

1.1 moves to amend H.F. No. 2958 as follows:

1.2 Page 3, after line 10, insert:

1.3 "Sec. ... Minnesota Statutes 2011 Supplement, section 16A.96, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 10. **Validation.** (a) Appropriation bonds issued under this section may be
1.6 validated in the manner provided by this subdivision. If comparable appropriation bonds
1.7 are judicially determined to be valid, nothing in this subdivision shall be construed to
1.8 prevent the sale or delivery of any appropriation bonds without entry of a judgment of
1.9 validation by the Minnesota Supreme Court pursuant to this subdivision with respect to
1.10 the appropriation bonds authorized under this section.

1.11 (b) Any appropriation bonds issued under this section that are validated shall be
1.12 validated in the manner provided by this subdivision.

1.13 (c) The Minnesota Supreme Court shall have original jurisdiction to determine the
1.14 validation of appropriation bonds and all matters connected with issuance of the bonds.

1.15 (d) The commissioner may determine the commissioner's authority to issue
1.16 appropriation bonds and the legality of all proceedings in connection with issuing bonds.
1.17 For this purpose, a complaint shall be filed by the commissioner in the Minnesota Supreme
1.18 Court against the state and the taxpayers and citizens.

1.19 (e) As a condition precedent to filing of a complaint for the validation of
1.20 appropriation bonds, the commissioner shall take action providing for the issuance of
1.21 appropriation bonds in accordance with law.

1.22 (f) The complaint shall set out the state's authority to issue appropriation bonds, the
1.23 action or proceeding authorizing the issue and its adoption, all other essential proceedings
1.24 had or taken in connection with issuing bonds, the amount of the appropriation bonds to
1.25 be issued and the maximum interest they are to bear, and all other pertinent matters.

1.26 (g) The Minnesota Supreme Court shall issue an order directed against the state and
1.27 taxpayers, citizens, and others having or claiming any right, title, or interest affected by

2.1 the issuance of appropriation bonds, or to be affected by the bonds, allowing all persons,
2.2 in general terms and without naming them, and the state through its attorney general, to
2.3 appear before the Minnesota Supreme Court at a designated time and place and show
2.4 why the complaint should not be granted and the proceedings and appropriation bonds
2.5 validated. A copy of the complaint and order shall be served on the attorney general at
2.6 least 20 days before the time fixed for hearing. The attorney general shall examine the
2.7 complaint, and, if it appears or there is reason to believe that it is defective, insufficient, or
2.8 untrue, or if in the opinion of the attorney general the issuance of the appropriation bonds
2.9 in question has not been duly authorized, defense shall be made by the attorney general as
2.10 the attorney general deems appropriate.

2.11 (h) Before the date set for hearing, as directed by the Minnesota Supreme Court,
2.12 either the clerk of the Minnesota appellate courts or the commissioner shall publish a copy
2.13 of the order in a legal newspaper of general circulation in Ramsey County and the state, at
2.14 least once each week for two consecutive weeks, commencing with the first publication,
2.15 which shall not be less than 20 days before the date set for hearing. By this publication,
2.16 all taxpayers, citizens, and others having or claiming any right, title, or interest in the
2.17 state, are made parties defendant to the action and the Minnesota Supreme Court has
2.18 jurisdiction of them to the same extent as if named as defendants in the complaint and
2.19 personally served with process.

2.20 (i) Any taxpayer, citizen, or person interested may become a party to the action by
2.21 moving against or pleading to the complaint at or before the time set for hearing. The
2.22 Minnesota Supreme Court shall determine all questions of law and fact and make orders
2.23 that will enable it to properly try and determine the action and render a final judgment
2.24 within 30 days of the hearing with the least possible delay.

2.25 (j) If the judgment validates appropriation bonds, the judgment is forever conclusive
2.26 as to all matters adjudicated and as against all parties affected and all others having or
2.27 claiming any right, title, or interest affected by the issuance of appropriation bonds, or to
2.28 be affected in any way by issuing the bonds, and the validity of appropriation bonds or of
2.29 any revenues pledged for the payment of the bonds, or of the proceedings authorizing the
2.30 issuance of the bonds, including any remedies provided for their collection, shall never
2.31 be called in question in any court by any person or party.

2.32 (k) (1) Appropriation bonds, when validated under this section, shall have stamped
2.33 or written on the bonds, by the proper officers of the state issuing them, a statement
2.34 in substantially the following form: "This appropriation bond is one of a series of
2.35 appropriation bonds which were validated by judgment of the Supreme Court of the State
2.36 of Minnesota, rendered on , (year)"

3.1 (2) A certified copy of the judgment or decree shall be received as evidence in any
3.2 court in this state.

3.3 (1) The costs shall be paid by the state, except when a taxpayer, citizen, or other
3.4 person contests the action or intervenes, the court may tax the whole or any part of the
3.5 costs against the person that is equitable.

3.6 (m) A justice of the Minnesota Supreme Court is not disqualified in any validation
3.7 action because the justice is a landowner or taxpayer of the state."

3.8 Renumber the sections in sequence and correct the internal references

3.9 Amend the title accordingly