown  Gardner  Kalin  Morgan  Poppe  Urdahl
Brynaert  Garofalo  Kath  Morrow  Reinert  Ward
Bunn  Gottwalt  Kelly  Mullery  Rukavina  Welti
Carlson  Greiling  Kiffmeyer  Murdock  Sailer  Westrom
Champion  Hansen  Knuth  Murphy, E.  Sanders  Winkler
Clark  Hausman  Koenen  Murphy, M.  Scalze  Zellers
Davnie  Haws  Laine  Nelson  Sertich  Spk. Kelliher
Dean  Hilstrom  Lanning  Newton  Severson  Shimanski
Dettmer  Hilty  Lieder  Nornes  Shimpanski
Dill  Holberg  Lillie  Norton  Simon

The motion did not prevail and the amendment was not adopted.
Emmer moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 21, line 32, after "for" insert "(1)"

Page 21, line 33, before the period, insert "(1), and (2) persons over age 65"

Page 24, line 13, before "veterans" insert "(1)"

Page 24, line 14, before the period, insert "(1), and (2) persons over age 65"

Page 26, line 16, delete "to the Board of" and insert "for free transit service under Minnesota Statutes, section 473.408, subdivision 10."

Page 26, delete lines 17 to 31

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dean  Garofalo  Kelly  Nornes  Torkelson
Anderson, P.  Demmer  Gottwald  Kiffmeyer  Obermueller  Urda
Anderson, S.  Deitmer  Gunther  Kohls  Peppin  Westrom
Beard  Doepke  Hackbarth  Loon  Sanders  Winkler
Bigham  Downey  Hamilton  Mack  Scott  Zellers
Brod  Drazkowski  Holberg  Magnus  Seifert  
Buesgens  Eastlund  Hoppe  McFarlane  Severson  
Cornish  Emmer  Howes  McNamara  Shimanski  
Davids  Fritz  Kath  Murdock  Smith  

Those who voted in the negative were:

Abeler  Eken  Huntley  Loeffler  Otremba  Slawik
Anzide  Falk  Jackson  Mahoney  Paymar  Stocum
Benson  Faust  Johnson  Mariani  Pelowski  Solberg
Bly  Gardner  Juhnke  Marquart  Persell  Sterner
Brown  Greiling  Kahn  Masin  Peterson  Swails
Brynaert  Hansen  Kalin  Morgan  Poppe  Thao
Bunn  Hausman  Knuth  Morrow  Reinert  Thissen
Carlson  Haws  Koenen  Mullery  Rosenthal  Tillberry
Champion  Hayden  Laine  Murphy, E.  Rukavina  Ward
Clark  Hilstrom  Lanning  Murphy, M.  Ruud  Welti
Davnie  Hilty  Lenczewski  Nelson  Sailer  Spk. Kelliher
Dill  Hornstein  Liebling  Newton  Scalze  
Dittrich  Hortman  Lieder  Norton  Sertich  
Doty  Hosch  Lillie  Olin  Simon  

The motion did not prevail and the amendment was not adopted.
Emmer moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 26, line 14, delete "LAND USE AND PLANNING REPORT" and insert "TRANSPORTATION ACCESS INFRASTRUCTURE IMPROVEMENTS"

Page 26, line 16, delete "to the Board of" and insert "for actual metropolitan area infrastructure improvements that (1) expand access to and interconnections of transit facilities; (2) improve mobility for persons with disabilities, including pedestrian bridges and pedestrian paths; or (3) provide development of transit-oriented lifecycle housing."

Page 26, delete lines 17 to 31

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 57 yeas and 74 nays as follows:

Those who voted in the affirmative were:
Abeler
Anderson, B.
Anderson, P.
Anderson, S.
Bigham
Bly
Brod
Buesgens
Cornish
Davids
Dean
Demmer
Dettmer
Doepke
Downey
Drazkowski
Eastlund
Emmer
Faust
Fritz
Garofalo
Gottwald
Gunther
Hackbarth
Hamilton
Hoppe
Howes
Kalin
Kath
Kelly
Kiffmeyer
Kohls
Lanning
Loon
Mack
McFarlane
McNamara
Murdock
Nornes
Obermueller
Olin
Peppin
Reinert
Sanders
Scott
Seifert
Severson
Shimanski
Smith
Torkelson
Urdahl
Welti
Westrom
Winkler
Zellers

Those who voted in the negative were:
Anzelc
Beard
Benson
Brown
Brynaert
Bunn
Carlson
Champion
Clark
Davnie
Dill
Dittrich
Doty
Eken
Falk
Gardner
Greiling
Hansen
Hausman
Haws
Hayden
Hilstrom
Hilty
Horstein
Hortman
Hosch
Huntley
Jackson
Johnson
Juhnke
Kahn
Knuth
Koenen
Laine
Lenczewski
Liebling
Lieder
Lillie
Loeffler
Mahoney
Mariani
Marquart
Masin
Morgan
Morrow
Mullery
Murphy, E.
Murphy, M.
Newton
Norton
Otremba
Paymar
Pelowski
Persell
Peterson
Poppe
Rosenthal
Rukavina
Ruin
Sailer
Scalze
Sertich
Simon
Slocum
Solberg
Sterner
Swails
Thao
Thissen
Tillberry
Ward
Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Cornish moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 9, line 14, delete "$17,305,000" and insert "$15,380,000" and delete "$16,765,000" and insert "$12,676,000"
Page 14, line 20, delete "69,468,000" and insert "71,393,000" and delete "67,304,000" and insert "71,393,000"

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Cornish amendment and the roll was called. There were 52 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abeler          Davids          Faust          Howes          McFarlane       Shimanski
Anderson, P.    Dean            Garofalo       Kalin          McNamara       Smith
Anderson, S.    Demmer          Gottwald       Kath           Murdock         Sterner
Beard           Dettmer          Gunther        Kelly          Nornes          Swails
Bigham          Doepke          Hackbart       Kiffmeyer      Peppin          Torkelson
Brod            Downey          Hamilton       Kohls          Sanders         Urda\l
Buesgens        Drazkowski      Hilstrom       Loo\n            Loo\nBunn            Eastlund         Holberg        Mack           Sc\lze          Zellers
Cornish         Emmer           Hoppe          Magnus         Severson

Those who voted in the negative were:

Anderson, B.    Falk            Johnson        Marquart        Pelowski        Solberg
Anzlec          Fritz           Juhnke         Masin           Persell         Thao
Benson          Gardner         Kahn           Morgan         Peterson        Thissen
Bly             Greiling        Knuth          Morrow         Poppe           Tillberry
Brown           Hansen          Koenen         Mullery         Reinert         Ward
Brynaert        Hausman         Laine          Murphy, E.     Rosenthal       Welti
Carlson         Haws            Lanning        Murphy, M.     Rukavina        Westrom
Champion        Hayden          Lenczewski     Nelson         Ruud            Winkler
Clark            Hilty           Liebling       Newton         Sailer           Spk. Kelliher
Davnie          Hornstein       Lieder         Norton         Seifert
Dill            Hortman         Lillie         Obermueller    Sertich
Dittrich         Hosch           Loeffler       Olin            Simon
Doty            Huntley          Mahoney        Otremba         Slawik
Eken            Jackson         Mariani         Paymar         Slocum

The motion did not prevail and the amendment was not adopted.

Hoppe, Mack and Loon moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 24, after line 8, insert:

"Sec. 13. Minnesota Statutes 2008, section 473.388, subdivision 4, is amended to read:

Subd. 4. Financial assistance. (a) The council must grant the requested financial assistance if it determines that the proposed service is intended to replace the service to the applying city or town or combination thereof by the council and that the proposed service will meet the needs of the applicant at least as efficiently and effectively as the existing service."
(b) The amount of assistance which the council must provide to a system under this section may not be less than the sum of the amounts determined for each municipality comprising the system as follows:

(1) the transit operating assistance grants received under this subdivision by the municipality in calendar year 2001 or the tax revenues for transit services levied by the municipality for taxes payable in 2001, including that portion of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause (a), plus the portion of the municipality's aid under section 273.1398, subdivision 2, attributable to the transit levy; times

(2) the ratio of (i) an amount equal to 3.74 percent of the state revenues generated from the taxes imposed under chapter 297B for the current fiscal year to (ii) the total transit operating assistance grants received under this subdivision in calendar year 2001 or the tax revenues for transit services levied by all replacement service municipalities under this section for taxes payable in 2001, including that portion of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause (a), plus the portion of homestead and agricultural credit aid under section 273.1398, subdivision 2, attributable to nondebt transit levies, times

(3) the ratio of (i) the municipality's total taxable market value for taxes payable in 2006 divided by the municipality's total taxable market value for taxes payable in 2001, to (ii) the total taxable market value of all property located in replacement service municipalities for taxes payable in 2006 divided by the total taxable market value of all property located in replacement service municipalities for taxes payable in 2001.

(c) In addition to the amount of assistance calculated in paragraph (b), the council shall provide to each municipality an amount equal to:

(1) the total funds allocated to the municipality under paragraph (b) in a fiscal year, divided by the total funds received by the council from the revenues generated from the taxes imposed under chapter 297B in that fiscal year; times

(2) the total funds received by the council from the revenue under section 297A.815 in that fiscal year.

(d) The council shall pay the amounts to be provided to the recipient under this subdivision from the funds the council receives in the metropolitan area transit account under section 16A.88."

Page 25, line 24, after "section" insert "does not apply to the replacement service program under section 473.388, and"

Page 25, line 25, delete "473.388;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Buesgens moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 21, after line 12, insert:

"Sec. 6. Minnesota Statutes 2008, section 169.18, subdivision 1, is amended to read:

Subdivision 1. Keep to the right. (a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
(1) when overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(2) when the right half of a roadway is closed to traffic while under construction or repair;

(3) upon a roadway divided into three marked lanes for traffic under the rules applicable thereon;

(4) upon a roadway designated and signposted for one-way traffic as a one-way roadway;

(5) as necessary to comply with subdivision 11 when approaching an authorized emergency vehicle parked or stopped on the roadway; or

(6) as necessary to comply with subdivision 12 when approaching a road maintenance or construction vehicle parked or stopped on the roadway.

(b) The commissioner of transportation shall erect signs to the left of the left-most lane directing motorists to move to the right.

Renumber the sections in sequence and correct the internal references.

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 41 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abeler  Dettmer  Garofalo  Hosch  Mack  Shimanski
Anderson, B.  Doepke  Gunther  Howes  Magnus  Smith
Brod  Downey  Hackbart  Juhnke  McFarlane  Sterner
Buesgens  Drazkowski  Hamilton  Kiffmeyer  Peppin  Westrom
Davids  Eastlund  Hansen  Kohls  Rosenthal  Winkler
Dean  Emmer  Holberg  Lanning  Scott  Zellers
Demmer  Faust  Hoppe  Loon  Seifert

Those who voted in the negative were:

Anderson, P.  Clark  Hausman  Kath  Marquart  Norton
Anderson, S.  Cornish  Haws  Kelly  Masin  Obermueller
Anzelc  Davnie  Hayden  Knuth  McNamara  Olin
Beard  Dill  Hilstrom  Koenen  Morgan  Otrema
Benson  Dittrich  Hilty  Laine  Morrow  Paymar
Bigham  Doty  Hornstein  Lenczewski  Mullery  Pelowski
Bly  Eken  Hortman  Liebling  Murdoch  Persell
Brown  Falk  Huntley  Lieder  Murphy, E.  Peterson
Brynaert  Fritz  Jackson  Lillie  Murphy, M.  Poppe
Bunn  Gardner  Johnson  Loeffler  Nelson  Reinert
Carlson  Gottwald  Kahn  Mahoney  Newton  Rukavina
Champion  Greiling  Kalin  Mariani  Nornes  Ruud
Emmer moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 12, line 5, after the period, insert "By July 1, 2012, no more than 50 percent of the operating expenses of the Hiawatha light rail transit line may be paid by state, metropolitan, or local government funds. By July 1, 2014, no more than 25 percent of the operating expenses of the Hiawatha light rail transit line may be paid by state, metropolitan, or local government funds."

The motion did not prevail and the amendment was not adopted.

Liebling moved to amend H. F. No. 1309, the second engrossment, as amended, as follows:

Page 21, delete section 5

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

H. F. No. 1309, A bill for an act relating to transportation finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers and tort claims; authorizing an account and certain contingent appropriations; modifying previous appropriations provisions; modifying various provisions related to transportation finance and policy; modifying provisions related to speed limits, fracture-critical bridges, transit, passenger rail, motor vehicle lease sales tax revenue allocations, transit services, and the Buffalo Ridge Regional Rail Authority; requiring reports; amending Minnesota Statutes 2008, sections 16A.152, subdivision 2; 161.081, by adding a subdivision; 161.36, subdivision 7, as added; 162.12, subdivision 2; 169.14, by adding a subdivision; 174.24, subdivision 1a, by adding a subdivision; 174.50, by adding a subdivision; 297A.815, subdivision 3; 473.408, by adding a subdivision; Laws 2007, chapter 143, article 1, section 3, subdivision 2, as amended; Laws 2008, chapter 152, article 1, section 5; proposing coding for new law in Minnesota Statutes, chapters 161; 174.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 86 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeler  Benson  Brown  Carlson  Davnie  Doty
Anzelc  Bigham  Brynaert  Champion  Dill  Eken
Beard  Bly  Bunn  Clark  Dittrich  Falk
Faust  Hosch  Liebling  Murphy, M.  Reinert  Swails
Fritz  Huntley  Lieder  Nelson  Rosentahl  Thao
Gardner  Jackson  Lillie  Newton  Rukavina  Thissen
Greiling  Johnson  Loeffler  Norton  Ruud  Tillberry
Hansen  Juhnke  Mahoney  Obermueller  Sailer  Ward
Hausman  Kahn  Mariani  Olin  Scalze  Welti
Haws  Kalin  Marquart  Otremba  Sertich  Winkler
Hayden  Kath  Masin  Paymar  Simon  Spk. Kelliher
Hilstrom  Knuth  Morgan  Pelowski  Slawik  Spellicy
Hilty  Koenen  Morrow  Persell  Slocum  Spence
Hornstein  Laine  Mullery  Peterson  Solberg  Spickmiller
Hortman  Lenczewski  Murphy, E.  Poppe  Sterner  Sporken

Those who voted in the negative were:

Anderson, B.  Demmer  Gottwalt  Kiffmeyer  Murdock  Smith
Anderson, P.  Dettmer  Gunther  Kohls  Nornes  Torkelson
Anderson, S.  Doepke  Hack Barth  Lanning  Peppin  Udahl
Brod  Downey  Hamilton  Loon  Sanders  Westrom
Buesgens  Drazkowski  Holberg  Mack  Scott  Zellers
Cornish  Eastlund  Hoppe  Magnus  Seifert  Zellmer
Davids  Emmer  Howes  McFarlane  Severson  Zimmer
Dean  Garofalo  Kelly  McNamara  Shimanski  Zellers

The bill was passed, as amended, and its title agreed to.

CALENDAR FOR THE DAY

S. F. No. 462. A bill for an act relating to public safety; expanding the current DWI ignition interlock device pilot program by two years and applying it statewide; amending Minnesota Statutes 2008, sections 169A.275, subdivision 7; 171.306, subdivisions 1, 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Bunn  Doty  Gunther  Hosch  Kohls
Anderson, B.  Carlson  Downey  Hack Barth  Howes  Laine
Anderson, P.  Champion  Drazkowski  Hamilton  Huntley  Lanning
Anderson, S.  Clark  Eastlund  Eken  Hausman  Jackson  Liebling
Anzelc  Cornish  Emmer  Gardner  Haws  Juhnke  Lieder
Beard  Davids  Falk  Faust  Hayden  Kahn  Lille
Benson  Davnie  Fritz  Gardner  Hilstrom  Kalin  Loefl
Bigham  Dean  Greiling  Hortman  Kiffmeyer  Magnus
Bly  Demmer  Gardner  Horst  Knuth  Mahoney
Brod  Dettmer  Gardiner  Hoppe  Kelly  Mack
Brown  Dill  Gottwalt  Hornstein  Koons  Mariani
Brynaert  Dittrich  Greiling  Hortman  Koons  Mariani
The bill was passed and its title agreed to.

H. F. No. 111, A bill for an act relating to the State Board of Investment; requiring divestment from certain investments relating to Iran; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 11A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, S.
Anzelc
Benson
Bigham
Brod
Brown
Brynaert
Bunn
Carlson
Champion
Davids
Demmer
Dittrich

Abeler
Anderson, S.
Anzelc
Benson
Bigham
Brod
Brown
Brynaert
Bunn
Carlson
Champion
Davids
Demmer
Dittrich

Those who voted in the negative were:

Anderson, B.
Anderson, P.
Beard
Bly
Buesgens
Clark
Cornish
Davnie

Anderson, B.
Anderson, P.
Beard
Bly
Buesgens
Clark
Cornish
Davnie

The bill was passed and its title agreed to.
S. F. No. 261, A bill for an act relating to real property; making clarifying, technical, and conforming changes to transfer on death deeds; expanding common element certificates of title to include planned communities; exempting designated transfers from certain requirements; establishing procedures for cartways in cities; modifying power of attorney provision relating to real property transactions; amending Minnesota Statutes 2008, sections 272.115, subdivision 1, by adding a subdivision; 435.37, by adding a subdivision; 507.071, subdivision 20, by adding a subdivision; 507.092, subdivisions 1, 2; 508.351; 508.50; 508A.351; 508A.50; 523.17, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place H. F. No. 1362 on the Fiscal Calendar for Monday, April 27, 2009.

Simon moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 2323.
H. F. No. 2323 was reported to the House.

Lenczewski moved to amend H. F. No. 2323, the second engrossment, as follows:

Page 52, line 17, after the period, insert "If the county intends to impose the tax it must notify the commissioner of revenue of its intent by September 1, 2009."

Page 56, line 31, delete the comma and insert "; the reimbursement shall be used to defray the additional costs associated with court-ordered counsel under section 611.27."

Page 67, line 20, delete "is" and insert "are"

Page 67, line 25, delete "encouraging" and insert "encourage"

Page 67, line 28, delete "all"

Page 67, line 29, delete "health and human services programs and services required by state law. The commissioner" and insert "the following programs as required by state law;"

Page 67, after line 29, insert:

"(1) the Comprehensive Mental Health Acts, sections 245.461 to 245.4889, excluding case management services under section 256B.0625, subdivision 20, and children's residential treatment under section 256B.0945;

(2) the Consolidated Chemical Dependency Treatment Fund under chapter 254B;

(3) the Commitment and Treatment Act, chapter 253B, as it relates to individuals with mental illness or chemical dependency;

(4) hold orders under section 253B.045, subdivision 2;

(5) nursing facilities which are reimbursed through group residential housing under chapter 256I due to their status as Institutions for Mental Diseases;

(6) services for which the county makes payments under section 256B.19; and

(7) the local share of the costs related to services provided by regional treatment centers and state nursing facilities under section 246.54."

Page 67, line 30, before "of revenue" insert "(b) The commissioner"

Page 67, line 33, before "programs" insert "these" and after the period, insert "The commissioner shall make recommendations to the chairs of the house and senate committees dealing with health and human service funding and taxes, no later than January 1, 2011.;"

Page 68, line 1, delete "(b)" and insert "(c)"

Page 68, line 6, delete "were" and insert "would otherwise be" and after "services" insert "listed in paragraph (a)"

Page 68, line 7, delete "2011" and insert "2012 as if the county funding mechanisms for these programs and services for calendar year 2011 were still in effect"
Page 68, line 9, delete "(c)" and insert "(d)"

Page 68, line 12, delete "(d)" and insert "(e)"

Page 73, line 11, delete "256F.10, subdivision 7;"

Page 73, line 12, before the second period, insert ", contingent upon the implementation of alternative funding mechanisms for the sections being repealed, using the funding provided in section 256E.40, or other sections of law"

Page 166, after line 33, insert:

"(o) A sale of an audio digital product or an audio visual digital product to a person who sells the product to a customer by providing access through a jukebox or similar amusement device is a sale for resale."

Page 233, after line 4, insert:

"(12) Obligations issued by a school district to pay other postemployment benefits."

Page 233, line 5, strike "(12)" and insert "(13)"

Page 233, line 19, after the period, insert "A school district may issue bonds to pay postemployment benefits to employees or officers after their termination of service." and reinstate the stricken language

Page 233, lines 20 and 21, reinstate the stricken language

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker assumed the chair.

Olin, Welti, Gardner, Jackson, Doty, Rukavina and Anzelc moved to amend H. F. No. 2323, the second engrossment, as amended, as follows:

Page 176, line 25, before the second "Residential" insert "(a)"

Page 177, after line 2, insert:

"(b) Notwithstanding paragraph (a), residential heating fuel sold to a customer registered with their natural gas or electricity service provider and receiving assistance through a federal or state low-income home energy assistance program is exempt as follows:

(1) for the billing months of November, December, January, February, March, and April, natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat; and
(2) for the billing months of November, December, January, February, March, and April, electricity sold for residential use to customers who are metered and billed as residential customers and who use electricity for their primary source of residential heat.

A roll call was requested and properly seconded.

Kohls moved that H. F. No. 2323, as amended, be re-referred to the Committee on Ways and Means.

A roll call was requested and properly seconded.

The question was taken on the Kohls motion and the roll was called. There were 49 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abeler  Dean  Garofalo  Kelly  Murdock  Torkelson
Anderson, B.  Demmer  Gottwalt  Kiffmeyer  Nornes  Urdahl
Anderson, P.  Dettmer  Gunther  Kohls  Peppin  Westrom
Anderson, S.  Doepke  Hack Barth  Lanning  Sanders  Zellers
Beard  Doty  Hamilton  Loon  Scott  
Brod  Downey  Holberg  Mack  Seifert  
Buesgens  Drazkowski  Hoppe  Magnus  Severson  
Cornish  Eastlund  Howes  McFarlane  Shimanski  
Davids  Emmer  Jackson  McNamara  Smith  

Those who voted in the negative were:

Anzelc  Eken  Hosch  Loeffler  Olin  Simon  
Atkins  Falk  Huntley  Mahoney  Otremba  Slawik  
Benson  Faust  Johnson  Mariani  Paymar  Stlocum  
Bigham  Fritz  Juhnke  Marquart  Pelowski  Solberg  
Bly  Gardner  Kahn  Masin  Persell  Sterner  
Brown  Greiling  Kalin  Morgan  Peterson  Swails  
Brynaert  Hansen  Kath  Morrow  Poppe  Thao  
Bunn  Hausman  Knuth  Mullery  Reintert  Thissen  
Carlson  Haws  Koenen  Murphy, E.  Rosenthal  Tillberry  
Champion  Hayden  Laine  Murphy, M.  Rukavina  Wagenius  
Clark  Hilstrom  Lenczewski  Nelson  Ruud  Ward  
Davnie  Hilty  Liebling  Newton  Sailer  Welti  
Dill  Hornstein  Lieder  Norton  Scalze  Winkler  
Dittrich  Hortman  Lillie  Obermueller  Sertich  Spk. Kelliher  

The motion did not prevail.

The question recurred on the Olin et al amendment and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, S.  Beard  Bly  Brynaert  Carlson
Anderson, B.  Anzelc  Benson  Brod  Buesgens  Champion
Anderson, P.  Atkins  Bigham  Brown  Bunn  Clark
Brown moved to amend H. F. No. 2323, the second engrossment, as amended, as follows:

Page 12, line 3, reinstate the stricken language

Renumber the clauses in sequence and correct internal references

Page 19, delete section 10 and insert:

"Sec. 10. Minnesota Statutes 2008, section 290.01, subdivision 29, is amended to read:

Subd. 29. Taxable income. The term "taxable income" means:

(1) for individuals, estates, and trusts, the same as taxable net income;

(2) for corporations, the taxable net income less

(i) the net operating loss deduction under section 290.095;

(ii) the dividends received deduction under section 290.21, subdivision 4;

(iii) the exemption for operating in a job opportunity building zone under section 469.317; and

(iv) the exemption for operating in a biotechnology and health sciences industry zone under section 469.337; and

(v) the exemption for operating in an international economic development zone under section 469.326 Minnesota development subsidies.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2009."
Page 31, line 19, delete "(8)" and insert "(9)"

Page 33, lines 20 and 21, reinstate the stricken language

Page 35, delete section 27 and insert:

"Sec. 27. Minnesota Statutes 2008, section 290.0922, subdivision 3, is amended to read:

Subd. 3. Definitions. (a) "Minnesota sales or receipts" means the total sales apportioned to Minnesota pursuant to section 290.191, subdivision 5, the total receipts attributed to Minnesota pursuant to section 290.191, subdivisions 6 to 8, and/or the total sales or receipts apportioned or attributed to Minnesota pursuant to any other apportionment formula applicable to the taxpayer.

(b) "Minnesota property" means total Minnesota tangible property as provided in section 290.191, subdivisions 9 to 11, any other tangible property located in Minnesota, but does not include: (1) property located in a job opportunity building zone designated under section 469.314, (2) property of a qualified business located in a biotechnology and health sciences industry zone designated under section 469.334, or (3) for taxable years beginning during the duration of the zone, property of a qualified business located in the international economic development zone designated under section 469.322. Intangible property shall not be included in Minnesota property for purposes of this section. Taxpayers who do not utilize tangible property to apportion income shall nevertheless include Minnesota property for purposes of this section. On a return for a short taxable year, the amount of Minnesota property owned, as determined under section 290.191, shall be included in Minnesota property based on a fraction in which the numerator is the number of days in the short taxable year and the denominator is 365.

(c) "Minnesota payrolls" means total Minnesota payrolls as provided in section 290.191, subdivision 12, but does not include: (1) job opportunity building zone payrolls under section 469.310, subdivision 8, (2) biotechnology and health sciences industry zone payrolls under section 469.330, subdivision 8, or (3) for taxable years beginning during the duration of the zone, international economic development zone payrolls under section 469.321, subdivision 9. Taxpayers who do not utilize payrolls to apportion income shall nevertheless include Minnesota payrolls for purposes of this section.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2009."

Page 49, delete section 44

Page 49, line 29, delete "469.316; 469.317;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brown amendment and the roll was called. There were 65 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, P.
Anderson, S.
Beard
Brod
Brown
Buesgens
Cornish
Davids
Dean
Demmer
Dettmer
Doty
Dill
Downey
Drazkowski
Doepke
Those who voted in the negative were:

Anzelc  Gardner  Kahn  Masin  Peterson  Solberg
Atkins  Greiling  Knuth  Morgan  Poppe  Swails
Benson  Hansen  Koenen  Morrow  Reinert  Thao
Bigham  Hausman  Laine  Mullery  Rosenthal  Thissen
Bly  Hayden  Leczewski  Murphy, E.  Ruud  Tillberry
Brynaert  Hilstrom  Liebling  Murphy, M.  Ruud  Wagenius
Bunn  Hilty  Lieder  Nelson  Sailer  Winkler
Carlson  Hornstein  Lillie  Newton  Scalze  Spk. Kelliher
Champion  Hortman  Loeffler  Obermueller  Sertich  Sertich
Clark  Hosch  Mahoney  Paymar  Simon  Simon
Davnie  Huntley  Mariani  Pelowski  Slawik  Slawik
Dittrich  Johnson  Marquet  Persell  Slocum  Slocum

The motion did not prevail and the amendment was not adopted.

Welti, Olin, Eken, Rukavina, Reinert, Dill and Brown offered an amendment to H. F. No. 2323, the second engrossment, as amended.

POINT OF ORDER

Solberg raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Welti et al amendment was not in order. The Speaker ruled the point of order well taken and the Welti et al amendment out of order.

Ward; Doty; Howes; Sailer; Nornes; Westrom; Eken; Gunther; Urdahl; Davids; Norton; Anderson, P.; McFarlane; Anzelc; Persell; Rukavina; Reinert and Dill moved to amend H. F. No. 2323, the second engrossment, as amended, as follows:

Page 181, delete section 35

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The question was taken on the Ward et al amendment and the roll was called. There were 96 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler    Davids    Garofalo    Kalin    Nornes    Sertich
Anderson, B.    Dean    Gottwald    Kath    Norton    Severson
Anderson, P.    Demmer    Gunther    Kelly    Obermueller    Shimanski
Anderson, S.    Dettmer    Hackbarth    Kiffmeyer    Olin    Smith
Anzelc    Dill    Hamilton    Kohls    Otremba    Solberg
Atkins    Doepke    Hansen    Lanning    Pelowski    Sterner
Beard    Doty    Haws    Lillie    Peppin    Swails
Benson    Downey    Hilstrom    Loefller    Persell    Thissen
Bigham    Drazkowski    Holberg    Loon    Poppe    Torkelson
Brod    Eastlund    Hoppe    Mack    Reinert    Urdahl
Brown    Eken    Hortman    Magnus    Rosenthal    Ward
Brynaert    Emmer    Hosch    McFarlane    Rukavina    Welti
Buesgens    Falk    Howes    McNamara    Sailer    Westrom
Bunn    Faust    Huntley    Morrow    Sanders    Winkler
Carlson    Fritz    Jackson    Murdock    Scott    Zellers
Cornish    Gardner    Juhnke    Newton    Seifert    Spk. Kelliher

Those who voted in the negative were:

Bly    Hayden    Laine    Masin    Peterson    Tillberry
Champion    Hilty    Lenczewski    Morgan    Ruud    Wagenius
Clark    Hornstein    Liebling    Mullery    Scalze
Davnie    Johnson    Lieder    Murphy, E.    Simon
Dittrich    Kahn    Mahoney    Murphy, M.    Slawik
Greiling    Knuth    Mariani    Nelson    Slocum
Hausman    Koenen    Marquart    Paymar    Thao

The motion prevailed and the amendment was adopted.

H. F. No. 2323, as amended, was read for the third time.

CALL OF THE HOUSE

On the motion of Seifert and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler    Brynaert    Dill    Gardner    Hilty    Kalin
Anderson, B.    Buesgens    Dittrich    Garofalo    Holberg    Kath
Anderson, P.    Bunn    Doepke    Gottwald    Hoppe    Kelly
Anderson, S.    Carlson    Doty    Greiling    Hornstein    Kiffmeyer
Anzelc    Champion    Downey    Gunther    Hortman    Knuth
Atkins    Clark    Drazkowski    Hackbarth    Hosch    Kohls
Beard    Cornish    Eastlund    Hamilton    Howes    Laine
Benson    Davids    Eken    Hansen    Huntley    Lame
Bigham    Davnie    Emmer    Hausman    Jackson    Lanning
Bly    Dean    Falk    Haws    Johnson    Lenczewski
Brod    Demmer    Faust    Hayden    Juhnke    Liebling
Brown    Dettmer    Fritz    Hilstrom    Kahn    Lieder
Seifert moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed
to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 2323, A bill for an act relating to the financing and operation of state and local government; making
policy, technical, administrative, enforcement, collection, refund, clarifying, and other changes to income, franchise,
property, sales and use, estate, gift, cigarette, tobacco, liquor, motor vehicle, gross receipts, minerals, tax increment
financing and other taxes and tax-related provisions; requiring certain additions; conforming to federal section 179
expensing allowances; adding Minnesota development subsidies to corporate taxable income; disallowing certain
subtractions; allowing certain nonrefundable credits; allowing a refundable Minnesota child credit; repealing various
credits; conforming to certain federal tax provisions; expanding definition of domestic corporation to include tax
havens; modifying income tax rates; expanding and increasing credit for research activities; accelerating single sales
apportionment; modifying minimum fees; allowing county local sales tax; eliminating certain existing local sales
taxes; adjusting county program aid; modifying levy limits; making changes to residential homestead market value
credit; providing flexibility and mandate reduction provisions; providing property tax system benchmarks, critical indicators, and principles; establishing the Council on Local Results and Innovation; providing property tax system benchmarks, critical indicators, and principles; establishing a property tax
work group; creating the Legislative Commission on Mandate Reform; making changes to certain administrative
procedures; modifying mortgage registry tax payments; modifying truth in taxation provisions; providing
clarification for eligibility for property tax exemption for institutions of purely public charity; making changes to
property tax refund and senior citizen property tax deferral programs; providing property tax exemptions; providing
a property valuation reduction for certain land constituting a riparian buffer; providing a partial valuation exclusion
for disaster damaged homes; extending deadline for special service district and housing improvement districts;
requiring a fiscal disparity study; extending emergency medical service special taxing district; providing emergency
debt certificates; providing and modifying local taxes; expanding county authorization to abate certain
improvements; providing municipal street improvement districts; establishing a seasonal recreational property tax
deferral program; expanding sales and use tax base; defining solicitor for purposes of nexus; providing a bovine
tuberculosis testing grant; modifying tax preparation services law; modifying authority of municipalities to issue
bonds for certain other postemployment benefits; allowing use of increment to offset state aid reductions; allowing
additional authority to spend increments for housing replacement district plans; modifying and authorizing certain
tax increment financing districts; providing equitable funding health and human services reform; modifying JOBZ
provisions; repealing international economic development and biotechnology and health science industry zones;
modifying basic sliding fee program funding; providing appointments; requiring reports; appropriating money;
amending Minnesota Statutes 2008, sections 3.842, subdivision 4a; 3.843; 16C.28, subdivision 1a; 40A.09; 84.82,
subdivision 10; 84.922, subdivision 11; 86B.401, subdivision 12; 123B.10, subdivision 1; 134.34, subdivisions 1, 4;
245.4932, subdivision 1; 253B.045, subdivision 2; 254B.04, subdivision 1; 270C.12, by adding a subdivision;
270C.445; 270C.56, subdivision 3; 272.02, subdivision 7, by adding subdivisions; 272.029, subdivision 6; 273.111,
by adding a subdivision; 273.1231, subdivision 1; 273.1232, subdivision 1; 273.1234, subdivision 1; 273.13,
subdivisions 25, 34; 273.1384, subdivisions 1, 4, by adding a subdivision; 273.1393; 275.025, subdivisions 1, 2;
275.065, subdivisions 1, 1a, 1c, 3, 6; 275.07, subdivisions 1, 4, by adding a subdivision; 275.70, subdivisions 3, 5;
The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 65 nays as follows:

Those who voted in the affirmative were:

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<tr>
<th>Anzelc</th>
<th>Champion</th>
<th>Fritz</th>
<th>Hilty</th>
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<td>Carlson</td>
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<td>Juhnke</td>
<td>Liebling</td>
<td>Morrow</td>
</tr>
</tbody>
</table>

The bill, as amended, was placed upon its final passage.
Those who voted in the negative were:

Abeler  Dean  Garofalo  Kiffmeyer  Nornes  Seifert  
Anderson, B.  Demmer  Gottwall  Kohls  Obermueller  Severson  
Anderson, P.  Deitmer  Gunther  Lanning  Otemba  Shimanski  
Beard  Doepke  Hamilton  Mack  Peppin  Sterner  
Benson  Doty  Holberg  Magnus  Poppe  Swails  
Brod  Downey  Hoppe  Masin  Rosenthal  Torkelson  
Buesgens  Drazkowski  Howes  McFarlane  Ruud  Udahl  
Bunn  Eastlund  Jackson  McNamara  Sanders  Westrom  
Cornish  Emmer  Kath  Morgan  Scalze  Zellers  
Davids  Gardner  Kelly  Murdoch  Scott  

The bill was passed, as amended, and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2:

Greiling, Mariani, Slawik, Ward and Garofalo.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 936:

Thissen, Hosch and Beard.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2123:

Wagenius, Hilty, Knuth, Hansen and Loon.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2081:

Rukavina; Murphy, M.; Clark; Mahoney and Gunther.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2083:

Rukavina, Slocum, Haws, Bly and McFarlane.
MOTIONS AND RESOLUTIONS

Sertich moved that the name of Thissen be added as an author on H. F. No. 11. The motion prevailed.

Hosch moved that the name of Falk be added as an author on H. F. No. 120. The motion prevailed.

Dill moved that his name be stricken as an author on H. F. No. 1086. The motion prevailed.

Seifert moved that the name of Murdock be added as an author on H. F. No. 1242. The motion prevailed.

Lanning moved that the name of Drazkowski be added as an author on H. F. No. 2347. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Monday, April 27, 2009. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, April 27, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives