

## STATE OF MINNESOTA

## EIGHTY-SEVENTH SESSION — 2012

## SEVENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 27, 2012

The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

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

A quorum was present.

Davnie, Greene, Mazorol, Pelowski and Persell were excused.

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

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

February 23, 2012

The Honorable Kurt Zellers  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Zellers:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State H. F. No. 2394.

Sincerely,

MARK DAYTON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Kurt Zellers  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2012 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2012</i>	<i>Date Filed 2012</i>
	2394	123	6:03 p.m. February 23	February 23

Sincerely,

MARK RITCHIE  
Secretary of State

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

Garofalo from the Committee on Education Finance to which was referred:

H. F. No. 269, A bill for an act relating to education; providing for a qualified economic offer in teacher contracts; amending Minnesota Statutes 2010, sections 122A.40, by adding a subdivision; 122A.41, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 19, delete everything after "year"

Page 1, line 20, delete everything before the second comma

Page 3, line 8, delete everything after "year"

Page 3, line 9, delete everything before the second comma

Page 4, line 6, delete "2011" and insert "2012"

With the recommendation that when so amended the bill pass.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 389, A bill for an act relating to local government; providing for interim planning ordinances; providing for municipal development contracts; amending Minnesota Statutes 2010, sections 394.34; 462.355, subdivision 4; 462.358, subdivision 2a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 394.25, subdivision 7, is amended to read:

Subd. 7. **Specific controls; other subjects.** (a) Specific controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation and dedication of streets and land for other public purposes and the general design of physical improvement.

(b) A county must approve a preliminary plat that meets the applicable standards and criteria contained in the county's zoning and subdivision regulations unless the county adopts written findings based on a record from the public proceedings why the application shall not be approved.

(c) The controls may require that a portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance.

(d) If a county adopts the ordinance required by paragraph (c), the county must adopt a capital improvement program and adopt a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and in paragraphs (e) through (p).

(e) The county may choose to accept a per lot cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision.

(f) In establishing the portion to be dedicated or preserved or the per lot cash fee, the controls must consider the open space, park, recreational, or common areas and facilities that the applicant proposes to reserve for the subdivision.

(g) The county must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(h) The fees or dedication must be fair, reasonable, and proportionate to the need created.

(i) Any cash payments received must be placed by the county in a special fund to be used only for the purposes for which the money was obtained.

(j) Any cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space. Cash payments must not be used for ongoing operation, maintenance, or redevelopment of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(k) The county must not deny the approval of a subdivision based on an inadequate supply of parks, open spaces, trails, or recreational areas within the county.

(l) The county must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee or dedication.

(m) The county must use at least 75 percent of the funds collected under this subdivision according to the plan required in paragraph (d) in the township or city where the collection of funds occurs. However, the township board or city council may agree to allow the county to use these funds outside of the township or city in a manner consistent with the county parks, trails, and open space capital improvement plan or the county parks and open space component in its comprehensive plan. The remainder of the funds may be used by the county only for parks and trails connectivity and accessibility purposes. The county must annually report to cities and townships on where funds were collected and where funds were expended in the past year.

(n) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per lot cash fee must apply only to the net increase of lots.

(o) A county must not require a dedication of a portion of a proposed subdivision or a payment in lieu of dedication in a town or city that has adopted a requirement to dedicate or a payment in place of dedication as a provision of the town or city's subdivision regulations under section 462.358, ~~subdivision 2b~~ subdivisions 2d and 2e, or chapter 366.

(p) A county may negotiate an agreement with a town or city to share the revenue generated by dedicating a portion of a proposed subdivision or a payment in place of dedication.

Sec. 2. Minnesota Statutes 2010, section 394.34, is amended to read:

**394.34 INTERIM ZONING.**

(a) If a county is conducting or in good faith intends to conduct studies within a reasonable time, or has held or is holding a hearing for the purpose of considering a comprehensive plan or official controls or an amendment, extension, or addition to either, or in the event new territory for which no zoning may have been adopted, may be annexed to a municipality, the board, in order to protect the public health, safety, and general welfare, may adopt as an emergency measure, after public notice and hearing and by a two-thirds vote, a temporary interim zoning map or temporary interim zoning ordinance. The purpose of ~~which shall be the ordinance or map~~ is to classify and regulate uses and related matters as constitutes the emergency. ~~Such The interim resolution shall be ordinance or map is limited to one year from the date it becomes effective and to one year to renewal thereafter.~~

(b) Before adopting an interim zoning ordinance or map, the county board must hold a public hearing. Notice of the public hearing must be published in the county's official newspaper at least ten days before the hearing.

(c) An interim ordinance or map must not halt, delay, or impede consideration of a use, development, or subdivision for which a complete application is pending before the county as of the date that notice of the public hearing is published pursuant to paragraph (b). This paragraph does not apply to (1) adult-use businesses or sexually oriented businesses, as defined by ordinance; (2) proposed uses deemed by the governing body to constitute a nuisance as defined by section 561.01; or (3) an application for which the governing body adopts an interim ordinance within 30 days following its first meeting following receipt of an application deemed complete.

Sec. 3. Minnesota Statutes 2010, section 462.355, subdivision 4, is amended to read:

Subd. 4. **Interim ordinance.** (a) If a municipality is conducting studies or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 462.352, subdivision 15, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt, by a two-thirds vote, an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare of its citizens. The interim ordinance may regulate, restrict, or prohibit any use, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective except as otherwise provided by this subdivision.

(b) An interim ordinance must not halt, delay, or impede consideration of a use, development, or subdivision for which a complete application is pending before the municipality as of the date that notice of the public hearing is published pursuant to paragraph (c). This paragraph does not apply to: (1) adult-use businesses or sexually oriented businesses, as defined by ordinance; (2) proposed uses deemed by the governing body to constitute a nuisance as defined by section 561.01; or (3) an application for which the governing body adopts an interim ordinance within 30 days following its first meeting following receipt of an application deemed complete.

~~(b) If a proposed interim ordinance purports to regulate, restrict, or prohibit activities relating to livestock production~~ (c) For purposes of notice and public hearing required by this section, a public hearing must be held following a ten-day notice given by publication in a newspaper of general circulation in the municipality before the interim ordinance takes effect.

~~(d)~~ (d) The period of an interim ordinance applicable to an area that is affected by a city's master plan for a municipal airport may be extended for such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. In all other cases, no interim ordinance may halt, delay, or impede a subdivision that has been given preliminary approval, nor may any interim ordinance extend the time deadline for agency action set forth in section 15.99 with respect to any application filed prior to the effective date of the interim

ordinance. The governing body of the municipality may extend the interim ordinance after a public hearing and written findings have been adopted based upon one or more of the conditions in clause (1), (2), or (3). The public hearing must be held at least 15 days but not more than 30 days before the expiration of the interim ordinance, and notice of the hearing must be published at least ten days before the hearing. The interim ordinance may be extended for the following conditions and durations, but, except as provided in clause (3), an interim ordinance may not be extended more than an additional 18 months:

(1) up to an additional 120 days following the receipt of the final approval or review by a federal, state, or metropolitan agency when the approval is required by law and the review or approval has not been completed and received by the municipality at least 30 days before the expiration of the interim ordinance;

(2) up to an additional 120 days following the completion of any other process required by a state statute, federal law, or court order, when the process is not completed at least 30 days before the expiration of the interim ordinance; or

(3) up to an additional one year if the municipality has not adopted a comprehensive plan under this section at the time the interim ordinance is enacted.

Sec. 4. Minnesota Statutes 2010, section 462.358, subdivision 2a, is amended to read:

Subd. 2a. **Terms of regulations.** (a) The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features. The regulations shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan. The regulations may prohibit certain classes or kinds of subdivisions in areas where prohibition is consistent with the comprehensive plan and the purposes of this section, particularly the preservation of agricultural lands. The regulations may prohibit, restrict or control development for the purpose of protecting and assuring access to direct sunlight for solar energy systems. The regulations may prohibit the issuance of permits or approvals for any tracts, lots, or parcels for which required subdivision approval has not been obtained.

(b) The regulations may permit the municipality to condition its approval on the construction and installation of sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements or, in lieu thereof, on the receipt by the municipality of a cash deposit, certified check, irrevocable letter of credit, bond, or other financial security in an amount and with surety and conditions sufficient to assure the municipality that the utilities and improvements will be constructed or installed according to the specifications of the municipality. Sections 471.345 and 574.26 do not apply to improvements made by a subdivider or a subdivider's contractor.

(c) A municipality may require that an applicant establish an escrow account or other financial security for the purpose of reimbursing the municipality for direct costs relating to professional services provided during the review, approval and inspection of the project. A municipality may only charge the applicant a rate equal to the value of the service to the municipality. Services provided by municipal staff or contract professionals must be billed at an established rate.

(d) When the applicant vouches, by certified letter to the municipality, that the conditions required by the municipality for approval under this subdivision have been satisfied, the municipality has 30 days to release and return to the applicant any and all financial securities tied to the requirements. If the municipality fails to release and return the letters of credit within the 30-day period, any interest accrued will be paid to the applicant. If the municipality determines that the conditions required for approval under this subdivision have not been satisfied, the

municipality must send written notice within seven business days upon receipt of the certified letter indicating to the applicant which specific conditions have not been met. The municipality shall require a maintenance or performance bond from any subcontractor that has not yet completed all remaining requirements of the municipality.

(e) The regulations may permit the municipality to condition its approval on compliance with other requirements reasonably related to the provisions of the regulations and to execute development contracts embodying the terms and conditions of approval. The municipality may not require land dedications or fees in the development contract that are not authorized by statute or mutually agreed upon by all parties to the development contract. In addition, the amount of financial security for work authorized under the development contract must have a rough proportionality to the work to be completed by either the municipality or the applicant. Unless otherwise agreed, at least three days before approval, the municipality must provide a copy of the complete development contract, including all exhibits, to the applicant. The municipality may enforce such agreements and conditions by appropriate legal and equitable remedies.

Sec. 5. Minnesota Statutes 2010, section 462.358, subdivision 2c, is amended to read:

Subd. 2c. **Nexus.** (a) There must be an essential nexus between ~~the~~ any fees or dedication ~~imposed~~ authorized under ~~subdivision 2b~~ this section and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development.

(b) If a municipality is given written notice of a dispute over a proposed fee ~~in lieu of dedication~~ before the municipality's final decision on an application, a municipality must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee ~~in lieu of dedication~~.

(c) An application may proceed as if the fee had been paid, pending a decision on the appeal of a dispute over a proposed fee ~~in lieu of dedication~~, if (1) the person aggrieved by the fee puts the municipality on written notice of a dispute over a proposed fee ~~in lieu of dedication~~, (2) prior to the municipality's final decision on the application, the fee ~~in lieu of dedication~~ is deposited in escrow, and (3) the person aggrieved by the fee appeals under section 462.361, within 60 days of the approval of the application. If such an appeal is not filed by the deadline, or if the person aggrieved by the fee does not prevail on the appeal, then the funds paid into escrow must be transferred to the municipality.

Sec. 6. Minnesota Statutes 2010, section 462.358, is amended by adding a subdivision to read:

Subd. 2d. **Dedication.** The regulations may require that a reasonable portion of the buildable land, as defined by municipal ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as streets; roads; sewers; electric, gas, and water facilities; storm water drainage and hold areas or ponds; and similar utilities and improvements. The requirement must be imposed by ordinance or under the procedures established in section 462.353, subdivision 4a.

Sec. 7. Minnesota Statutes 2010, section 462.358, is amended by adding a subdivision to read:

Subd. 2e. **Park dedication and fees.** (a) For purposes of this subdivision, "fair market value" means the value negotiated between the municipality and the applicant, or the market value of the property as determined by the municipality based on an independent appraisal for land in the same or similar land use category.

(b) The municipality may, by ordinance, require that a reasonable portion of the buildable land, as defined in the ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as parks, recreational facilities as defined in section 471.191, playgrounds, trails, wetlands, or open space.

(c) If a municipality adopts the ordinance as required by paragraph (b), the municipality must adopt a capital improvement budget and have a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and paragraphs (d) to (i).

(d) The municipality may choose to accept a cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision, based on the average fair market value of the unplatted land for which park fees have not already been paid.

(e) For purposes of redevelopment on developed land, the municipality may choose to accept a cash fee based on fair market value of the land. However, if the land proposed to be redeveloped has already contributed park dedication or a cash fee, the municipality may only charge a cash fee as to new value arising from the redevelopment. Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of subdividing the property, the number of lots is increased, then the park dedication or in-lieu fee must apply only to the net increase in lots.

(f) In establishing the portion to be dedicated as parks, trails, or open space or the cash fee, the regulations shall give due consideration to the open space, recreational, or common areas and facilities that the applicant proposes to reserve for the subdivision. The municipality must provide evidence that it will need to acquire that portion of land or the in-lieu fee for the purposes of parks, trails, or open space as a result of approval of the subdivision.

(g) If a municipality chooses to accept a cash fee in lieu of dedicated land, the municipality may collect the fee at any time after the applicant has submitted building permits for development of the approved subdivision and before completion of development. Cash payments received must be placed by the municipality in a special fund to be used only for the purposes for which the money was obtained.

(h) Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(i) The municipality must not deny the approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails, or recreational facilities within the municipality.

Sec. 8. **REPEALER.**

Minnesota Statutes 2010, section 462.358, subdivision 2b, is repealed."

Delete the title and insert:

"A bill for an act relating to local government; providing for interim zoning; providing for municipal development land dedication and fees; amending Minnesota Statutes 2010, sections 394.25, subdivision 7; 394.34; 462.355, subdivision 4; 462.358, subdivisions 2a, 2c, by adding subdivisions; repealing Minnesota Statutes 2010, section 462.358, subdivision 2b."

With the recommendation that when so amended the bill pass.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1036, A bill for an act relating to state government; providing for management and consolidation of the state passenger vehicle fleet; amending Minnesota Statutes 2010, section 16B.54, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 13, strike everything after "section"

Page 1, line 14, strike "includes the Minnesota State Colleges and Universities, and (2)"

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 1284, A bill for an act relating to transportation; modifying provisions governing transportation and public safety policies, including bicycles and bikeways, highways and bridges, motor vehicles, motor vehicle markings and equipment, traffic regulations, driver education, driver licensing, driver's license exemptions, DWI violations, alternative financing for transportation projects, contracting requirements, bus operations, railroads, motor carriers and commercial drivers, aeronautics and airports, and agency reporting; providing for rulemaking; removing obsolete language; making technical and clarifying changes; repealing certain provisions; appropriating money; amending Minnesota Statutes 2010, sections 85.015, by adding a subdivision; 85.018, subdivisions 2, 4; 160.263, subdivision 2; 160.845; 160.93, subdivisions 1, 2; 161.14, subdivision 66, by adding subdivisions; 161.321; 161.3212; 162.081, subdivision 4; 162.09, by adding a subdivision; 162.18, subdivisions 1, 4; 168.012, subdivision 1; 168.013, by adding a subdivision; 168B.011, subdivision 12; 169.011, subdivision 27; 169.035, subdivision 1, by adding a subdivision; 169.06, subdivisions 5, 7; 169.19, subdivision 5; 169.223, subdivision 5; 169.306; 169.64, subdivision 2; 169.685, subdivision 6; 169.86, subdivision 4; 169.99, subdivision 1b; 169A.54, subdivisions 1, 6; 171.03; 171.061, subdivision 4; 171.12, subdivision 6; 171.30, subdivision 1; 171.306, subdivision 4; 174.02, by adding a subdivision; 174.56; 221.0314, subdivision 3a; 222.50, subdivision 4; 222.51; 222.53; 222.63, subdivision 9; Minnesota Statutes 2011 Supplement, sections 168.12, subdivision 5; 169.86, subdivision 5; 171.05, subdivision 2; 171.075, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 171; repealing Minnesota Statutes 2010, sections 160.93, subdivision 2a; 161.08, subdivision 2; 168.012, subdivision 1b; 169A.54, subdivision 5; 222.48, subdivision 3a.

Reported the same back with the following amendments:

Page 5, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 2010, section 160.93, subdivision 2, is amended to read:

Subd. 2. **Deposit of revenues; ~~appropriation~~ appropriations.** (a) Except as provided in subdivision 2a, money collected from fees authorized under subdivision 1 must be deposited in a high-occupancy vehicle lane user fee account in the special revenue fund. A separate account must be established for each trunk highway corridor for which the MnPASS system is established. Money in ~~the~~ each account is annually appropriated to the commissioner, as provided in this subdivision.

(b) From ~~this each~~ appropriation the commissioner shall first ~~repay the trunk highway fund and any other fund source for money spent to install, equip, or modify the corridor for the purposes of subdivision 1, and then shall~~ pay all the costs of ~~implementing and~~ administering, operating, and maintaining the fee collection system for that corridor, including payments for tolling and related equipment. The commissioner may allocate payments for shared administrative costs from each account established under this section.

(c) The commissioner shall spend remaining money ~~in the account~~ from each appropriation as follows:

(1) in the MnPASS corridor for Route No. 10, signed as Interstate Highway 394 on the effective date of this section:

(i) one-half must be spent for transportation capital improvements within the corridor; and

~~(2)~~ (ii) one-half must be transferred to the Metropolitan Council for expansion and improvement of bus transit services within the corridor beyond the level of service provided on the date of implementation of subdivision 1; and

(2) in any other MnPASS corridor established under this section, except as provided in subdivision 2a, the funds must be spent for transportation capital improvements within that corridor.

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

Page 8, line 21, delete "that" and insert "whether"

Page 43, delete lines 24 to 26 and insert:

"(c) The remuneration sum for each city equals the amount the city received under the allocation of municipal state-aid street funds for calendar year 2011."

Page 44, line 2, delete "160.93, subdivision 2a;"

Correct the title numbers accordingly

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 1708, A bill for an act relating to youth; establishing the Minnesota Youth Council; proposing coding for new law as Minnesota Statutes, chapter 16F.

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

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 1774, A bill for an act relating to public safety; regulating the manufacture, sale, and use of fireworks; amending Minnesota Statutes 2010, sections 624.21; 624.221.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 624.20, subdivision 1, is amended to read:

Subdivision 1. **Regulation.** (a) ~~As used in sections 624.20 to 624.25, the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrocketes, Roman candles, daygo bombs, sparklers other than those specified in paragraph (c), or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks.~~

(1) "APA 87-1" means the American Pyrotechnic Association Standard 87-1, the Standard for Construction and Approval for Transportation of Fireworks, Novelties and Theatrical Pyrotechnics, 2001 Edition.

(2) "Consumer fireworks" means fireworks in a finished state, suitable for use by the public, listed in APA 87-1, sections 3.1.2, 3.1.3, and 3.5, and containing 75 grams or less of chemical mixture per tube for a total of 500 grams or less for multiple tubes in a device.

(3) "Display fireworks" means firework devices in a finished state, exclusive of mere ornamentation, primarily intended for commercial displays which are designed to produce visible effects, audible effects, or both by combustion, deflagration, or detonation, including but not limited to salutes containing more than 130 milligrams of explosive composition, aerial shells containing more than 40 grams of chemical composition exclusive of light charge and other exhibition display items that exceed the limits contained in the APA 87-1 Standard for consumer fireworks and does not include any toy pistols, toy guns, paper caps, sparklers, or novelties.

(4) "Fireworks" means any device intended to produce visible effects, audible effects, or both by combustion, deflagration, or detonation, and includes display fireworks. Fireworks does not include sparkling devices, novelties, theatrical pyrotechnic articles, or consumer fireworks.

(5) "Novelties" means devices containing small amounts of pyrotechnic composition listed in APA 87-1, sections 3.2, 3.3, and 3.4, and includes sparklers, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, drop pops, each consisting of not more than 25/100 grains of explosive mixture, toy pistols, toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used and toy pistol caps which contain less than 20/100 grains of explosive mixture.

(6) "Sparkling devices" means ground-based or handheld devices that produce a shower of sparks and are listed in APA 87-1, sections 3.1.1 and 3.5, and includes fountains, torches, wheels, ground spinners, flutter sparklers, toy smoke devices, and sparklers.

(b) The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used and toy pistol caps which contain less than 20/100 grains of explosive mixture. The use of sparkling devices, novelties, or consumer fireworks is not permitted on public property.

~~(c) The term also does not include wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of 500 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty five hundredths grains of explosive mixture. The use of items listed in this paragraph is not permitted on public property. This paragraph does not authorize the purchase of items listed in it by persons younger than 18 years of age. The age of a purchaser of items listed in this paragraph must be verified by photographic identification.~~

~~(d) (c) A local unit of government may impose an annual license fee for the retail sale of items authorized under paragraph (e) consumer fireworks. The annual license fee of each retail seller that is in the business of selling only the items authorized under paragraph (e) consumer fireworks may not exceed \$350, and the annual license of each other retail seller selling consumer fireworks may not exceed \$100. A local unit of government may not:~~

~~(1) impose any fee or charge, other than the fee authorized by this paragraph, on the wholesale or retail sale of items authorized under paragraph (e) consumer fireworks;~~

~~(2) impose any permit, license, fee, or charge on the retail or wholesale sale of sparkling devices or novelties;~~

~~(3) prohibit or restrict the sale or display of items for authorized under paragraph (b) from any permanent or temporary retail sale authorized under paragraph (e) that comply structure that complies with National Fire Protection Association Standard 1124 (2003 edition); or~~

~~(4) impose on a retail seller any financial guarantee requirements, including bonding or insurance provisions, containing restrictions or conditions not imposed on the same basis on all other business licensees; or~~

~~(5) enact any ordinance, rule, or regulation that prohibits, limits, or restricts the wholesale or retail sale of sparkling devices and novelties.~~

**EFFECTIVE DATE.** This section is effective July 1, 2012, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2010, section 624.22, subdivision 2, is amended to read:

Subd. 2. **Operator certification requirements.** (a) An applicant to be a supervising operator of a fireworks display ~~of display fireworks~~ shall meet the requirements of this subdivision before the applicant is certified by the state fire marshal.

(b) An applicant must be at least 21 years old.

(c) An applicant must have completed a written examination, administered or approved by the state fire marshal, and achieved a passing score of at least 70 percent. The state fire marshal must be satisfied that achieving a passing score on the examination satisfactorily demonstrates the applicant's knowledge of statutes, codes, and nationally recognized standards concerning safe practices for the discharge and display of fireworks.

(d) An applicant shall apply in writing to the state fire marshal by completing and signing an application form provided by the state fire marshal.

(e) An applicant shall submit evidence of experience, which must include active participation as an assistant or operator in the performance of at least five fireworks displays, at least one of which must have occurred in the current or preceding year.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 3. Minnesota Statutes 2010, section 624.25, is amended to read:

**624.25 VIOLATION.**

Any person violating the provisions of sections 624.20 to 624.24 may be sentenced as follows:

(1) if the violation involves explosive fireworks in an amount of 35 pounds gross container weight or more, to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both;

(2) if the violation involves explosive fireworks in an amount of less than 35 pounds gross container weight, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$1,000, or both; ~~and~~

(3) if the violation involves any amount of fireworks other than explosive fireworks, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$1,000, or both;

(4) if the violation involves consumer fireworks under section 624.20, paragraph (b), to payment of a maximum fine of \$300; and

(5) if the violation involves consumer fireworks under section 624.20, paragraph (b), and the person has a conviction for a violation under this clause or clause (4) within the past five years of the date of the violation, to imprisonment of not more than 90 days or to payment of a fine of not more than \$1,000, or both.

**EFFECTIVE DATE.** This section is effective July 1, 2012, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; authorizing personal use of fireworks; amending Minnesota Statutes 2010, sections 624.20, subdivision 1; 624.22, subdivision 2; 624.25."

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

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1916, A bill for an act relating to capital investment; modifying prior appropriations to Board of Trustees of the Minnesota State Colleges and Universities; amending Laws 2011, First Special Session chapter 12, section 3, subdivisions 7, 8.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 1945, A bill for an act relating to public safety; adding a felony-level penalty and affirmative defenses to the vulnerable adult neglect crime; amending Minnesota Statutes 2010, section 609.233.

Reported the same back with the following amendments:

Page 1, line 16, after "provisions" insert a comma

Page 2, line 32, delete "due to" and insert "because of"

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

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1960, A bill for an act relating to capital investment; modifying a 2008 appropriation for the St. Cloud State University hockey center project; amending Laws 2008, chapter 179, section 21, subdivision 15, as amended.

Reported the same back with the following amendments:

Page 2, line 1, delete everything after the period

Page 2, delete lines 2 to 4

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

The report was adopted.

Lanning from the Committee on State Government Finance to which was referred:

H. F. No. 1974, A bill for an act relating to public employment; providing that certain contract terms do not continue in effect after expiration of a collective bargaining agreement; forbidding certain retroactive provisions; amending Minnesota Statutes 2010, section 179A.20, subdivision 6, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 9, before "During" insert "(a)"

Page 2, delete section 2

Amend the title as follows:

Page 1, line 4, delete "forbidding certain retroactive provisions;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Lanning from the Committee on State Government Finance to which was referred:

H. F. No. 1976, A bill for an act relating to state government; requiring state appointing authorities to use the federal E-Verify program; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 2022, A bill for an act relating to St. Louis County; authorizing the private sale of certain real and personal property.

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

The report was adopted.

Gottwalt from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 2080, A bill for an act relating to human services; modifying persons ineligible for MFIP; modifying MFIP sanctions; modifying the MFIP time limit; modifying the MFIP exit level; amending Minnesota Statutes 2010, sections 256J.08, subdivisions 34b, 51b; 256J.24, subdivision 10; 256J.26, subdivision 1; 256J.32, subdivisions 4, 6; 256J.415; 256J.42, subdivisions 1, 4, 5, 6; 256J.425, subdivisions 1, 4, 4a, 5, 6; 256J.45, subdivision 2; 256J.46, subdivision 1; 256J.50, subdivisions 6, 10; 256J.575, subdivision 3; 256J.621; 256J.626, subdivision 2; 256J.751, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2011 Supplement, section 256.987, is amended by adding a subdivision to read:

Subd. 3. **EBT use restricted to certain states.** EBT debit cardholders in programs listed under subdivision 1 are prohibited from using the cash portion of the EBT card at vendors and automatic teller machines located outside of Minnesota, Iowa, North Dakota, South Dakota, or Wisconsin. This subdivision does not apply to the food portion.

Sec. 2. Minnesota Statutes 2010, section 256J.08, subdivision 34b, is amended to read:

Subd. 34b. **Family violence waiver.** "Family violence waiver" means a waiver of the ~~60-month~~ time limit under section 256J.42, subdivision 1, for victims of family violence who meet the criteria in section 256J.545 and are complying with an employment plan in section 256J.521, subdivision 3.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 3. Minnesota Statutes 2010, section 256J.08, subdivision 51b, is amended to read:

Subd. 51b. **Learning disabled.** "Learning disabled," for purposes of an extension to the ~~60-month~~ time limit under section 256J.425, subdivision 3, clause (3), means the person has a disorder in one or more of the psychological processes involved in perceiving, understanding, or using concepts through verbal language or nonverbal means. Learning disabled does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; developmental disability; emotional disturbance; or due to environmental, cultural, or economic disadvantage.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 4. Minnesota Statutes 2010, section 256J.24, subdivision 10, is amended to read:

Subd. 10. **MFIP exit level.** The commissioner shall adjust the MFIP earned income disregard to ensure that most participants do not lose eligibility for MFIP until their income reaches at least ~~445~~ 100 percent of the federal poverty guidelines at the time of the adjustment. The adjustment to the disregard shall be based on a household size of three, and the resulting earned income disregard percentage must be applied to all household sizes. The adjustment under this subdivision must be implemented whenever a Supplemental Nutrition Assistance Program adjustment is reflected in the food portion of the MFIP transitional standard as required under subdivision 5a.

Sec. 5. Minnesota Statutes 2010, section 256J.26, subdivision 1, is amended to read:

Subdivision 1. **Person convicted of drug offenses.** ~~(a) Applicants or participants~~ An individual who have ~~has~~ been convicted of a drug offense committed ~~after July 1, 1997, may, if otherwise eligible, receive MFIP benefits subject to the following conditions:~~ during the previous ten years from the date of application or recertification is disqualified from receiving MFIP.

~~(1) Benefits for the entire assistance unit must be paid in vendor form for shelter and utilities during any time the applicant is part of the assistance unit.~~

~~(2) The convicted applicant or participant shall be subject to random drug testing as a condition of continued eligibility and following any positive test for an illegal controlled substance is subject to the following sanctions:~~

~~(i) for failing a drug test the first time, the residual amount of the participant's grant after making vendor payments for shelter and utility costs, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size. When a sanction under this subdivision is in effect, the job counselor must attempt to meet with the person face to face. During the face to face meeting, the job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face to face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face to face meeting; or~~

~~(ii) for failing a drug test two times, the participant is permanently disqualified from receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP grant must be reduced by the amount which would have otherwise been made available to the disqualified participant. Disqualification under this item does not make a participant ineligible for food stamps or food support. Before a disqualification under this provision is imposed, the job counselor must attempt to meet with the participant face to face. During the face to face meeting, the job counselor must identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 256J.40. If a face to face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face to face meeting.~~

~~(3) A participant who fails a drug test the first time and is under a sanction due to other MFIP program requirements is considered to have more than one occurrence of noncompliance and is subject to the applicable level of sanction as specified under section 256J.46, subdivision 1, paragraph (d).~~

~~(b) Applicants requesting only food stamps or food support or participants receiving only food stamps or food support, who have been convicted of a drug offense that occurred after July 1, 1997, may, if otherwise eligible, receive food stamps or food support if the convicted applicant or participant is subject to random drug testing as a condition of continued eligibility. Following a positive test for an illegal controlled substance, the applicant is subject to the following sanctions:~~

~~(1) for failing a drug test the first time, food stamps or food support shall be reduced by an amount equal to 30 percent of the applicable food stamp or food support allotment. When a sanction under this clause is in effect, a job counselor must attempt to meet with the person face to face. During the face to face meeting, a job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face to face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face to face meeting; and~~

~~(2) for failing a drug test two times, the participant is permanently disqualified from receiving food stamps or food support. Before a disqualification under this provision is imposed, a job counselor must attempt to meet with the participant face to face. During the face to face meeting, the job counselor must identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 256J.40. If a face to face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face to face meeting.~~

~~(e) (b) For the purposes of this subdivision, "drug offense" means an offense that occurred after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug offense also means a conviction in another jurisdiction of the possession, use, or distribution of a controlled substance, or conspiracy to commit any of these offenses, if the offense occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor.~~

**EFFECTIVE DATE.** This section is effective July 1, 2012, for all new MFIP applicants who apply on or after that date and for all recertifications occurring on or after that date.

Sec. 6. Minnesota Statutes 2010, section 256J.32, subdivision 4, is amended to read:

Subd. 4. **Factors to be verified.** (a) The county agency shall verify the following at application:

(1) identity of adults;

- (2) presence of the minor child in the home, if questionable;
- (3) relationship of a minor child to caregivers in the assistance unit;
- (4) age, if necessary to determine MFIP eligibility;
- (5) immigration status;
- (6) Social Security number according to the requirements of section 256J.30, subdivision 12;
- (7) income;
- (8) self-employment expenses used as a deduction;
- (9) source and purpose of deposits and withdrawals from business accounts;
- (10) spousal support and child support payments made to persons outside the household;
- (11) real property;
- (12) vehicles;
- (13) checking and savings accounts;
- (14) savings certificates, savings bonds, stocks, and individual retirement accounts;
- (15) pregnancy, if related to eligibility;
- (16) inconsistent information, if related to eligibility;
- (17) burial accounts;
- (18) school attendance, if related to eligibility;
- (19) residence;

(20) criminal history by conducting a background study to determine if an applicant was convicted of a drug or disqualifying offense under section 256J.26, during the previous ten years from the date of application. Applicants must provide the county with a set of classifiable fingerprints obtained from an authorized agency when the county has reasonable cause to believe that an applicant has a criminal history in a jurisdiction other than Minnesota;

~~(20)~~ (21) a claim of family violence if used as a basis to qualify for the family violence waiver;

~~(24)~~ (22) disability if used as the basis for reducing the hourly participation requirements under section 256J.55, subdivision 1, or the type of activity included in an employment plan under section 256J.521, subdivision 2; and

~~(22)~~ (23) information needed to establish an exception under section 256J.24, subdivision 9.

(b) The applicant must pay for the background study required under paragraph (a), clause (20); if the applicant is found to be eligible for MFIP, the applicant shall be reimbursed for the cost of the background study at the time the first monthly grant is awarded.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 7. Minnesota Statutes 2010, section 256J.32, subdivision 6, is amended to read:

Subd. 6. **Recertification.** (a) The county agency shall recertify eligibility in an annual face-to-face interview with the participant and verify the following:

- (1) presence of the minor child in the home, if questionable;
- (2) income, unless excluded, including self-employment expenses used as a deduction or deposits or withdrawals from business accounts;
- (3) assets when the value is within \$200 of the asset limit;
- (4) information to establish an exception under section 256J.24, subdivision 9, if questionable;
- (5) inconsistent information, if related to eligibility; ~~and~~
- (6) whether a single caregiver household meets requirements in section 256J.575, subdivision 3-; and  
(7) criminal history by conducting a background study to determine if a recipient was convicted of a drug or disqualifying offense under section 256J.26, during the previous ten years from the date of recertification. Recipients must provide the county with a set of classifiable fingerprints obtained from an authorized agency when the county has reasonable cause to believe that a recipient has a criminal history in a jurisdiction other than Minnesota.

(b) The recipient must pay for the background study required under paragraph (a), clause (7); if the recipient continues to be eligible for MFIP, the recipient shall be reimbursed for the cost of the background study at the time the next monthly grant is awarded.

**EFFECTIVE DATE.** This section is effective July 1, 2012, for all MFIP recertifications that occur on or after that date.

Sec. 8. Minnesota Statutes 2010, section 256J.415, is amended to read:

**256J.415 NOTICE OF 12 MONTHS OF TANF ASSISTANCE REMAINING.**

(a) The county agency shall mail a notice to each assistance unit when the assistance unit has 12 months of TANF assistance remaining and each month thereafter until the ~~60-month time~~ limit under section 256J.42, subdivision 1, has expired. The notice must be developed by the commissioner of human services and must contain information about the ~~60-month time~~ limit, the number of months the participant has remaining, the hardship extension policy, and any other information that the commissioner deems pertinent to an assistance unit nearing the ~~60-month time~~ limit.

(b) For applicants who have less than 12 months remaining in the ~~60-month~~ time limit because the unit previously received TANF assistance in Minnesota or another state, the county agency shall notify the applicant of the number of months of TANF remaining when the application is approved and begin the process required in paragraph (a).

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 9. Minnesota Statutes 2010, section 256J.42, subdivision 1, is amended to read:

Subdivision 1. **Time limit.** (a) Except as otherwise provided for in this section, an assistance unit in which any adult caregiver has received 60 months of cash assistance funded in whole or in part by the TANF block grant in this or any other state or United States territory, or from a tribal TANF program, MFIP, the AFDC program formerly codified in sections 256.72 to 256.87, or the family general assistance program formerly codified in sections 256D.01 to 256D.23, funded in whole or in part by state appropriations, is ineligible to receive MFIP. Any cash assistance funded with TANF dollars in this or any other state or United States territory, or from a tribal TANF program, or MFIP assistance funded in whole or in part by state appropriations, that was received by the unit on or after the date TANF was implemented, including any assistance received in states or United States territories of prior residence, counts toward the 60-month limitation. Months during which any cash assistance is received by an assistance unit with a mandatory member who is disqualified for wrongfully obtaining public assistance under section 256.98, subdivision 8, counts toward the time limit for the disqualified member. The 60-month limit applies to a minor caregiver except under subdivision 5. The 60-month time period does not need to be consecutive months for this provision to apply.

(b) The months before July 1998 in which individuals received assistance as part of the field trials as an MFIP, MFIP-R, or MFIP or MFIP-R comparison group family are not included in the 60-month time limit.

(c) Notwithstanding paragraph (a), beginning July 1, 2012, an applicant in which no adult caregiver has received cash assistance funded in whole or in part by the TANF block grant in this or any other state or United States territory, or from a tribal TANF program, MFIP, the AFDC program formerly codified in sections 256.72 to 256.87, or the family general assistance program formerly codified in sections 256D.01 to 256D.23, funded in whole or in part by state appropriations, is limited to 36 months of MFIP assistance. Months during which any cash assistance is received by an assistance unit with a mandatory member who is disqualified for wrongfully obtaining public assistance under section 256.98, subdivision 8, counts toward the time limit for the disqualified member. The 36-month time limit applies to a minor caregiver except under subdivision 5. The 36-month time period does not need to be consecutive months for this provision to apply.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 10. Minnesota Statutes 2010, section 256J.42, subdivision 4, is amended to read:

Subd. 4. **Victims of family violence.** Any cash assistance received by an assistance unit in a month when a caregiver complied with a safety plan, an alternative employment plan, or an employment plan under section 256J.521, subdivision 3, does not count toward the ~~60-month limitation~~ time limit under section 256J.42, subdivision 1, on assistance.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 11. Minnesota Statutes 2010, section 256J.42, subdivision 5, is amended to read:

Subd. 5. **Exemption for certain families.** (a) Any cash assistance received by an assistance unit does not count toward the ~~60-month~~ time limit on assistance during a month in which the caregiver is age 60 or older.

(b) From July 1, 1997, until the date MFIP is operative in the caregiver's county of financial responsibility, any cash assistance received by a caregiver who is complying with Minnesota Statutes 1996, section 256.73, subdivision 5a, and Minnesota Statutes 1998, section 256.736, if applicable, does not count toward the ~~60-month~~ time limit on assistance. Thereafter, any cash assistance received by a minor caregiver who is complying with the requirements of sections 256J.14 and 256J.54, if applicable, does not count ~~towards~~ toward the ~~60-month~~ time limit under section 256J.42, subdivision 1, on assistance.

(c) Any diversionary assistance or emergency assistance received prior to July 1, 2003, does not count toward the ~~60-month~~ time limit under section 256J.42, subdivision 1.

(d) Any cash assistance received by an 18- or 19-year-old caregiver who is complying with an employment plan that includes an education option under section 256J.54 does not count toward the ~~60-month~~ time limit under section 256J.42, subdivision 1.

(e) Payments provided to meet short-term emergency needs under section 256J.626 and diversionary work program benefits provided under section 256J.95 do not count toward the ~~60-month~~ time limit under section 256J.42, subdivision 1.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 12. Minnesota Statutes 2010, section 256J.42, subdivision 6, is amended to read:

Subd. 6. **Case review.** (a) Within 180 days, but not less than 60 days, before the end of the participant's ~~60th~~ last month on assistance, the county agency or job counselor must review the participant's case to determine if the employment plan is still appropriate and attempt to meet with the participant face-to-face.

(b) During the face-to-face meeting, a county agency or the job counselor must:

(1) inform the participant how many months of counted assistance the participant has accrued and when the participant is expected to reach the 60th month;

(2) explain the hardship extension criteria under section 256J.425 and what the participant should do if the participant thinks a hardship extension applies;

(3) identify other resources that may be available to the participant to meet the needs of the family; and

(4) inform the participant of the right to appeal the case closure under section 256J.40.

(c) If a face-to-face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5.

(d) Before a participant's case is closed under this section, the county must ensure that:

(1) the case has been reviewed by the job counselor's supervisor or the review team designated by the county to determine if the criteria for a hardship extension, if requested, were applied appropriately; and

(2) the county agency or the job counselor attempted to meet with the participant face-to-face.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 13. Minnesota Statutes 2010, section 256J.425, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) To be eligible for a hardship extension, a participant in an assistance unit subject to the time limit under section 256J.42, subdivision 1, must be in compliance in the participant's ~~60th~~ last counted month. For purposes of determining eligibility for a hardship extension, a participant is in compliance in any month that the participant has not been sanctioned. In order to maintain eligibility for any of the hardship extension categories a participant shall develop and comply with either an employment plan or a family stabilization services plan, whichever is appropriate.

(b) If one participant in a two-parent assistance unit is determined to be ineligible for a hardship extension, the county shall give the assistance unit the option of disqualifying the ineligible participant from MFIP. In that case, the assistance unit shall be treated as a one-parent assistance unit and the assistance unit's MFIP grant shall be calculated using the shared household standard under section 256J.08, subdivision 82a.

(c) Prior to denying an extension, the county must review the sanction status and determine whether the sanction is appropriate or if good cause exists under section 256J.57. If the sanction was inappropriately applied or the participant is granted a good cause exception before the end of the last month ~~60~~, the participant shall be considered for an extension.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 14. Minnesota Statutes 2010, section 256J.425, subdivision 4, is amended to read:

Subd. 4. **Employed participants.** (a) An assistance unit subject to the time limit under section 256J.42, subdivision 1, is eligible to receive assistance under a hardship extension if the participant who reached the time limit belongs to:

(1) a one-parent assistance unit in which the participant is participating in work activities for at least 30 hours per week, of which an average of at least 25 hours per week every month are spent participating in employment;

(2) a two-parent assistance unit in which the participants are participating in work activities for at least 55 hours per week, of which an average of at least 45 hours per week every month are spent participating in employment; or

(3) an assistance unit in which a participant is participating in employment for fewer hours than those specified in clause (1), and the participant submits verification from a qualified professional, in a form acceptable to the commissioner, stating that the number of hours the participant may work is limited due to illness or disability, as long as the participant is participating in employment for at least the number of hours specified by the qualified professional. The participant must be following the treatment recommendations of the qualified professional providing the verification. The commissioner shall develop a form to be completed and signed by the qualified professional, documenting the diagnosis and any additional information necessary to document the functional limitations of the participant that limit work hours. If the participant is part of a two-parent assistance unit, the other parent must be treated as a one-parent assistance unit for purposes of meeting the work requirements under this subdivision.

(b) For purposes of this section, employment means:

(1) unsubsidized employment under section 256J.49, subdivision 13, clause (1);

(2) subsidized employment under section 256J.49, subdivision 13, clause (2);

(3) on-the-job training under section 256J.49, subdivision 13, clause (2);

(4) an apprenticeship under section 256J.49, subdivision 13, clause (1);

(5) supported work under section 256J.49, subdivision 13, clause (2);

(6) a combination of clauses (1) to (5); or

(7) child care under section 256J.49, subdivision 13, clause (7), if it is in combination with paid employment.

(c) If a participant is complying with a child protection plan under chapter 260C, the number of hours required under the child protection plan count toward the number of hours required under this subdivision.

(d) The county shall provide the opportunity for subsidized employment to participants needing that type of employment within available appropriations.

(e) To be eligible for a hardship extension for employed participants under this subdivision, a participant must be in compliance for at least ten out of the 12 months the participant received MFIP immediately preceding the month after the participant's ~~61st last~~ month on assistance. If ten or fewer months of eligibility for TANF assistance remain at the time the participant from another state applies for assistance, the participant must be in compliance every month.

(f) The employment plan developed under section 256J.521, subdivision 2, for participants under this subdivision must contain at least the minimum number of hours specified in paragraph (a) for the purpose of meeting the requirements for an extension under this subdivision. The job counselor and the participant must sign the employment plan to indicate agreement between the job counselor and the participant on the contents of the plan.

(g) Participants who fail to meet the requirements in paragraph (a), without good cause under section 256J.57, shall be sanctioned or permanently disqualified under subdivision 6. Good cause may only be granted for that portion of the month for which the good cause reason applies. Participants must meet all remaining requirements in the approved employment plan or be subject to sanction or permanent disqualification.

(h) If the noncompliance with an employment plan is due to the involuntary loss of employment, the participant is exempt from the hourly employment requirement under this subdivision for one month. Participants must meet all remaining requirements in the approved employment plan or be subject to sanction or permanent disqualification. This exemption is available to each participant two times in a 12-month period.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 15. Minnesota Statutes 2010, section 256J.425, subdivision 4a, is amended to read:

Subd. 4a. **Hardship extension pending documentation.** If the documentation needed to determine if a participant is eligible for a hardship extension under subdivision 2 or 3 is not available by the ~~60th~~ participant's last month under section 256J.42, subdivision 1, the county agency may extend the participant pending receipt of the documentation if the county believes the participant is likely to qualify for a hardship extension and the participant is cooperating with efforts to obtain the documentation. If the participant is found to be not eligible for an extension, the participant may be responsible for an overpayment.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 16. Minnesota Statutes 2010, section 256J.425, subdivision 5, is amended to read:

Subd. 5. **Accrual of certain exempt months.** (a) Participants who are not eligible for assistance under a hardship extension under this section shall be eligible for a hardship extension for a period of time equal to the number of months that were counted toward the ~~60-month~~ time limit under section 256J.42, subdivision 1, while the participant was a caregiver with a child or an adult in the household who meets the disability or medical criteria for home care services under section 256B.0651, subdivision 1, paragraph (c), or a home and community-based waiver services program under chapter 256B, or meets the criteria for severe emotional disturbance under section 245.4871, subdivision 6, or for serious and persistent mental illness under section 245.462, subdivision 20, paragraph (c), and who was subject to the requirements in section 256J.561, subdivision 2.

(b) A participant who received MFIP assistance that counted toward the ~~60-month~~ time limit while the participant met the state time limit exemption criteria under section 256J.42, subdivision 4 or 5, is eligible for assistance under a hardship extension for a period of time equal to the number of months that were counted toward the ~~60-month~~ time limit while the participant met the state time limit exemption criteria under section 256J.42, subdivision 4 or 5.

(c) After the accrued months have been exhausted, the county agency must determine if the assistance unit is eligible for an extension under another extension category in subdivision 2, 3, or 4.

(d) At the time of the case review, a county agency must explain to the participant the basis for receiving a hardship extension based on the accrual of exempt months. The participant must provide documentation necessary to enable the county agency to determine whether the participant is eligible to receive a hardship extension based on the accrual of exempt months or authorize a county agency to verify the information.

(e) While receiving extended MFIP assistance under this subdivision, a participant is subject to the MFIP policies that apply to participants during the ~~first 60~~ unextended months of MFIP, unless the participant is a member of a two-parent family in which one parent is extended under subdivision 3 or 4. For two-parent families in which one parent is extended under subdivision 3 or 4, the sanction provisions in subdivision 6 shall apply.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 17. Minnesota Statutes 2010, section 256J.425, subdivision 6, is amended to read:

Subd. 6. **Sanctions for extended cases.** (a) If one or both participants in an assistance unit receiving assistance under subdivision 3 or 4 are not in compliance with the employment and training service requirements in sections 256J.521 to 256J.57, the sanctions under this subdivision apply. For a first occurrence of noncompliance, an assistance unit must be sanctioned under section 256J.46, subdivision 1, paragraph (c), clause (1). For a second or third occurrence of noncompliance, the assistance unit must be sanctioned under section 256J.46, subdivision 1, paragraph (c), clause (2). For a fourth occurrence of noncompliance, the assistance unit is disqualified from MFIP. If a participant is determined to be out of compliance, the participant may claim a good cause exception under section 256J.57.

(b) If both participants in a two-parent assistance unit are out of compliance at the same time, it is considered one occurrence of noncompliance.

(c) When a parent in an extended two-parent assistance unit who has not used ~~60~~ 36 months of assistance is out of compliance with the employment and training service requirements in sections 256J.521 to 256J.57, sanctions must be applied as specified in clauses (1) and (2).

(1) If the assistance unit is receiving assistance under subdivision 3 or 4, the assistance unit is subject to the sanction policy in this subdivision.

(2) If the assistance unit is receiving assistance under subdivision 2, the assistance unit is subject to the sanction policy in section 256J.46.

(d) If a two-parent assistance unit is extended under subdivision 3 or 4, and a parent who has not reached the ~~60-month~~ time limit under section 256J.42, subdivision 1, is out of compliance with the employment and training services requirements in sections 256J.521 to 256J.57 when the case is extended, the sanction in the ~~61st~~ month after the last month of the time limit under section 256J.42, subdivision 1, is considered the first sanction for the purposes of applying the sanctions in this subdivision, except that the sanction amount shall be 30 percent.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 18. Minnesota Statutes 2010, section 256J.45, subdivision 2, is amended to read:

Subd. 2. **General information.** The MFIP orientation must consist of a presentation that informs caregivers of:

- (1) the necessity to obtain immediate employment;
- (2) the work incentives under MFIP, including the availability of the federal earned income tax credit and the Minnesota working family tax credit;
- (3) the requirement to comply with the employment plan and other requirements of the employment and training services component of MFIP, including a description of the range of work and training activities that are allowable under MFIP to meet the individual needs of participants;
- (4) the consequences for failing to comply with the employment plan and other program requirements, and that the county agency may not impose a sanction when failure to comply is due to the unavailability of child care or other circumstances where the participant has good cause under subdivision 3;
- (5) the rights, responsibilities, and obligations of participants;
- (6) the types and locations of child care services available through the county agency;
- (7) the availability and the benefits of the early childhood health and developmental screening under sections 121A.16 to 121A.19; 123B.02, subdivision 16; and 123B.10;
- (8) the caregiver's eligibility for transition year child care assistance under section 119B.05;
- (9) the availability of all health care programs, including transitional medical assistance;
- (10) the caregiver's option to choose an employment and training provider and information about each provider, including but not limited to, services offered, program components, job placement rates, job placement wages, and job retention rates;
- (11) the caregiver's option to request approval of an education and training plan according to section 256J.53;
- (12) the work study programs available under the higher education system; and
- (13) information about the ~~60-month~~ time limit exemptions under the family violence waiver and referral information about shelters and programs for victims of family violence.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 19. Minnesota Statutes 2010, section 256J.46, subdivision 1, is amended to read:

Subdivision 1. **Participants not complying with program requirements.** (a) A participant who fails without good cause under section 256J.57 to comply with the requirements of this chapter, and who is not subject to a sanction under subdivision 2, shall be subject to a sanction as provided in this subdivision. Prior to the imposition of a sanction, a county agency shall provide a notice of intent to sanction under section 256J.57, subdivision 2, and, when applicable, a notice of adverse action as provided in section 256J.31.

(b) A sanction under this subdivision becomes effective the month following the month in which a required notice is given. A sanction must not be imposed when a participant comes into compliance with the requirements for orientation under section 256J.45 prior to the effective date of the sanction. A sanction must not be imposed

when a participant comes into compliance with the requirements for employment and training services under sections 256J.515 to 256J.57 ten days prior to the effective date of the sanction. For purposes of this subdivision, each month that a participant fails to comply with a requirement of this chapter shall be considered a separate occurrence of noncompliance. If both participants in a two-parent assistance unit are out of compliance at the same time, it is considered one occurrence of noncompliance.

(c) Sanctions for noncompliance shall be imposed as follows:

(1) For the first occurrence of noncompliance by a participant in an assistance unit, the assistance unit's grant shall be reduced by ten percent of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that the participant returns to compliance.

(2) For a ~~second, third, fourth, fifth, or sixth~~ occurrence of noncompliance by a participant in an assistance unit, the assistance unit's shelter costs shall be vendor paid up to the amount of the cash portion of the MFIP grant for which the assistance unit is eligible. At county option, the assistance unit's utilities may also be vendor paid up to the amount of the cash portion of the MFIP grant remaining after vendor payment of the assistance unit's shelter costs. The residual amount of the grant after vendor payment, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size before the residual grant is paid to the assistance unit. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that the participant in a one-parent assistance unit returns to compliance. In a two-parent assistance unit, the grant reduction must be in effect for a minimum of one month and shall be removed in the month following the month both participants return to compliance. The vendor payment of shelter costs and, if applicable, utilities shall be removed six months after the month in which the participant or participants return to compliance. If an assistance unit is sanctioned under this clause, the participant's case file must be reviewed to determine if the employment plan is still appropriate.

(d) For a ~~seventh~~ third occurrence of noncompliance by a participant in an assistance unit, or when the participants in a two-parent assistance unit have a total of ~~seven~~ three occurrences of noncompliance, the county agency shall close the MFIP assistance unit's financial assistance case, both the cash and food portions, and redetermine the family's continued eligibility for food support payments. The MFIP case must remain closed for a minimum of one full month. Before the case is closed, the county agency must review the participant's case to determine if the employment plan is still appropriate and attempt to meet with the participant face-to-face. The participant may bring an advocate to the face-to-face meeting. If a face-to-face meeting is not conducted, the county agency must send the participant a written notice that includes the information required under clause (1).

(1) During the face-to-face meeting, the county agency must:

(i) determine whether the continued noncompliance can be explained and mitigated by providing a needed preemployment activity, as defined in section 256J.49, subdivision 13, clause (9);

(ii) determine whether the participant qualifies for a good cause exception under section 256J.57, or if the sanction is for noncooperation with child support requirements, determine if the participant qualifies for a good cause exemption under section 256.741, subdivision 10;

(iii) determine whether the work activities in the employment plan are appropriate based on the criteria in section 256J.521, subdivision 2 or 3;

(iv) determine whether the participant qualifies for the family violence waiver;

(v) inform the participant of the participant's sanction status and explain the consequences of continuing noncompliance;

(vi) identify other resources that may be available to the participant to meet the needs of the family; and

(vii) inform the participant of the right to appeal under section 256J.40.

(2) If the lack of an identified activity or service can explain the noncompliance, the county must work with the participant to provide the identified activity.

(3) The grant must be restored to the full amount for which the assistance unit is eligible retroactively to the first day of the month in which the participant was found to lack preemployment activities or to qualify for a family violence waiver or for a good cause exemption under section 256.741, subdivision 10, or 256J.57.

(e) For the purpose of applying sanctions under this section, only occurrences of noncompliance that occur after July 1, ~~2003~~ 2012, shall be considered. If the participant is in 30 percent sanction in the month this section takes effect, that month counts as the first occurrence for purposes of applying the sanctions under this section, but the sanction shall remain at 30 percent for that month.

(f) An assistance unit whose case is closed under paragraph (d) or (g), may reapply for MFIP and shall be eligible if the participant complies with MFIP program requirements and demonstrates compliance for up to one month. No assistance shall be paid during this period.

(g) An assistance unit whose case has been closed for noncompliance, that reapplies under paragraph (f), is subject to sanction under paragraph (c), clause (2), for a first occurrence of noncompliance. Any subsequent occurrence of noncompliance shall result in case closure under paragraph (d).

Sec. 20. Minnesota Statutes 2010, section 256J.50, subdivision 6, is amended to read:

Subd. 6. **Explanatory materials required.** The county must:

(1) explain to applicants and recipients and provide explanatory materials regarding the relationship between the ~~60-month~~ time limit under section 256J.42, subdivision 1, on assistance funded with TANF dollars and the receipt of various benefits, including cash assistance, food stamps or food support, medical assistance, and child care assistance; and

(2) provide assistance to applicants and recipients to enable them to minimize the use of their ~~60~~ allowable months of TANF-funded assistance.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 21. Minnesota Statutes 2010, section 256J.50, subdivision 10, is amended to read:

Subd. 10. **Required notification to victims of family violence.** (a) County agencies and their contractors must provide universal notification to all applicants and recipients of MFIP that:

(1) referrals to counseling and supportive services are available for victims of family violence;

(2) nonpermanent resident battered individuals married to United States citizens or permanent residents may be eligible to petition for permanent residency under the federal Violence Against Women Act, and that referrals to appropriate legal services are available;

(3) victims of family violence are exempt from the ~~60-month~~ limit under section 256J.42, subdivision 1, on assistance if they are complying with an employment plan under section 256J.521, subdivision 3; and

(4) victims of family violence may choose to have regular work requirements waived while the individual is complying with an employment plan under section 256J.521, subdivision 3.

(b) If an employment plan under section 256J.521, subdivision 3, is denied, the county or a job counselor must provide reasons why the plan is not approved and document how the denial of the plan does not interfere with the safety of the participant or children.

Notification must be in writing and orally at the time of application and recertification, when the individual is referred to the title IV-D child support agency, and at the beginning of any job training or work placement assistance program.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 22. Minnesota Statutes 2010, section 256J.575, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** (a) The following MFIP participants are eligible for the services under this section:

(1) a participant who meets the requirements for or has been granted a hardship extension under section 256J.425, subdivision 2 or 3, except that it is not necessary for the participant to have reached or be approaching ~~60 months of eligibility~~ the time limit under section 256J.42, subdivision 1, for this section to apply;

(2) a participant who is applying for Supplemental Security Income or Social Security disability insurance;

(3) a participant who is a noncitizen who has been in the United States for 12 or fewer months; and

(4) a participant who is age 60 or older.

(b) Families must meet all other eligibility requirements for MFIP established in this chapter. Families are eligible for financial assistance to the same extent as if they were participating in MFIP.

(c) A participant under paragraph (a), clause (3), must be provided with English as a second language opportunities and skills training for up to 12 months. After 12 months, the case manager and participant must determine whether the participant should continue with English as a second language classes or skills training, or both, and continue to receive family stabilization services.

(d) If a county agency or employment services provider has information that an MFIP participant may meet the eligibility criteria set forth in this subdivision, the county agency or employment services provider must assist the participant in obtaining the documentation necessary to determine eligibility.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 23. Minnesota Statutes 2010, section 256J.621, is amended to read:

**256J.621 WORK PARTICIPATION CASH BENEFITS.**

(a) Effective October 1, 2009, upon exiting the diversionary work program (DWP) or upon terminating the Minnesota family investment program with earnings, a participant who is employed may be eligible for work participation cash benefits of \$25 per month to assist in meeting the family's basic needs as the participant continues to move toward self-sufficiency.

(b) To be eligible for work participation cash benefits, the participant shall not receive MFIP or diversionary work program assistance during the month and the participant or participants must meet the following work requirements:

(1) if the participant is a single caregiver and has a child under six years of age, the participant must be employed at least 87 hours per month;

(2) if the participant is a single caregiver and does not have a child under six years of age, the participant must be employed at least 130 hours per month; or

(3) if the household is a two-parent family, at least one of the parents must be employed an average of at least 130 hours per month.

Whenever a participant exits the diversionary work program or is terminated from MFIP and meets the other criteria in this section, work participation cash benefits are available for up to 24 consecutive months.

(c) Expenditures on the program are maintenance of effort state funds under a separate state program for participants under paragraph (b), clauses (1) and (2). Expenditures for participants under paragraph (b), clause (3), are nonmaintenance of effort funds. Months in which a participant receives work participation cash benefits under this section do not count toward the participant's MFIP ~~60-month~~ time limit under section 256J.42, subdivision 1.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 24. Minnesota Statutes 2010, section 256J.626, subdivision 2, is amended to read:

Subd. 2. **Allowable expenditures.** (a) The commissioner must restrict expenditures under the consolidated fund to benefits and services allowed under title IV-A of the federal Social Security Act. Allowable expenditures under the consolidated fund may include, but are not limited to:

(1) short-term, nonrecurring shelter and utility needs that are excluded from the definition of assistance under Code of Federal Regulations, title 45, section 260.31, for families who meet the residency requirement in section 256J.12, subdivisions 1 and 1a. Payments under this subdivision are not considered TANF cash assistance and are not counted ~~towards~~ toward the ~~60-month~~ time limit under section 256J.42, subdivision 1;

(2) transportation needed to obtain or retain employment or to participate in other approved work activities or activities under a family stabilization plan;

(3) direct and administrative costs of staff to deliver employment services for MFIP, the diversionary work program, or family stabilization services; to administer financial assistance; and to provide specialized services intended to assist hard-to-employ participants to transition to work or transition from family stabilization services to MFIP;

(4) costs of education and training including functional work literacy and English as a second language;

(5) cost of work supports including tools, clothing, boots, telephone service, and other work-related expenses;

(6) county administrative expenses as defined in Code of Federal Regulations, title 45, section 260(b);

(7) services to parenting and pregnant teens;

(8) supported work;

(9) wage subsidies;

(10) child care needed for MFIP, the diversionary work program, or family stabilization services participants to participate in social services;

(11) child care to ensure that families leaving MFIP or diversionary work program will continue to receive child care assistance from the time the family no longer qualifies for transition year child care until an opening occurs under the basic sliding fee child care program;

(12) services to help noncustodial parents who live in Minnesota and have minor children receiving MFIP or DWP assistance, but do not live in the same household as the child, obtain or retain employment; and

(13) services to help families participating in family stabilization services achieve the greatest possible degree of self-sufficiency.

(b) Administrative costs that are not matched with county funds as provided in subdivision 8 may not exceed 7.5 percent of a county's or 15 percent of a tribe's allocation under this section. The commissioner shall define administrative costs for purposes of this subdivision.

(c) The commissioner may waive the cap on administrative costs for a county or tribe that elects to provide an approved supported employment, unpaid work, or community work experience program for a major segment of the county's or tribe's MFIP population. The county or tribe must apply for the waiver on forms provided by the commissioner. In no case shall total administrative costs exceed the TANF limits.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

Sec. 25. Minnesota Statutes 2010, section 256J.751, subdivision 1, is amended to read:

Subdivision 1. **Monthly county caseload report.** The commissioner shall report monthly to each county the following caseload information:

(1) total number of cases receiving MFIP, and subtotals of cases with one eligible parent, two eligible parents, and an eligible caregiver who is not a parent;

(2) total number of child only assistance cases;

(3) total number of eligible adults and children receiving an MFIP grant, and subtotals for cases with one eligible parent, two eligible parents, an eligible caregiver who is not a parent, and child only cases;

(4) number of cases with an exemption from the ~~60-month~~ time limit under section 256J.42, subdivision 1, based on a family violence waiver;

(5) number of MFIP cases with work hours, and subtotals for cases with one eligible parent, two eligible parents, and an eligible caregiver who is not a parent;

(6) number of employed MFIP cases, and subtotals for cases with one eligible parent, two eligible parents, and an eligible caregiver who is not a parent;

(7) average monthly gross earnings, and averages for subgroups of cases with one eligible parent, two eligible parents, and an eligible caregiver who is not a parent;

(8) number of employed cases receiving only the food portion of assistance;

(9) number of parents or caregivers exempt from work activity requirements, with subtotals for each exemption type; and

(10) number of cases with a sanction, with subtotals by level of sanction for cases with one eligible parent, two eligible parents, and an eligible caregiver who is not a parent.

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

Delete the title and insert:

"A bill for an act relating to human services; modifying persons ineligible for MFIP; modifying MFIP sanctions; modifying MFIP time limits; modifying the MFIP exit level; regulating use of electronic benefit transfer cards; amending Minnesota Statutes 2010, sections 256J.08, subdivisions 34b, 51b; 256J.24, subdivision 10; 256J.26, subdivision 1; 256J.32, subdivisions 4, 6; 256J.415; 256J.42, subdivisions 1, 4, 5, 6; 256J.425, subdivisions 1, 4, 4a, 5, 6; 256J.45, subdivision 2; 256J.46, subdivision 1; 256J.50, subdivisions 6, 10; 256J.575, subdivision 3; 256J.621; 256J.626, subdivision 2; 256J.751, subdivision 1; Minnesota Statutes 2011 Supplement, section 256.987, by adding a subdivision."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

Hamilton from the Committee on Agriculture and Rural Development Policy and Finance to which was referred:

H. F. No. 2159, A bill for an act relating to agriculture; establishing an immigrant and minority microloan program; modifying provisions related to the Rural Finance Authority; amending Minnesota Statutes 2010, sections 41B.036; 41B.048, subdivision 6; 41B.055, subdivision 1; 41B.06; proposing coding for new law in Minnesota Statutes, chapter 41B; repealing Minnesota Statutes 2010, section 41B.048, subdivision 7.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Regulatory Reform.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 2174, A bill for an act relating to local government finance; authorizing certain investments; providing for designated depositories; amending Minnesota Statutes 2010, sections 123B.14, subdivision 3; 366.01, subdivision 4; 385.07; 427.06.

Reported the same back with the following amendments:

Page 1, line 13, delete the second "or" and insert a comma

Page 1, line 14, after "associations" insert ", or credit unions"

Page 1, line 17, before the period, insert "or the National Credit Union Share Insurance Fund"

Page 2, line 11, delete the second "or" and insert a comma

Page 2, line 12, after "associations" insert ", or credit unions"

Page 2, line 15, before the period, insert "or the National Credit Union Share Insurance Fund"

Page 2, line 29, delete the second "or" and insert a comma

Page 2, line 30, after "associations" insert ", or credit unions"

Page 2, line 33, before the period, insert "or the National Credit Union Share Insurance Fund"

Page 3, line 15, delete the second "or" and insert a comma

Page 3, line 16, after "associations" insert ", or credit unions"

Page 3, line 19, before the period, insert "or the National Credit Union Share Insurance Fund"

With the recommendation that when so amended the bill pass.

The report was adopted.

Shimanski from the Committee on Judiciary Policy and Finance to which was referred:

H. F. No. 2246, A bill for an act relating to public safety; allowing convictions under the original criminal vehicular operation law to enhance certain DWI offenses; correcting a legislative oversight; amending Minnesota Statutes 2010, sections 169A.03, subdivisions 20, 21; 169A.24, subdivision 1.

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

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 2263, A bill for an act relating to labor and industry; implementing window cleaning safety measures; amending Minnesota Statutes 2010, section 326B.106, subdivision 4.

Reported the same back with the following amendments:

Page 3, line 10, delete "where any" and insert ", only on those areas undergoing"

Page 3, line 11, after "alteration" insert a comma and after "repair" insert "that"

Page 3, after line 11, insert:

"The commissioner may waive all or a portion of the requirements of this paragraph related to reconstruction, alteration, or repair, if the installation of dedicated anchorages would not result in significant safety improvements due to limits on the size of the project, or other factors as determined by the commissioner."

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

With the recommendation that when so amended the bill pass.

The report was adopted.

Garofalo from the Committee on Education Finance to which was referred:

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

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

The report was adopted.

Gunther from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2305, A bill for an act relating to barbers; changing licenses and fees; creating penalties; appropriating money; amending Minnesota Statutes 2010, sections 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; Laws 2011, First Special Session chapter 4, article 1, section 11; proposing coding for new law in Minnesota Statutes, chapter 154.

Reported the same back with the following amendments:

Page 8, line 29, delete "317,000" and insert "289,000"

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

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 2333, A bill for an act relating to public safety; specifically including theft of motor fuel in the theft crime; creating a permissive inference regarding theft of motor fuel; modifying the drive-off gas civil liability law; amending Minnesota Statutes 2010, sections 171.175; 332.32; 604.15, subdivision 3, by adding a subdivision; 609.52, subdivisions 1, 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 2392, A bill for an act relating to Anoka County; providing for powers and jurisdiction of the Anoka County Housing and Redevelopment Authority; amending Minnesota Statutes 2010, section 383E.17.

Reported the same back with the following amendments:

Page 2, line 4, after "county" insert ". Local approval of all projects is required pursuant to section 383E.18"

Page 2, delete line 9 and insert:

"**EFFECTIVE DATE.** This section is effective the day after the governing bodies of Anoka County and the Anoka County Housing and Redevelopment Authority and their chief clerical officers timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Page 2, after line 9, insert:

"Sec. 2. Minnesota Statutes 2010, section 383E.18, is amended to read:

**383E.18 LOCAL APPROVAL.**

Before a housing or redevelopment project of the Anoka County Housing and Redevelopment Authority is undertaken, the project and the location of the project shall be approved by the local governing body with jurisdiction over all or any part of the area in which the proposed project is located.

"**EFFECTIVE DATE.** This section is effective the day after the governing bodies of Anoka County and the Anoka County Housing and Redevelopment Authority and their chief clerical officers timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

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. 269, 389, 1708, 1974, 1976, 2022, 2174, 2246, 2263, 2291 and 2392 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Anderson, B., introduced:

H. F. No. 2493, A bill for an act relating to state government; veterans; providing noncompetitive appointment of certain disabled veterans; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the first time and referred to the Veterans Services Division.

Anderson, B., introduced:

H. F. No. 2494, A bill for an act relating to the military; allowing issuance of state awards to nonmembers of the Minnesota National Guard; amending Minnesota Statutes 2010, section 192.23.

The bill was read for the first time and referred to the Veterans Services Division.

Anderson, B., introduced:

H. F. No. 2495, A bill for an act relating to veterans; veterans preference; modifying appointment procedure for removal hearing board; amending Minnesota Statutes 2010, section 197.46.

The bill was read for the first time and referred to the Veterans Services Division.

Anderson, B., introduced:

H. F. No. 2496, A bill for an act relating to environment; requiring local approval before issuance of state disposal facility permit; amending Minnesota Statutes 2010, section 116.07, subdivision 4j.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Hansen introduced:

H. F. No. 2497, A bill for an act relating to taxation; authorizing the Dakota County Community Development Authority to create a tax increment financing district subject to special rules.

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

Champion introduced:

H. F. No. 2498, A bill for an act relating to public safety; extending statute of limitations for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2010, section 628.26.

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

Runbeck and Mahoney introduced:

H. F. No. 2499, A bill for an act relating to corporations; providing for incorporation of for-profit public benefit corporations; proposing coding for new law as Minnesota Statutes, chapter 304A.

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

Sanders; Atkins; Petersen, B.; Anderson, D.; Mazorol; Davids and Lillie introduced:

H. F. No. 2500, A bill for an act relating to commerce; changing laws relating to debt settlement services agreements; amending Minnesota Statutes 2010, sections 332B.06, subdivisions 2, 5, 8; 332B.07, subdivisions 1, 4; 332B.09, subdivision 1; 332B.10; 332B.13, subdivision 3; repealing Minnesota Statutes 2010, section 332B.09, subdivisions 2, 3.

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

Hackbarth introduced:

H. F. No. 2501, A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines at a licensed racetrack; imposing a fee on gaming machine revenue; providing powers and duties to the director; establishing a Minnesota First fund and dedicating money in the fund for education and to finance and construct a stadium for the Minnesota Vikings and a ballpark for the St. Paul Saints; modifying certain rates of tax on lawful gambling; providing for linked bingo and electronic pull-tabs; making clarifying, conforming, and technical changes; appropriating money; amending Minnesota Statutes 2010, sections 240.03; 240.13, by adding a subdivision; 240.14, by adding a subdivision; 240.28, subdivision 2; 297E.02; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349.12, subdivisions 5, 12a, 25b, 25c, 25d, 29, 32, 32a; 349.13; 349.151, subdivisions 4b, 4c; 349.155, subdivisions 3, 4; 349.161, subdivision 1; 349.163, subdivisions 1, 6; 349.1635, subdivision 2, by adding a subdivision; 349.165, subdivision 2; 349.17, subdivisions 6, 7, 8; 349.1721, by adding subdivisions; 349.18, subdivision 1; 349.211, subdivision 1a; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

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

Bills; Anderson, B., and Swedzinski introduced:

H. F. No. 2502, A bill for an act relating to money; designating gold and silver coin as official legal tender; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Vogel introduced:

H. F. No. 2503, A bill for an act relating to human services; extending the closure date of the Willmar Community Behavioral Health Hospital; amending Laws 2011, First Special Session chapter 9, article 10, section 3, subdivision 5.

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

Drazkowski introduced:

H. F. No. 2504, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Mullery introduced:

H. F. No. 2505, A bill for an act relating to conservatorships; permitting designation of a post office box number in the annual report of the conservator; amending Minnesota Statutes 2010, section 524.5-420.

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

Loon, Dittrich, Kiel and McFarlane introduced:

H. F. No. 2506, A bill for an act relating to education; striking the requirement to allocate portions of reserved staff development revenue for particular purposes; amending Minnesota Statutes 2010, section 122A.61, subdivision 1.

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

Dettmer; Cornish; Benson, M., and Banaian introduced:

H. F. No. 2507, A bill for an act relating to higher education; authorizing a safety officer survivor education benefit for graduate study; amending Minnesota Statutes 2010, section 299A.45, subdivisions 1, 2.

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

Barrett, Abeler, Lohmer, Greiling, Cornish and McElpatrick introduced:

H. F. No. 2508, A bill for an act relating to public safety; aligning state-controlled substance schedules with federal controlled substance schedules; modifying the authority of the Board of Pharmacy to regulate controlled substances; providing for penalties; amending Minnesota Statutes 2010, section 152.02, as amended; Minnesota Statutes 2011 Supplement, section 152.027, subdivision 6.

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

Rukavina and Melin introduced:

H. F. No. 2509, A bill for an act relating to health; amending health professional education loan forgiveness program requirements; amending Laws 2011, First Special Session chapter 9, article 2, section 30.

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

Anzelc, Melin, Dill and Murphy, E., introduced:

H. F. No. 2510, A bill for an act relating to health; authorizing the licensure of physicians to dispense drugs in pharmacies located in health professional shortage areas; amending Minnesota Statutes 2010, section 151.01, by adding subdivisions; Minnesota Statutes 2011 Supplement, section 151.19, by adding a subdivision.

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

Kriesel introduced:

H. F. No. 2511, A bill for an act relating to game and fish; exempting military personnel and veterans from firearms safety certificate requirement; amending Minnesota Statutes 2010, sections 97B.015, subdivision 5a; 97B.020.

The bill was read for the first time and referred to the Veterans Services Division.

Gauthier, Kriesel, Hilty and Johnson introduced:

H. F. No. 2512, A bill for an act relating to public safety; adjusting contract service rates for escort services by the State Patrol; amending Minnesota Statutes 2010, section 299D.09.

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

Hackbarth introduced:

H. F. No. 2513, A bill for an act relating to game and fish; eliminating venison donation program; repealing Minnesota Statutes 2010, sections 17.035; 97B.303.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Slocum and Hausman introduced:

H. F. No. 2514, A bill for an act relating to capital improvements; appropriating money for grant to city of Richfield to construct new arterial street; authorizing the sale and issuance of state bonds.

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

Hausman, Knuth and Hansen introduced:

H. F. No. 2515, A bill for an act relating to capital investment; appropriating money for RIM critical habitat match; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

McNamara, Knuth, Hansen, Hoppe, Cornish, Daudt and Hausman introduced:

H. F. No. 2516, A bill for an act relating to capital investment; appropriating money for natural resources acquisition and development; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Shimanski; Cornish; Smith; Vogel; Eken; Nelson; Hilstrom; Simon; Carlson; Johnson; Mazorol; Kiel; Sanders; Benson, M.; Allen and Anderson, B., introduced:

H. F. No. 2517, A bill for an act relating to public safety; clarifying placement of certain motor vehicle license plates; amending Minnesota Statutes 2010, section 169.79, subdivision 6.

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

Davids introduced:

H. F. No. 2518, A bill for an act relating to capital improvements; appropriating money for Spring Grove alley renovation; authorizing the sale and issuance of state bonds.

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

Dill introduced:

H. F. No. 2519, A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited land in St. Louis County.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Franson introduced:

H. F. No. 2520, A bill for an act relating to health; requiring legislative approval before the commissioner of health can accept federal funds for purposes of establishing, implementing, or maintaining a health-related surveillance system or registry.

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

Franson introduced:

H. F. No. 2521, A bill for an act relating to human services; repealing the requirement that health care providers must participate in the state public health care programs as a condition of participating as a provider in the state employee health plans; repealing Minnesota Statutes 2010, section 256B.0644.

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

Franson introduced:

H. F. No. 2522, A bill for an act relating to health; modifying minor consent for health procedures and records; amending Minnesota Statutes 2010, sections 121A.22, subdivision 2; 144.291, subdivision 2; repealing Minnesota Statutes 2010, sections 144.343, subdivision 1; 144.3441.

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

Franson, Lohmer and Gruenhagen introduced:

H. F. No. 2523, A bill for an act relating to health; requiring informed consent for certain vaccines manufactured with or containing human DNA; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Hosch introduced:

H. F. No. 2524, A bill for an act relating to capital investment; appropriating money for a regional community center in the city of St. Joseph; authorizing the sale and issuance of state bonds.

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

Schomacker and Hosch introduced:

H. F. No. 2525, A bill for an act relating to human services; providing a nursing facility rate increase for health information technology costs; appropriating money; amending Minnesota Statutes 2010, section 256B.441, by adding a subdivision.

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

Kelly introduced:

H. F. No. 2526, A bill for an act relating to capital investment; appropriating money for the Sheldon Theatre in Red Wing; authorizing the sale and issuance of state bonds.

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

Mazorol and Hortman introduced:

H. F. No. 2527, A bill for an act relating to state government; enacting the Uniform Electronic Legal Material Act approved by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 3E.

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

Mazorol and Vogel introduced:

H. F. No. 2528, A bill for an act relating to transportation; amending Minnesota Statutes 2010, section 161.20, subdivision 4.

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

Lohmer, Abeler and Huntley introduced:

H. F. No. 2529, A bill for an act relating to human services; appropriating money for living skills training programs for persons with intractable epilepsy.

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

Kiel, Dittrich and McFarlane introduced:

H. F. No. 2530, A bill for an act relating to education; changing by one month the date by which a school board must notify a probationary teacher about not renewing the teacher's contract; amending Minnesota Statutes 2011 Supplement, section 122A.40, subdivision 5.

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

Shimanski, Mahoney, Drazkowski, Scalze, Scott, Hausman, Gruenhagen, Vogel and Cornish introduced:

H. F. No. 2531, A bill for an act relating to family law; requiring mediation to develop parenting plans; requiring training; amending Minnesota Statutes 2010, section 480.30, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Barrett, Greiling, Gottwalt and Abeler introduced:

H. F. No. 2532, A bill for an act relating to health; allowing the electronic prescribing of controlled substances; amending Minnesota Statutes 2010, section 152.11.

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

Johnson introduced:

H. F. No. 2533, A bill for an act relating to taxes; individual income and corporate franchise; allowing a credit for installations of certain broadband equipment; amending Minnesota Statutes 2010, section 290.06, by adding a subdivision.

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

Winkler and Greiling introduced:

H. F. No. 2534, A bill for an act relating to human services; requiring the commissioner of human services to establish a voluntary registry; requiring the commissioner of human services to release information for purposes of firearms background checks; amending Minnesota Statutes 2010, sections 245.041; 624.7131, subdivisions 1, 2; 624.714, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapters 214; 245.

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

O'Driscoll, Gottwalt, Banaian, Hosch and Davids introduced:

H. F. No. 2535, A bill for an act relating to taxation; sales and use; local government; modifying local sales and use tax for St. Cloud area cities; amending Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4.

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

Anderson, P., and Gunther introduced:

H. F. No. 2536, A bill for an act relating to unemployment compensation; eliminating limits on wage credits for certain family members of business owners; amending Minnesota Statutes 2011 Supplement, section 268.085, subdivision 9.

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

Crawford, Murray, LeMieur, Vogel and Davids introduced:

H. F. No. 2537, A bill for an act relating to tax increment financing; extending the time period for the temporary authority to stimulate construction; amending Minnesota Statutes 2011 Supplement, section 469.176, subdivisions 4c, 4m.

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

Runbeck, Crawford and Davids introduced:

H. F. No. 2538, A bill for an act relating to taxation; making technical, minor, and clarifying changes in enterprise zone and economic development powers; eliminating obsolete provisions; amending Minnesota Statutes 2010, sections 16C.16, subdivision 7; 41A.036, subdivision 2; 117.025, subdivision 10; 270B.14, subdivision 3; 272.02, subdivision 77; 273.13, subdivision 24; 273.1398, subdivision 4; 276A.01, subdivision 3; 290.01, subdivision 29; 290.067, subdivision 1; 290.0921, subdivision 3; 469.015, subdivision 4; 469.033, subdivision 7; 469.166, subdivisions 3, 5, 6; 469.167, subdivision 2; 469.171, subdivisions 1, 4, 6a, 7, 9, 11; 469.172; 469.173, subdivisions 5, 6; 469.174, subdivisions 20, 25; 469.176, subdivision 7; 469.1763, subdivision 6; 469.1764, subdivision 1; 469.177, subdivision 1; 469.1793; 469.1813, subdivision 6b; 473F.02, subdivision 3; Minnesota Statutes 2011 Supplement, sections 290.01, subdivision 19b; 290.06, subdivision 2c; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0922, subdivisions 2, 3; 297A.75, subdivision 1; repealing Minnesota Statutes 2010, sections 272.02, subdivision 83; 290.06, subdivisions 24, 32; 297A.68, subdivision 41; 469.042, subdivisions 2, 3, 4; 469.043; 469.059, subdivision 13; 469.129; 469.134; 469.162, subdivision 2; 469.1651; 469.166, subdivisions 7, 8, 9, 10, 11, 12; 469.167, subdivisions 1, 3; 469.168; 469.169, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13; 469.170, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 5c, 5d, 5e, 6, 7, 8; 469.171, subdivisions 2, 5, 6b; 469.173, subdivisions 1, 3; 469.1765; 469.1791; 469.1799, subdivision 2; 469.301, subdivisions 1, 2, 3, 4, 5; 469.302; 469.303; 469.304; 469.321; 469.3215; 469.322; 469.323; 469.324; 469.325; 469.326; 469.327; 469.328; 469.329; 473.680.

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

LeMieur; Hamilton; Torkelson; Anderson, P., and Swedzinski introduced:

H. F. No. 2539, A bill for an act relating to natural resources; modifying the exemption from the Wetland Conservation Act for agricultural land subject to certain federal requirements; amending Minnesota Statutes 2010, section 103G.2241, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development Policy and Finance.

Barrett and Daudt introduced:

H. F. No. 2540, A bill for an act relating to education finance; creating a new source of state aid for school districts with below average revenue; amending Minnesota Statutes 2010, section 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Runbeck, Davids, Crawford, Ward and Dittrich introduced:

H. F. No. 2541, A bill for an act relating to economic development; providing for a new privately owned National Football League stadium in Minnesota; authorizing the issuance of revenue bonds; phasing out statewide business property tax; amending Minnesota Statutes 2010, sections 275.025, subdivision 1; 297A.71, by adding a subdivision; Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 2010, section 275.025, subdivisions 2, 4.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Nelson introduced:

H. F. No. 2542, A bill for an act relating to taxation; tax increment financing; modifying expenditures outside district; amending Minnesota Statutes 2011 Supplement, section 469.1763, subdivision 2.

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

Knuth, Abeler, Morrow, Melin and Atkins introduced:

H. F. No. 2543, A bill for an act relating to commerce; requiring reporting of children's products containing harmful chemicals; amending Minnesota Statutes 2010, section 116.9405; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Loon, Atkins, Hoppe, Davids and Johnson introduced:

H. F. No. 2544, A bill for an act relating to insurance; regulating the offer and dissemination of travel insurance; amending Minnesota Statutes 2010, sections 60K.36, subdivision 2; 60K.38, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60K.

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

Sanders and Simon introduced:

H. F. No. 2545, A bill for an act relating to elections; modifying certificate on absentee ballot envelopes; amending Minnesota Statutes 2010, section 203B.21, subdivision 3.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Buesgens, Erickson and Hackbarth introduced:

H. F. No. 2546, A bill for an act relating to capital improvements; appropriating money for State Capitol restoration; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2010, section 129D.17, by adding a subdivision.

The bill was read for the first time and referred to the Legacy Funding Division.

Leidiger, Beard, Murdock, Vogel, Quam, Shimanski and Drazkowski introduced:

H. F. No. 2547, A bill for an act relating to metropolitan government; requiring city, county, and town approval prior to constructing light rail transit facilities; amending Minnesota Statutes 2010, section 473.3994, subdivisions 3, 4, 5, 7.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

McElfattrick, LeMieur, Gunther, Erickson, Lohmer and Shimanski introduced:

H. F. No. 2548, A bill for an act relating to electrical inspections; depositing fees collected into account within the construction code fund; annually appropriating funds to the commissioner; amending Minnesota Statutes 2010, section 326B.36, subdivision 1; Minnesota Statutes 2011 Supplement, section 326B.04, subdivision 2.

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

Holberg introduced:

H. F. No. 2549, A bill for an act relating to state government; adding a provision to government data practices allowing access to public government data online; amending Minnesota Statutes 2010, section 13.03, subdivision 3.

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

Abeler, Huntley, Schomacker, Fritz, Franson, Laine, Moran, Hosch, Winkler, Gauthier, Hilstrom, Lillie, Simon and Atkins introduced:

H. F. No. 2550, A bill for an act relating to health; modifying the continuity of care provision of the health care bill of rights; amending Minnesota Statutes 2010, section 144.651, subdivision 11.

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

Runbeck and Gunther introduced:

H. F. No. 2551, A bill for an act relating to unemployment compensation; changing the benefit amount calculation; amending Minnesota Statutes 2010, sections 268.035, subdivision 19; 268.07, subdivision 2a.

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

Westrom introduced:

H. F. No. 2552, A bill for an act relating to game and fish; modifying trespass law; amending Minnesota Statutes 2010, section 97B.001, subdivision 7.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Hoppe introduced:

H. F. No. 2553, A bill for an act relating to insurance; regulating certain wealth-related claims practices; amending Minnesota Statutes 2010, sections 65A.29, subdivisions 8, 11; 326B.081, subdivision 3; Minnesota Statutes 2011 Supplement, section 325E.66, subdivisions 1, 2, by adding a subdivision.

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

Mariani introduced:

H. F. No. 2554, A bill for an act relating to education finance; eliminating the limitation on the career and technical levy; amending Minnesota Statutes 2011 Supplement, section 124D.4531, subdivision 1.

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

Kiffmeyer and Nelson introduced:

H. F. No. 2555, A bill for an act relating to state government; implementing changes to the sunset review; changing certain agency requirements; requiring posting of convictions of felonies or gross misdemeanors and malpractice settlements or judgments for a regulated practitioner; requiring certain information on regulated practitioners; requiring a study; prohibiting transfer of certain funds; requiring reports; setting fees; appropriating money; amending Minnesota Statutes 2010, sections 3.922, by adding a subdivision; 3.9223, subdivision 7; 3.9225, subdivision 7; 3.9226, subdivision 7; 147.01, subdivision 4; 147.111, by adding a subdivision; Minnesota Statutes

2011 Supplement, sections 3D.06; 3D.21, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 3D; 16B; 214; repealing Minnesota Statutes 2010, sections 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06.

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

Dill introduced:

H. F. No. 2556, A bill for an act relating to state lands; providing for the public sale of certain tax-forfeited lands bordering public waters in Lake County.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Franson and Erickson introduced:

H. F. No. 2557, A bill for an act relating to health; requiring written informed consent before information is submitted to the commissioner of health for the early hearing detection and intervention program, heritable and congenital disorders tests, the birth defects information system, occupational diseases reporting, the trauma registry, the traumatic brain and spinal cord injury registry, the cancer surveillance system, and the lead surveillance system; amending Minnesota Statutes 2010, sections 121A.15, subdivision 7; 135A.14, subdivision 4; 144.125, subdivision 3; 144.2215, subdivision 2; 144.2216, subdivision 4; 144.3351; 144.34; 144.4195, subdivision 3; 144.6071, subdivisions 2, 3; 144.663, subdivision 1; 144.68, subdivisions 1, 2, by adding a subdivision; 144.9502, subdivision 3; 144.966, subdivisions 3, 4; repealing Minnesota Statutes 2010, sections 13.3806, subdivision 10a; 144.4195, subdivisions 2, 6.

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

Franson and Erickson introduced:

H. F. No. 2558, A bill for an act relating to state government; establishing a Legislative Commission on United Nations Agenda 21; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Petersen, B.; Sanders; Laine and Scott introduced:

H. F. No. 2559, A bill for an act relating to transportation; regulating county state-aid highway funds; amending Minnesota Statutes 2010, section 162.06, subdivision 6.

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

Scott, Sanders and Petersen, B., introduced:

H. F. No. 2560, A bill for an act relating to metropolitan government; requiring proportional distribution by Metropolitan Council of any transit reductions; amending Minnesota Statutes 2010, section 473.375, by adding a subdivision.

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

### **MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 1585, A bill for an act relating to education; reducing time period for good faith effort required before asking the Minnesota State High School League to arrange an interscholastic conference membership; amending Minnesota Statutes 2010, section 128C.07, subdivision 3.

H. F. No. 1926, A bill for an act relating to agriculture; providing for voluntary certification of good manufacturing practices for commercial feed and feed ingredients; authorizing fees for voluntary certification; modifying rule provisions relating to animal feed; appropriating money; amending Minnesota Statutes 2010, section 25.40, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 25; repealing Minnesota Rules, parts 1510.2220; 1510.2230.

CAL R. LUDEMAN, Secretary of the Senate

### **CALENDAR FOR THE DAY**

Dean moved that the Calendar for the Day be continued. The motion prevailed.

### **MOTIONS AND RESOLUTIONS**

Westrom moved that the name of Bills be added as an author on H. F. No. 203. The motion prevailed.

Downey moved that the name of Bills be added as an author on H. F. No. 418. The motion prevailed.

Banaian moved that the name of Bills be added as an author on H. F. No. 673. The motion prevailed.

Mack moved that the name of Bills be added as an author on H. F. No. 746. The motion prevailed.

Sanders moved that the name of Bills be added as an author on H. F. No. 1036. The motion prevailed.

Hoppe moved that the name of Dittrich be added as an author on H. F. No. 1134. The motion prevailed.

Hortman moved that the name of Crawford be added as an author on H. F. No. 1429. The motion prevailed.

McFarlane moved that the name of Bills be added as an author on H. F. No. 1579. The motion prevailed.

Poppe moved that the name of Davids be added as an author on H. F. No. 1745. The motion prevailed.

Howes moved that the names of Davids and Kahn be added as authors on H. F. No. 1752. The motion prevailed.

Davids moved that the name of Bills be added as an author on H. F. No. 1914. The motion prevailed.

Drazkowski moved that the name of Leidiger be added as chief author on H. F. No. 1976. The motion prevailed.

Downey moved that the names of Murdock and Wardlow be added as authors on H. F. No. 2002. The motion prevailed.

Slawik moved that the name of Hansen be added as an author on H. F. No. 2052. The motion prevailed.

Daudt moved that the name of Bills be added as an author on H. F. No. 2080. The motion prevailed.

Daudt moved that the name of Bills be added as an author on H. F. No. 2081. The motion prevailed.

Stensrud moved that the name of Pelowski be added as an author on H. F. No. 2084. The motion prevailed.

Benson, M., moved that the name of Morrow be added as an author on H. F. No. 2102. The motion prevailed.

Swedzinski moved that the names of Kahn, Liebling and Falk be added as authors on H. F. No. 2159. The motion prevailed.

Brynaert moved that the name of Fritz be added as an author on H. F. No. 2181. The motion prevailed.

Beard moved that the name of Kelly be added as an author on H. F. No. 2190. The motion prevailed.

McElfatrick moved that the names of Lohmer, Shimanski and Murphy, M., be added as authors on H. F. No. 2288. The motion prevailed.

Doepke moved that the name of Scalze be added as an author on H. F. No. 2325. The motion prevailed.

Westrom moved that the name of Hilty be added as an author on H. F. No. 2330. The motion prevailed.

LeMieur moved that the names of Bills and Shimanski be added as authors on H. F. No. 2376. The motion prevailed.

Murphy, E., moved that the name of Simon be added as an author on H. F. No. 2440. The motion prevailed.

Kieffer moved that the name of Nornes be added as an author on H. F. No. 2459. The motion prevailed.

Daudt moved that the names of Ward and Melin be added as authors on H. F. No. 2466. The motion prevailed.

Peterson, S., moved that the name of Scalze be added as an author on H. F. No. 2469. The motion prevailed.

Cornish moved that the name of Peterson, S., be added as an author on H. F. No. 2470. The motion prevailed.

Slawik moved that the name of Hoppe be added as an author on H. F. No. 2477. The motion prevailed.

Johnson moved that the name of Peterson, S., be added as an author on H. F. No. 2479. The motion prevailed.

Falk moved that the name of Swedzinski be added as an author on H. F. No. 2492. The motion prevailed.

Myhra moved that H. F. No. 2127, now on the General Register, be re-referred to the Committee on Education Reform. The motion prevailed.

Howes moved that H. F. No. 2314 be returned to its author. The motion prevailed.

#### ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 5:00 p.m., Wednesday, February 29, 2012. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 5:00 p.m., Wednesday, February 29, 2012.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

