

SIXTY-SEVENTH DAY

St. Paul, Minnesota, Monday, February 22, 2010

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Spiritual Leader Herbert J. Sam.

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

The roll was called, and the following Senators answered to their names:

Anderson	Fischbach	Kubly	Ortman	Sieben
Bakk	Fobbe	Langseth	Pappas	Skoe
Berglin	Foley	Latz	Pariseau	Skogen
Betzold	Frederickson	Limmer	Parry	Sparks
Bonoff	Gerlach	Lourey	Pogemiller	Stumpf
Carlson	Gimse	Lynch	Rest	Tomassoni
Chaudhary	Hann	Marty	Robling	Torres Ray
Clark	Higgins	Metzen	Rosen	Vandever
Cohen	Ingebrigtsen	Michel	Rummel	Vickerman
Dahle	Johnson	Moua	Saltzman	Wiger
Dibble	Jungbauer	Murphy	Saxhaug	
Dille	Kelash	Olseen	Scheid	
Doll	Koch	Olson, G.	Senjem	
Erickson Ropes	Koering	Olson, M.	Sheran	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

February 18, 2010

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

I have vetoed and am returning Chapter 182, Senate File 2168, a bill that makes modifications to the General Assistance Medical Care (GMAC) program.

I initially vetoed this program in May 2009 because its costs were skyrocketing out of control, and the program was badly in need of reform. Senate File 2168 does not represent meaningful reform and does not address fundamental cost issues. It essentially re-establishes GAMC in its prior form, while reducing provider reimbursement rates by 50 percent.

I refer you further to both my veto letter of May 14, 2009, regarding a line-item veto of the program, as well as my letter to the House of Representatives from earlier today outlining my continuing concerns.

As the state struggles to resolve a \$1.2 billion deficit, passage of this legislation is at best premature. Legislation that appropriates significant funds simply cannot be passed in a piecemeal fashion. A comprehensive, balanced budget solution must first be reached.

This legislation utilizes \$170 million that I previously identified in my supplemental budget to help resolve the current \$1.2 billion deficit. Those same dollars cannot be used twice.

If a comprehensive budget solution is achieved, I remain open to working with you on these issues.

Sincerely,
Tim Pawlenty, Governor

Senator Pogemiller moved that S.F. No. 2168 and the veto message thereon be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 2505: A bill for an act relating to child care; appropriating money to provide statewide child care provider training, coaching, consultation, and supports to prepare for the voluntary Minnesota quality rating system.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 2359: A bill for an act relating to health; transferring the comprehensive advanced life-support educational program to the commissioner of health; amending Minnesota Statutes 2008,

section 144E.37.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 19, insert:

"Sec. 3. **FUNDING TRANSFER.**

For fiscal year 2011, the commissioner of management and budget shall transfer \$..... from the Emergency Medical Services Regulatory Board general fund appropriation to the commissioner of health for the purposes of sections 1 and 2. For fiscal year 2012, base level funding for the comprehensive advanced life-support program shall be \$....."

Renumber the sections in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 2596: A bill for an act relating to health occupations; modifying licensure requirements for psychologists; amending Minnesota Statutes 2008, sections 148.915; 148.916, subdivision 1; 148.96, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2009 Supplement, section 62M.09, subdivision 3a, is amended to read:

Subd. 3a. **Mental health and substance abuse reviews.** (a) A peer of the treating mental health or substance abuse provider, a doctoral-level psychologist, or a physician must review requests for outpatient services in which the utilization review organization has concluded that a determination not to certify a mental health or substance abuse service for clinical reasons is appropriate, provided that any final determination not to certify treatment is made by a psychiatrist certified by the American Board of Psychiatry and Neurology and appropriately licensed in this state or by a doctoral-level psychologist licensed in this state ~~if the treating provider is a psychologist.~~

(b) Notwithstanding paragraph (a), a doctoral-level psychologist shall not review any request or final determination not to certify a mental health or substance abuse service or treatment if the treating provider is a psychiatrist.

(c) Notwithstanding the notification requirements of section 62M.05, a utilization review organization that has made an initial decision to certify in accordance with the requirements of section 62M.05 may elect to provide notification of a determination to continue coverage through facsimile or mail.

~~(e)~~ (d) This subdivision does not apply to determinations made in connection with policies issued by a health plan company that is assessed less than three percent of the total amount assessed by the Minnesota Comprehensive Health Association.

Sec. 2. Minnesota Statutes 2008, section 148.90, subdivision 1, is amended to read:

Subdivision 1. **Board of Psychology.** (a) The Board of Psychology is created with the powers and duties described in this section. The board has 11 members who consist of:

(1) three individuals licensed as licensed psychologists who have doctoral degrees in psychology;

(2) two individuals licensed as licensed psychologists who have master's degrees in psychology;

(3) two psychologists, not necessarily licensed, one with a doctoral degree in psychology ~~who represents a doctoral~~ and one with either a doctoral or master's degree in psychology representing different training program programs in psychology, ~~and one who represents a master's degree training program in psychology;~~

(4) one individual licensed or qualified to be licensed as: (i) through December 31, 2010, a licensed psychological practitioner; and (ii) after December 31, 2010, a licensed psychologist; and

(5) three public members.

(b) After the date on which fewer than 30 percent of the individuals licensed by the board as licensed psychologists qualify for licensure under section 148.907, subdivision 3, paragraph (b), vacancies filled under paragraph (a), clause (2), shall be filled by an individual with either a master's or doctoral degree in psychology licensed or qualified to be licensed as a licensed psychologist.

(c) After the date on which fewer than 15 percent of the individuals licensed by the board as licensed psychologists qualify for licensure under section 148.907, subdivision 3, paragraph (b), vacancies under paragraph (a), clause (2), shall be filled by an individual with either a master's or doctoral degree in psychology licensed or qualified to be licensed as a licensed psychologist.

Sec. 3. Minnesota Statutes 2008, section 148.909, is amended to read:

148.909 LICENSURE FOR VOLUNTEER PRACTICE.

Subdivision 1. **Application.** Retired providers who are or were licensed, certified, or registered to practice psychology in any jurisdiction may apply to the board, at its discretion, may grant for licensure for volunteer to practice to an applicant who: psychology as a licensed psychologist-volunteer provided the applicant meets the following requirements and the requirements in subdivision 2:

(1) is completely retired from the practice of psychology submits to the board a notarized application for licensure as a licensed psychologist-volunteer;

(2) has no unresolved disciplinary action or complaints pending in the state of Minnesota or any other jurisdiction is of good moral character and has no complaints or corrective or disciplinary action pending in any jurisdiction; ~~and~~

(3) has held a license, certificate, or registration to practice psychology in any jurisdiction if not currently licensed by the board, passes the most recent version of the professional responsibility examination administered by the board and pays the fee associated with sitting for the examination; and

(4) pays the nonrefundable fee for licensure as established in subdivision 8.

Subd. 2. **Education requirements.** An applicant who was formerly licensed by the board must meet the education, training, and experience requirements that were in place at the time of the original license. An applicant who was not formerly licensed by the board must meet the current requirements for licensure.

Subd. 3. **Pro bono service.** A provider licensed under this section shall only provide psychological services on a pro bono basis and shall not receive a commission, rebate, or remuneration, directly or indirectly, except that a provider may accept reimbursement for reasonable expenses incurred due to the provision of volunteer psychological services.

Subd. 4. **Documentation of status.** A provider licensed under this section shall receive a license documenting that they are licensed for volunteer practice.

Subd. 5. **Designation of license.** In addition to the descriptions allowed in section 148.96, providers granted licensure under this section shall use the designation "LP-V" to designate licensed psychologist-volunteer.

Subd. 6. **Return to previous licensure status.** Providers licensed under this section who request to return to their previous licensure status may do so upon submission of a written application provided by the board and payment of the applicable licensure fee. Providers may not concurrently hold a license as a licensed psychologist and a license as a licensed psychologist-volunteer.

Subd. 7. **Continuing education requirements.** A provider licensed under this section is subject to the same continuing education requirements as a licensed psychologist under section 148.911.

Subd. 8. **Fees.** The fee for licensure as a licensed psychologist-volunteer shall be 50 percent of the fee for licensure as a licensed psychologist. A provider licensed under this section shall not be subject to special board fees.

Subd. 9. **Violation.** A provider licensed under this section is subject to all of the provisions in the Minnesota Psychology Practice Act, violation of which is grounds for disciplinary action in accordance with section 148.941.

Sec. 4. Minnesota Statutes 2008, section 148.915, is amended to read:

148.915 RECIPROCITY.

~~The board may grant a license to a diplomate of the American Board of Professional Psychology or to any person who at the time of application is licensed, certified, or registered to practice psychology by a board of another state and who meets the licensure requirements under section 148.907, subdivision 2. The board, at its discretion, may elect not to require the examination in psychology under section 148.907, subdivision 2, clause (1), if the person was licensed in another state before the examination was required for licensure in that state. An applicant seeking licensure under this section shall pass a professional responsibility examination on the practice of psychology and any other examinations as required by the board. an applicant who meets the following requirements:~~

(1) submits to the board a notarized application for licensure as a licensed psychologist by reciprocity;

(2) at the time of application, is licensed, certified, or registered to practice psychology in another state or jurisdiction, and has been for at least five consecutive years immediately preceding the date of application;

(3) has a doctoral degree in psychology, which formed the basis for current licensure in another state or jurisdiction;

(4) is of good moral character and has no pending complaints or active disciplinary or corrective actions in any jurisdiction; and

(5) passes the Professional Responsibility Examination administered by the board and pays the fee associated with sitting for the examination.

Sec. 5. Minnesota Statutes 2008, section 148.916, subdivision 1, is amended to read:

Subdivision 1. **Generally.** If a nonresident of the state of Minnesota, who is not seeking licensure in this state, and who has been issued a license, certificate, or registration by another jurisdiction to practice psychology at the doctoral level, wishes to practice in Minnesota for more than seven calendar days, the person shall apply to the board for guest licensure, provided that the psychologist's practice in Minnesota is limited to no more than ~~30 days per calendar year~~ nine months. Application under this section shall be made no less than 30 days prior to the expected date of practice in Minnesota and shall be subject to approval by the board or its designee. The board shall charge a nonrefundable fee for guest licensure. The board shall adopt rules to implement this section.

Sec. 6. Minnesota Statutes 2008, section 148.916, is amended by adding a subdivision to read:

Subd. 1a. **Applicants for licensure.** (a) An applicant who is seeking licensure in this state, and who, at the time of application, is licensed, certified, or registered to practice psychology in another jurisdiction at the doctoral level may apply to the board for guest licensure in order to begin practicing psychology in this state while their application is being processed if the applicant has no unresolved disciplinary or nondisciplinary actions in any jurisdiction. Application under this section shall be made no less than 30 days prior to the expected date of practice in this state, and must be made concurrently or after submission of an application for licensure as a licensed psychologist. Applications under this section are subject to approval by the board or its designee.

(b) The board shall charge a nonrefundable fee for guest licensure under this subdivision.

(c) A guest license issued under this subdivision shall be valid for one year from the date of issuance, or until the board has either issued a license or has denied the applicant's application for licensure, whichever is earlier. Guest licenses issued under this section may be renewed annually until the board has denied the applicant's application for licensure."

Delete the title and insert:

"A bill for an act relating to health occupations; modifying a mental health substance abuse review provision; modifying licensure requirements for psychologists; amending Minnesota Statutes 2008, sections 148.90, subdivision 1; 148.909; 148.915; 148.916, subdivision 1, by adding a subdivision; Minnesota Statutes 2009 Supplement, section 62M.09, subdivision 3a."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Rest from the Committee on State and Local Government Operations and Oversight, to which was referred

S.F. No. 2622: A bill for an act relating to elections; requiring use of a ballot board to process absentee ballots; permitting absentee ballots to be counted starting on the fourth day prior to an election; modifying other absentee ballot processing procedures; amending Minnesota Statutes 2008, sections 201.061, subdivision 4; 203B.04, subdivision 1; 203B.05, subdivision 1; 203B.07, subdivisions 2, 3; 203B.08, subdivisions 2, 3; 203B.125; 203B.23, subdivisions 1, 2; 203B.24, subdivision 1; 203B.26; 204B.45, subdivision 2; 204C.32, subdivision 1; 204C.33, subdivisions 1, 3; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 206.89, subdivision 2; 208.05; Minnesota Statutes 2009 Supplement, section 204B.46; proposing coding for new law in Minnesota Statutes, chapter 203B; repealing Minnesota Statutes 2008, sections 203B.10; 203B.12, subdivisions 1, 2, 3, 4, 6; 203B.13, subdivisions 1, 2, 3, 4; 203B.25.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 24, after "statewide" insert "voter"

Page 4, after line 6, insert:

"The labels provided for envelopes used for transmitting an absentee ballot to and from an applicant for an absentee ballot for a state primary or state general election must contain bar codes generated by the statewide voter registration system to facilitate the recording required under this section. A county auditor or municipal clerk entering information into the statewide voter registration system under this section must include the information provided on the bar code label whenever information is entered into the system."

Page 6, delete lines 29 and 30

Page 7, after line 9, insert:

"(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information."

Page 7, line 10, delete "(d)" and insert "(e)"

Page 8, delete lines 26 and 27 and insert:

"**EFFECTIVE DATE.** Subdivision 1 is effective the day following final enactment. Subdivision 2, paragraph (d), is effective October 28, 2010. The remainder of this section is effective June 25,

2010."

Page 9, line 4, reinstate the stricken ", in which case, the board is exempt from"

Page 9, lines 5 and 6, reinstate the stricken language

Page 11, after line 2, insert:

"Sec. 15. **[203B.28] POSTELECTION REPORT TO LEGISLATURE.**

By March 1, 2011, and by January 15 of every odd-numbered year thereafter, the secretary of state shall provide to the chair and ranking minority members of the legislative committees with jurisdiction over elections a statistical report related to absentee voting in the most recent general election cycle. The statistics must be organized by county and precinct, and include:

(1) the number of absentee ballots transmitted to voters;

(2) the number of absentee ballots returned by voters;

(3) the number of absentee ballots that were rejected, categorized by the reason for rejection;

(4) the number of absentee ballots submitted pursuant to sections 203B.16 to 203B.27, along with the number of returned ballots that were accepted, rejected, and the reason for any rejections; and

(5) the number of absentee ballots that were not counted because the ballot return envelope was received after the deadlines provided in this chapter."

Page 12, delete section 16 and insert:

"Sec. 17. Minnesota Statutes 2008, section 204B.46, as amended by Laws 2010, chapter 180, section 4, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No more than two questions may be submitted at a mail election and no offices may be voted on. Notice of the election must be given to the county auditor at least 53 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 30 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of staff trained as election judges. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before

the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the fourth day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

No vote totals from ballots may be made public before the close of voting on election day."

Page 17, line 27, delete "26" and insert "27"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Rest from the Committee on State and Local Government Operations and Oversight, to which was referred

S.F. No. 2388: A bill for an act relating to elections; changing and clarifying certain provisions; amending Minnesota Statutes 2008, sections 201.016, subdivision 1a; 201.061, subdivision 1; 201.12; 201.13; 201.14; 201.15, subdivisions 1, 2; 201.155; 203B.02, subdivision 3; 203B.04, subdivision 1; 203B.06, subdivision 5; 203B.16, subdivision 2; 203B.19; 204B.04, subdivision 2; 204B.135, subdivision 4; 204B.14, by adding a subdivision; 204B.18, subdivision 1; 204B.19, subdivision 2; 204B.21, subdivision 2; 204B.22, subdivisions 1, 2; 204B.24; 204B.27, subdivisions 2, 3; 204B.38; 204C.02; 204C.04, subdivision 1; 204C.06, subdivision 1; 204C.08; 204C.12, subdivision 2; 204C.13, subdivision 2; 204C.33, subdivision 1; 204C.35, subdivision 2; 204C.36, subdivisions 3, 4; 204C.37; 204D.04, subdivision 2; 204D.09, subdivision 2; 204D.10, subdivision 1; 204D.20, subdivision 1; 205.07, by adding a subdivision; 205.075, subdivision 1; 205.13, subdivisions 1, 2; 205.16, subdivisions 2, 3; 205A.05, subdivision 1; 205A.11, subdivision 3; 208.03; proposing coding for new law in Minnesota Statutes, chapters 201; 205A; repealing Minnesota Statutes 2008, sections 3.22; 204B.22, subdivision 3; 204D.10, subdivision 2; 206.57, subdivision 7; 206.91.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, after line 3, insert:

"Sec. 4. Minnesota Statutes 2008, section 201.121, subdivision 3, is amended to read:

Subd. 3. **Postelection sampling.** Within ten days after an election, the county auditor shall send

the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state. As soon as practicable after the election, the county auditor shall mail the notice required by subdivision 2 to all other individuals registered on election day. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall immediately notify the county attorney of all of the relevant information and the secretary of state of the numbers by precinct. By March 1 of every odd-numbered year, the secretary of state shall report to the chair and ranking minority members of the legislative committees with jurisdiction over elections the number of notices reported under this subdivision to the secretary of state for the previous state general election by county and precinct."

Page 5, line 26, delete "This" and insert "Subdivision 1a is effective the day following final enactment. The remainder of this"

Page 12, delete section 20

Page 13, delete section 21

Page 15, after line 23, insert:

"Sec. 26. Minnesota Statutes 2008, section 204B.28, is amended by adding a subdivision to read:

Subd. 3. **Certification of number.** The county auditor or municipal clerk must certify the number of ballots being provided to each precinct and provide this number to the election judges for inclusion on the summary statement. The auditor or clerk must not open prepackaged ballots, but must count the ballots, presuming that the total count for each package is correct."

Page 18, after line 29, insert:

"Sec. 32. Minnesota Statutes 2008, section 204C.09, subdivision 1, is amended to read:

Subdivision 1. **Counting and initialing.** (a) Before the voting begins, as least two election judges must certify the number of ballots delivered to the precinct. Election judges may conduct this count, presuming that the total count provided for prepackaged ballots is correct. As each package is opened, two judges must count the ballots in the package to ensure that the total count provided for the package is correct. Any discrepancy must be noted on the incident log.

(b) Before the voting begins, or as soon as possible after it begins, at least two election judges shall each initial the backs of all the ballots. The election judges shall not otherwise mark the ballots."

Page 19, after line 16, insert:

"Sec. 35. Minnesota Statutes 2008, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(a) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered

to the precinct;

(b) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes or partially blank ballots, and, the number of overvotes or partially, and the number of defective ballots with respect to each office or question;

(b) the number of totally blank ballots, the number of totally defective ballots, (c) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(e) (d) the number of individuals who voted at the election in the precinct;

(d) (e) the number of voters registering on election day in that precinct; and

(e) (f) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 36. Minnesota Statutes 2008, section 204C.28, subdivision 1, is amended to read:

Subdivision 1. **County auditor.** Every county auditor shall remain at the auditor's office to receive delivery of the returns, to permit public inspection of the summary statements, and to tabulate the votes until all have been tabulated and the results made known, or until 24 hours have elapsed since the end of the hours for voting, whichever occurs first. Every county auditor shall, in the presence of the municipal clerk or the election judges who deliver the returns, make a record of all materials delivered, the time of delivery, and the names of the municipal clerk or election judges who made delivery. The record must include the number of ballots delivered to the precinct, as certified by section 204B.28, and the total number of ballots returned, as certified by the election judges under section 204C.24. A discrepancy between the number of ballots delivered to the precinct and the number of total ballots returned by election judges that cannot be reconciled by taking into account the adjustments made by the election judge counts and any unofficial ballots must be noted, but does not disqualify the votes from that precinct or invalidate the election. The county auditor shall file the record and all envelopes containing ballots in a safe and secure place with envelope seals unbroken. Access to the record and ballots shall be strictly controlled. Accountability and a record of access shall be maintained by the county auditor during the period for contesting elections or, if a contest is filed, until the contest has been finally determined. Thereafter, the record shall be retained in the auditor's office for the same period as the ballots as provided in section 204B.40.

The county auditor shall file all envelopes containing ballots in a safe place with seals unbroken. If the envelopes were previously opened by proper authority for examination or recount, the county auditor shall have the envelopes sealed again and signed by the individuals who made the inspection or recount. The envelopes may be opened by the county canvassing board if necessary to procure election returns that the election judges inadvertently may have sealed in the envelopes with the ballots. In that case, the envelopes shall be sealed again and signed in the same manner as otherwise provided in this subdivision.

Sec. 37. Minnesota Statutes 2008, section 204C.28, subdivision 2, is amended to read:

Subd. 2. **Clerks.** The clerk of every first, second, and third class city shall remain at the clerk's office to receive delivery of returns, or until 24 hours have elapsed since the end of the hours for voting, whichever occurs first. The clerk of every first class city shall keep a book in which, in the presence of the election judges or other individuals who deliver the returns, the clerk shall make a record of all materials delivered, the time of delivery, and the names of the election judges or other individuals who made delivery. The record must include the number of ballots delivered to the precinct, as certified by section 204B.28, and the total number of ballots returned, as certified by the election judges under section 204C.24. A discrepancy between the number of ballots delivered to the precinct and the number of total ballots returned by election judges that cannot be reconciled by taking into account the adjustments made by the election judge counts and any unofficial ballots must be noted, but does not disqualify the votes from that precinct or invalidate the election. The book shall be retained in the clerk's office for the same period as the ballots as provided in section 204B.40."

Page 21, after line 10, insert:

"Sec. 40. Minnesota Statutes 2008, section 204C.35, subdivision 3, is amended to read:

Subd. 3. **Scope of recount.** A recount conducted as provided in this section is limited in scope to the determination of the number of votes validly cast for the office to be recounted. Only the ballots cast in the election and the summary statements certified by the election judges may be considered in the recount process. Original ballots that have been duplicated under section 206.86, subdivision 5, are not within the scope of a recount and must not be examined except as provided by a court in an election contest under chapter 209."

Page 23, delete section 44

Re-number the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Chaudhary from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 2494: A resolution memorializing Congress and the Secretary of Agriculture to appropriate money and negotiate with the State of Minnesota on the sale and exchange of school trust lands.

Reports the same back with the recommendation that the resolution do pass and be placed on the Consent Calendar. Report adopted.

Senator Chaudhary from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 2268: A bill for an act relating to natural resources; designating the Blue Earth River as a canoe and boating route; appropriating money; amending Minnesota Statutes 2008, section 85.32,

subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 85.32, subdivision 1, is amended to read:

Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark ~~canoe and boating routes~~ state water trails on the Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, Sauk, Otter Tail, Redwood, Blue Earth, and Crow Rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe, kayak, and watercraft travelers.

Sec. 2. **APPROPRIATION.**

\$60,000 is appropriated in fiscal year 2011 from the water recreation account in the natural resources fund to the commissioner of natural resources to cooperate with local units of government in marking state water trails under Minnesota Statutes, section 85.32; acquiring and developing river accesses and campsites; and removing obstructions that may cause public safety hazards. This is a onetime appropriation and available until spent."

Delete the title and insert:

"A bill for an act relating to natural resources; designating the Blue Earth River as a state water trail; appropriating money; amending Minnesota Statutes 2008, section 85.32, subdivision 1."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Chaudhary from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 2286: A bill for an act relating to recycling; requiring state building projects to recycle at least 50 percent of project waste; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[16B.327] RECYCLING CONSTRUCTION AND DEMOLITION WASTE FROM STATE BUILDINGS; REQUIREMENT.**

The commissioner of administration shall require in contracts for the construction, renovation, or demolition of a state building that the contractor and any subcontractor must divert from deposit in a landfill and must recycle at least 50 percent of the nonhazardous construction and demolition

waste, measured by tonnage or volume, produced by the project or demonstrate that the waste was delivered to construction and demolition waste recycling facilities that maintain a 50 percent annual recycling rate. This requirement applies to state building projects receiving funding from the bond proceeds fund after January 1, 2010, as follows: projects of \$5,000,000 or more located within 40 miles of a recycling facility that handles the applicable building materials."

Amend the title as follows:

Page 1, line 2, after "requiring" insert "certain"

Page 1, line 3, delete "project" and insert "nonhazardous construction and demolition"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations and Oversight. Amendments adopted. Report adopted.

Senator Scheid from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 1590: A bill for an act relating to consumer protection; protecting customers from injuries resulting from use of inflatable play equipment used for commercial purposes; requiring the presence of trained supervisors and liability insurance; proposing coding for new law in Minnesota Statutes, chapter 184B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[184B.20] INFLATABLE AMUSEMENT EQUIPMENT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Commercial use" means regular use of an inflatable for profit by an owner at a permanently located facility:

(1) to which the general public is invited; or

(2) which the owner makes available at that facility for private parties or other events.

"Commercial use" does not include use of an inflatable at a carnival, festival, fair, private party, or similar venue at a location other than the permanently located facility.

(c) "Inflatable" means an amusement device, used to bounce or otherwise play on, that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by tensioning from internal air pressure.

(d) "Owner" means a person who owns, leases as lessee, or controls the operation of an inflatable for commercial use.

(e) "Person" has the meaning given in section 302A.011, subdivision 22.

(f) "Supervisor" means an individual stationed within close proximity to an inflatable during its use, for the purpose of supervising its safe use.

(g) "Trained" means that an individual has received instruction in how to supervise the safe use of inflatables.

Subd. 2. **Prohibition.** No owner shall provide an inflatable for commercial use in this state by others unless the owner complies with this section.

Subd. 3. **Protection against injuries from falls.** An inflatable that is in commercial use must be placed in a manner that complies with ASTM Standard F 2374.07, adopted by the American Society for Testing and Materials, including any future updates to that standard.

Subd. 4. **Supervision by trained person required.** No owner of an inflatable shall allow commercial use of the inflatable unless a trained supervisor is present in close proximity to the inflatable and is actively supervising its use. The ratio of supervisors to inflatables must be no less than one.

Subd. 5. **Insurance required.** An owner of an inflatable that is subject to subdivision 2 shall maintain liability insurance covering liability for a death or injury resulting from commercial use of the inflatable with limits of no less than \$1,000,000 per occurrence and \$2,000,000 aggregate per year. The insurance shall also include medical payments coverage of no less than \$5,000 per occurrence, which may be limited to injuries incurred while using an inflatable, including getting on or off of the inflatable. The insurance must be issued by an insurance company authorized to issue the coverage in this state by the commissioner of commerce, and must be kept in force during the entire period of registration. The insurance policy must include a provision requiring the insurance company to provide at least a ten-day prior notice of cancellation to the commissioner of labor and industry.

Subd. 6. **Registration required.** An owner of an inflatable that is subject to subdivision 2 must obtain and maintain a current registration with the commissioner of labor and industry. The registration information must include the name, address, telephone number, and e-mail address of the owner, the street address of each facility at which the owner regularly provides inflatables for commercial use in this state by others, and a current insurance certificate of coverage proving full compliance with subdivision 5. The commissioner shall issue and renew a certificate of registration only to owners who comply with this section. The commissioner shall charge a registration fee of \$100 for a two-year registration designed to cover the cost of registration and enforcement. The registration certificate shall be issued and renewed for a two-year period. The registrant shall promptly notify the commissioner in writing of any changes in the registration information required in this subdivision.

Subd. 7. **Enforcement.** The commissioner of labor and industry shall enforce this section and may use for that purpose section 326B.082 and any powers otherwise available to the commissioner for enforcement purposes, including suspension or revocation of the person's registration and assessment of fines.

EFFECTIVE DATE. This section is effective August 1, 2010."

And when so amended the bill do pass and be re-referred to the Committee on Business, Industry and Jobs. Amendments adopted. Report adopted.

Senator Scheid from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 2252: A bill for an act relating to certified public accountants; clarifying licensing requirements; requiring rulemaking; amending Minnesota Statutes 2008, sections 3.972, subdivision 1; 6.66; 110A.32, subdivision 2; 144A.05; 367.36, subdivision 1; 385.06, subdivision 2; 412.222; 412.591, subdivision 3; 471.49, subdivision 10; 471.6985, subdivision 2; 515B.3-121; Minnesota Statutes 2009 Supplement, section 297E.06, subdivision 4; repealing Minnesota Rules, part 8122.0150, subpart 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, delete section 13

Page 6, after line 16, insert:

"In Minnesota Rules, part 8122.0150, subpart 4, the revisor of statutes shall delete "by the Minnesota Board of Accountancy," and insert "in accordance with Minnesota Statutes, chapter 326A." In Minnesota Rules, part 8122.0200, subpart 1, the revisor of statutes shall delete "or independent licensed public account in good standing with the Minnesota State Board of Accountancy and licensed to practice in Minnesota." The revisor of statutes may make changes necessary to correct the punctuation, grammar, or structure of the remaining text as a result of the changes made by this section."

Page 6, line 18, delete "part" and insert "parts" and delete "is" and insert "and 8122.0600, are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "requiring rulemaking;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Scheid from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 2439: A bill for an act relating to commerce; prohibiting the use of live check solicitations; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reports the same back with the recommendation that the bill do pass. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 2596, 2622, 2388, 2494, 2252 and 2439 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kelash and Higgins introduced–

S.F. No. 2721: A bill for an act relating to landlord and tenant; prohibiting imposition of a late fee except in specified circumstances; requiring a receipt for certain rent payments; permitting a tenant to make emergency repairs; modifying other laws related to a rental agreement; amending Minnesota Statutes 2008, sections 504B.111; 504B.178, by adding a subdivision; 504B.385, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 504B.

Referred to the Committee on Health, Housing and Family Security.

Senators Skoe, Bakk, Senjem, Betzold and Dibble introduced–

S.F. No. 2722: A bill for an act relating to interest rates; exempting eminent domain awards and property tax adjustments and refunds from increased interest rates on certain judgments; amending Minnesota Statutes 2008, sections 117.195, subdivision 1; 278.08.

Referred to the Committee on Judiciary.

Senators Skoe, Bakk, Senjem, Betzold and Marty introduced–

S.F. No. 2723: A bill for an act relating to taxation; providing a special levy for county aid reductions; modifying the computation of the adjusted levy limit base; amending Minnesota Statutes 2008, section 275.71, subdivision 4; Minnesota Statutes 2009 Supplement, section 275.70, subdivision 5.

Referred to the Committee on Taxes.

Senator Dille introduced–

S.F. No. 2724: A bill for an act relating to taxation; sales and use; authorizing the city of Hutchinson to impose a sales and use tax.

Referred to the Committee on Taxes.

Senators Moua; Olson, M.; Scheid and Higgins introduced–

S.F. No. 2725: A bill for an act relating to public safety; establishing a certification process for multijurisdictional gang and drug task forces; authorizing law enforcement agencies to establish and maintain criminal gang investigative data systems; dissolving certain multijurisdictional entities; amending the forfeiture reporting requirements; amending Minnesota Statutes 2008, sections 13.6905, subdivision 14; 299A.641; 299C.091, subdivisions 2, 4; 609.531, subdivision 1; 609.5315, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary.

Senator Murphy introduced–

S.F. No. 2726: A bill for an act relating to labor and industry; modifying boiler provisions; amending and imposing civil and criminal penalties; amending Minnesota Statutes 2008, sections 326B.94, as amended; 326B.954; 326B.956; 326B.958; 326B.96; 326B.961, as added if

enacted; 326B.964; 326B.966; 326B.97; 326B.98; 326B.986, subdivision 10; 326B.99; 326B.994, subdivision 3; 326B.998; Minnesota Statutes 2009 Supplement, sections 326B.972; 326B.986, subdivision 8; 326B.988; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2008, sections 326B.952; 326B.962; 326B.968; 326B.982; 326B.996; Minnesota Statutes 2009 Supplement, section 326B.986, subdivision 2; Minnesota Rules, parts 5225.1400; 5225.3100; 5225.3150; 5225.3200.

Referred to the Committee on Business, Industry and Jobs.

Senator Murphy introduced—

S.F. No. 2727: A bill for an act relating to human services; requiring the closure of six beds in an intermediate care facility in Red Wing; providing a rate increase for the remaining beds; appropriating money; amending Minnesota Statutes 2008, section 256B.5013, by adding a subdivision.

Referred to the Committee on Finance.

Senator Berglin introduced—

S.F. No. 2728: A bill for an act relating to human services; increasing the nursing home surcharge; authorizing negotiated rate increases for certain nursing facilities; increasing reimbursement for nursing facility fixed costs; reducing the reimbursement rates for nursing facilities with high operating rates; limiting growth in medical assistance waiver slots; amending Minnesota Statutes 2008, sections 256.9657, subdivision 1; 256B.441, subdivisions 51a, 53, by adding a subdivision.

Referred to the Committee on Finance.

Senators Olseen, Fobbe, Dahle and Erickson Ropes introduced—

S.F. No. 2729: A bill for an act relating to property taxation; repealing changes to the green acres program and agricultural classifications made in 2008 and 2009; amending Minnesota Statutes 2009 Supplement, sections 273.111, subdivisions 3, 11a; 273.13, subdivision 23; repealing Minnesota Statutes 2008, sections 273.111, subdivisions 8, 11; 273.1384, subdivision 2; Minnesota Statutes 2009 Supplement, sections 273.1108; 273.111, subdivisions 3a, 4, 9; 273.114; Laws 2008, chapter 366, article 6, section 52.

Referred to the Committee on Taxes.

Senators Sheran, Koering, Higgins, Kelash and Lourey introduced—

S.F. No. 2730: A bill for an act relating to health professions; adding definitions related to the practice of chiropractic; amending Minnesota Statutes 2008, sections 148.01, subdivision 1, by adding a subdivision; 148.105, subdivision 1; repealing Minnesota Statutes 2008, section 148.01, subdivisions 2, 3; Minnesota Rules, parts 2500.0100, subparts 9b, 10, 11; 2500.4000.

Referred to the Committee on Health, Housing and Family Security.

Senators Olseen, Fobbe, Skogen, Dahle and Erickson Ropes introduced–

S.F. No. 2731: A bill for an act relating to taxation; providing a method for valuation of agricultural property in the green acres program; modifying the Minnesota agricultural property tax law; amending Minnesota Statutes 2009 Supplement, section 273.111, subdivision 4.

Referred to the Committee on Taxes.

Senators Olseen, Fobbe, Skogen, Dahle and Erickson Ropes introduced–

S.F. No. 2732: A bill for an act relating to taxation; reducing the class rate on certain agricultural property; amending Minnesota Statutes 2009 Supplement, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senator Limmer introduced–

S.F. No. 2733: A bill for an act relating to transportation; appropriating money for local road improvement program for reconstructing Hennepin County Road 49 in city of Dayton.

Referred to the Committee on Finance.

Senators Dille, Skoe, Vickerman, Skogen and Gimse introduced–

S.F. No. 2734: A bill for an act relating to environment; modifying requirements for discharge permit requirements for feedlots; amending Minnesota Statutes 2008, section 116.07, subdivision 7c.

Referred to the Committee on Environment and Natural Resources.

Senators Rest, Sheran, Tomassoni, Betzold and Gerlach introduced–

S.F. No. 2735: A bill for an act relating to state procurement; modifying provisions governing the provision of services by rehabilitation facilities, extended employment providers, and day training and habilitation service programs; amending Minnesota Statutes 2008, section 16C.155.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Scheid, Higgins, Ingebrigtsen, Pariseau and Moua introduced–

S.F. No. 2736: A bill for an act relating to crime; increasing the penalty for criminal sexual conduct in the first degree; amending Minnesota Statutes 2008, section 609.342, subdivision 2.

Referred to the Committee on Judiciary.

Senators Skogen, Vickerman, Kubly, Dille and Fobbe introduced–

S.F. No. 2737: A bill for an act relating to agriculture; appropriating money for livestock investment grants.

Referred to the Committee on Finance.

Senator Torres Ray introduced—

S.F. No. 2738: A bill for an act relating to Special School District No. 1, Minneapolis; providing for two members appointed by Special School District No. 1, Minneapolis, on the Minneapolis reapportionment commission; establishing standards.

Referred to the Committee on Education.

Senators Fobbe, Clark and Bonoff introduced—

S.F. No. 2739: A bill for an act relating to education; clarifying the definition of a child with a disability; specifying obligations to children with disabilities; amending Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 125A; repealing Minnesota Statutes 2008, section 125A.03.

Referred to the Committee on Education.

Senator Torres Ray introduced—

S.F. No. 2740: A bill for an act relating to alcohol; creating a special license for the Museum of Russian Art; amending Minnesota Statutes 2008, section 340A.404, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

Senators Murphy, Olseen, Ingebrigtsen, Moua and Jungbauer introduced—

S.F. No. 2741: A bill for an act relating to public safety; modifying implied consent, driving while impaired, and ignition interlock provisions; amending Minnesota Statutes 2008, sections 169A.52, subdivisions 3, 4; 169A.54, subdivisions 2, 5; 169A.55, by adding a subdivision; 169A.60, subdivision 1; 171.09; 171.30, subdivisions 1, 2a, 4; 171.306, as amended; 609.131, subdivision 2; Minnesota Statutes 2009 Supplement, sections 169A.275, subdivision 7; 169A.54, subdivision 1; repealing Minnesota Statutes 2008, sections 169A.54, subdivision 11; 169A.55, subdivision 1; 171.30, subdivision 2c; 171.305, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Referred to the Committee on Transportation.

Senators Metzen, Gerlach, Senjem, Sparks and Wiger introduced—

S.F. No. 2742: A bill for an act relating to lawful gambling; providing for electronic bingo; modifying and adjusting rates and collection of certain lawful gambling taxes; amending Minnesota Statutes 2008, sections 297E.02, subdivision 6; 349.12, subdivisions 5, 25b, 25c, 25d; 349.151, subdivision 4c; 349.16, subdivision 7; 349.161, subdivision 5; 349.1635, subdivision 1; 349.17, subdivision 8; 349.211, subdivision 1a; Minnesota Statutes 2009 Supplement, sections 297E.02, subdivision 4; 349.12, subdivision 12a; 349.17, subdivisions 6, 7; 349.18, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 349.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Prettner Solon, Berglin and Limmer introduced–

S.F. No. 2743: A bill for an act relating to health; modifying a hospital construction moratorium; amending Minnesota Statutes 2009 Supplement, section 144.551, subdivision 1.

Referred to the Committee on Health, Housing and Family Security.

Senators Skoe, Fobbe, Olseen, Koering and Ingebrigtsen introduced–

S.F. No. 2744: A bill for an act relating to motor fuels; exempting number 1 diesel fuel from biodiesel requirement during cold weather months; amending Minnesota Statutes 2008, section 239.77, subdivision 2.

Referred to the Committee on Agriculture and Veterans.

Senators Fobbe, Olseen, Erickson Ropes, Skogen and Dahle introduced–

S.F. No. 2745: A bill for an act relating to taxation; extending the deadline for withdrawal from the Green Acres program; amending Minnesota Statutes 2009 Supplement, section 273.111, subdivision 9.

Referred to the Committee on Taxes.

Senators Gerlach and Scheid introduced–

S.F. No. 2746: A bill for an act relating to civil law; extending civil immunity to municipalities that donate public safety equipment; amending Minnesota Statutes 2008, section 466.03, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Gerlach, Limmer and Vandever introduced–

S.F. No. 2747: A bill for an act relating to state government; imposing a moratorium on unfunded mandates to businesses and units of local government; creating commissions to recommend elimination of unfunded mandates on units of local government and to reduce mandates and paperwork imposed on businesses; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Berglin introduced–

S.F. No. 2748: A bill for an act relating to human services; modifying the Minnesota family investment program provisions; amending Minnesota Statutes 2008, section 256J.24, subdivision 6; Minnesota Statutes 2009 Supplement, section 256J.425, subdivision 3.

Referred to the Committee on Health, Housing and Family Security.

Senator Jungbauer introduced–

S.F. No. 2749: A bill for an act relating to environment; requiring Pollution Control Agency to refund erroneous assessments, costs, and payments in the matter of the Baytown groundwater contamination Superfund site.

Referred to the Committee on Environment and Natural Resources.

Senators Bonoff, Clark, Michel and Saltzman introduced–

S.F. No. 2750: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 5, providing for public debt to be incurred for public information technology systems, licenses, and infrastructure.

Referred to the Committee on Finance.

Senators Saltzman, Bonoff, Rosen, Sheran and Bakk introduced–

S.F. No. 2751: A bill for an act relating to economic development; requiring a report; creating a fast-action economic response team.

Referred to the Committee on Business, Industry and Jobs.

Senators Saltzman, Sieben, Sheran, Skogen and Frederickson introduced–

S.F. No. 2752: A bill for an act relating to natural resources; allowing conditional uses on certain lands within the Lower St. Croix River area; amending Minnesota Statutes 2008, section 103F.351, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Senators Bonoff, Dahle, Skogen, Koch and Michel introduced–

S.F. No. 2753: A bill for an act relating to education; requiring statewide physical education standards; requiring a report; establishing a healthy kids awards program; amending Minnesota Statutes 2008, section 120B.021, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education.

Senators Latz, Hann, Betzold, Scheid and Moua introduced–

S.F. No. 2754: A bill for an act relating to juveniles; prohibiting admissibility of a child's statements made during a mental health examination on the issue of guilt; amending Minnesota Statutes 2008, section 260B.157, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Latz, Hann, Betzold, Scheid and Moua introduced–

S.F. No. 2755: A bill for an act relating to public safety; clarifying detention placement options for extended jurisdiction juveniles pending revocation hearings; amending Minnesota Statutes 2008, section 260B.130, subdivision 5.

Referred to the Committee on Judiciary.

Senators Kelash, Carlson, Doll and Murphy introduced–

S.F. No. 2756: A bill for an act relating to transportation; allowing escort drivers of overdimensional loads to control traffic; directing commissioner of public safety to establish escort driver training and certification program; amending Minnesota Statutes 2008, sections 169.06, subdivision 4; 169.86, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299D.

Referred to the Committee on Transportation.

Senators Bonoff, Michel, Hann, Saltzman and Moua introduced–

S.F. No. 2757: A bill for an act relating to education; allowing the Board of Teaching to approve innovative, research-based teacher preparation and licensure programs; amending Minnesota Statutes 2009 Supplement, section 122A.09, subdivision 4; repealing Minnesota Statutes 2008, section 122A.24.

Referred to the Committee on Education.

Senators Bonoff, Clark, Saltzman, Rest and Hann introduced–

S.F. No. 2758: A bill for an act relating to economic development; authorizing the development of a virtual assistance network for Minnesota entrepreneurs; appropriating money.

Referred to the Committee on Business, Industry and Jobs.

Senators Sparks, Murphy, Dibble and Moua introduced–

S.F. No. 2759: A bill for an act relating to the State Building Code; modifying municipal enforcement provisions; amending Minnesota Statutes 2008, section 326B.121, subdivision 2.

Referred to the Committee on Business, Industry and Jobs.

Senators Saxhaug, Frederickson and Dibble introduced–

S.F. No. 2760: A bill for an act relating to natural resources; providing for general burning permits; modifying authority to establish forestry services fees; modifying timber sales provisions; eliminating certain pilot projects and reports; amending Minnesota Statutes 2008, sections 88.17, subdivisions 1, 3; 88.79, subdivision 2; 90.041, by adding a subdivision; 90.14; repealing Minnesota Statutes 2008, section 90.172; Minnesota Statutes 2009 Supplement, section 88.795.

Referred to the Committee on Environment and Natural Resources.

Senators Scheid, Skogen, Sheran, Frederickson and Fobbe introduced–

S.F. No. 2761: A bill for an act relating to state government; providing for certain permitting efficiency; modifying environmental review provisions; amending Minnesota Statutes 2008, sections 17.03, by adding a subdivision; 84.027, by adding a subdivision; 116.03, by adding a subdivision; 116D.04, subdivision 10, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Olseen, Dahle, Rummel, Sheran and Skogen introduced–

S.F. No. 2762: A bill for an act relating to economic development; prohibiting state contracts with vendors convicted of crimes involving fraud; requiring a report to the legislature; amending Minnesota Statutes 2008, section 16C.03, by adding a subdivision.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Prettner Solon, Sheran, Dibble, Dahle and Torres Ray introduced–

S.F. No. 2763: A bill for an act relating to health; providing for access to health records by surviving domestic partners; including domestic partners in provisions governing health care rights, consent to autopsies, and anatomical gifts; amending Minnesota Statutes 2008, sections 144.291, subdivision 2; 144.294, subdivision 1; 144.334; 144.651, subdivisions 2, 28; 144A.161, subdivision 1; 144A.75, subdivision 7; 253B.03, subdivision 6; 390.11, subdivision 2; 390.32, subdivision 3; 525A.02, subdivision 6, by adding a subdivision; 525A.09; Minnesota Statutes 2009 Supplement, section 13.384, subdivision 3.

Referred to the Committee on Health, Housing and Family Security.

Senators Dibble, Bakk, Tomassoni, Sieben and Bonoff introduced–

S.F. No. 2764: A bill for an act relating to employment; providing for workers' compensation benefits for domestic partners; including domestic partners of military members in employee leave requirements; providing for payment of wages due a deceased employee to a surviving domestic partner; amending Minnesota Statutes 2008, sections 176.011, subdivision 11a, by adding a subdivision; 176.031; 176.041, subdivision 1a; 176.051, subdivision 1; 176.102, subdivision 1a; 176.111, subdivisions 1, 6, 7, 8, 9a, 10, 14, 15, 21; 176.191, subdivision 4; 181.58; 181.947, subdivision 1; 181.948, subdivision 1; Minnesota Statutes 2009 Supplement, section 176.041, subdivision 1.

Referred to the Committee on Business, Industry and Jobs.

Senators Scheid, Dibble, Foley, Sieben and Torres Ray introduced–

S.F. No. 2765: A bill for an act relating to probate; establishing probate and intestate rights for domestic partners; amending Minnesota Statutes 2008, sections 524.1-201; 524.2-101; 524.2-102; 524.2-103; 524.2-201; 524.2-213; 524.2-301; 524.2-402; 524.2-403; 524.2-404; 524.2-405; 524.2-803; 524.2-804; 524.3-301; 524.3-403; 524.3-703; 524.3-706; 524.3-715; 524.3-901; 524.3-906; 524.3-1203, subdivisions 1, 3; Minnesota Statutes 2009 Supplement, section

524.3-1203, subdivision 5.

Referred to the Committee on Judiciary.

Senators Latz; Olson, M.; Dibble and Moua introduced–

S.F. No. 2766: A bill for an act relating to human rights; providing for jury trials; modifying procedures for removal of cases to district court; amending Minnesota Statutes 2008, section 363A.33, subdivisions 1, 6.

Referred to the Committee on Judiciary.

Senator Sparks introduced–

S.F. No. 2767: A bill for an act relating to gambling; establishing video lottery terminals; imposing a tax on lottery terminal revenue; modifying other lawful gambling taxes; providing powers and duties to the director of the State Lottery; making clarifying, technical, and conforming changes; amending Minnesota Statutes 2008, sections 297E.02, subdivision 1; 299L.02, subdivision 1; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.04; 349A.06, subdivisions 1, 5, 8, 10, by adding subdivisions; 349A.08, subdivisions 1, 5, 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4, 6; 349A.11, subdivision 1; 349A.12, subdivisions 1, 2; 349A.13; 541.20; 541.21; 609.651, subdivision 1; 609.75, subdivisions 3, 4; 609.761, subdivision 2; Minnesota Statutes 2009 Supplement, section 349.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2008, sections 297E.01, subdivision 7; 297E.02, subdivisions 4, 6, 7.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Olson, M.; Murphy; Moua; Dibble and Pogemiller introduced–

S.F. No. 2768: A bill for an act relating to insurance; regulating the use of credit scores and other credit information in insurance underwriting; amending Minnesota Statutes 2008, sections 72A.20, subdivision 36; 72A.499, subdivision 1; 72A.501, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

Senators Betzold, Skoe, Saxhaug and Metzen introduced–

S.F. No. 2769: A bill for an act relating to education finance; authorizing a school district to renew an expiring referendum by action of the school board; amending Minnesota Statutes 2008, section 126C.17, by adding a subdivision.

Referred to the Committee on Finance.

Senators Skogen, Skoe, Saxhaug and Metzen introduced–

S.F. No. 2770: A bill for an act relating to education finance; authorizing school districts to bill nonpublic schools and charter schools for any unreimbursed pupil transportation costs; amending Minnesota Statutes 2008, section 123B.92, subdivision 9; Minnesota Statutes 2009 Supplement,

section 124D.10, subdivision 16.

Referred to the Committee on Finance.

Senators Limmer and Ortman introduced—

S.F. No. 2771: A bill for an act relating to public safety; providing an expedited process for the resolution of certain forfeiture actions; amending Minnesota Statutes 2008, section 609.5313.

Referred to the Committee on Judiciary.

Senators Scheid, Prettner Solon, Sieben, Pappas and Marty introduced—

S.F. No. 2772: A bill for an act relating to health; amending the criteria used by the department of health to designate a chemical as a "priority chemical"; amending Minnesota Statutes 2009 Supplement, section 116.9403.

Referred to the Committee on Health, Housing and Family Security.

Senators Ingebrigtsen and Rosen introduced—

S.F. No. 2773: A bill for an act relating to public safety; establishing a sale of or possession of salvia divinorum crime; providing for a penalty; amending Minnesota Statutes 2008, section 152.027, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Koch, Limmer, Gerlach, Michel and Vandever introduced—

S.F. No. 2774: A bill for an act relating to state spending; proposing an amendment to the Minnesota Constitution by adding a section to article XI; limiting the level of budgeted spending to the amount collected in the prior biennium

Referred to the Committee on Finance.

Senators Lynch and Senjem introduced—

S.F. No. 2775: A bill for an act relating to education finance; permitting a onetime transfer of excess debt service funds for general education expenses.

Referred to the Committee on Finance.

Senators Lynch and Senjem introduced—

S.F. No. 2776: A bill for an act relating to education finance; creating a onetime exception; allowing proceeds from sale of school district property to be used as operating capital.

Referred to the Committee on Finance.

Senators Lynch and Senjem introduced–

S.F. No. 2777: A bill for an act relating to education; amending maintenance of effort requirements; amending Minnesota Statutes 2009 Supplement, section 126C.44.

Referred to the Committee on Finance.

Senator Metzen introduced–

S.F. No. 2778: A bill for an act relating to probate; increasing the time period allowed for commencing probate or appointment proceedings; making conforming changes; amending Minnesota Statutes 2008, sections 524.3-108; 524.3-301; 524.3-1006; 525.31.

Referred to the Committee on Judiciary.

Senators Koering and Olson, M. introduced–

S.F. No. 2779: A bill for an act relating to natural resources; designating the Camp Ripley Veterans Trail as a state trail in Cass, Crow Wing, and Morrison Counties; amending Minnesota Statutes 2008, section 85.015, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Olson, M. and Koering introduced–

S.F. No. 2780: A resolution memorializing Congress to effect change in U.S. Coast Guard law relating to fishing guides.

Referred to the Committee on Environment and Natural Resources.

Senator Frederickson introduced–

S.F. No. 2781: A bill for an act relating to taxation; authorizing the city of Marshall to impose a local sales and use tax, a local lodging tax, and a local food and beverages tax.

Referred to the Committee on Taxes.

Senators Dahle, Kelash, Latz, Sheran and Bakk introduced–

S.F. No. 2782: A bill for an act relating to education; including the history of organized labor and collective bargaining in the academic standards; amending Minnesota Statutes 2009 Supplement, section 120B.023, subdivision 2.

Referred to the Committee on Education.

Senators Marty, Berglin and Lourey introduced–

S.F. No. 2783: A bill for an act relating to the financing of state and local government; local government aid; human services appropriations; amending Minnesota Statutes 2008, section 477A.0124, by adding a subdivision; 2010 S.F. No. 2168, article 2, section 2, if enacted; proposing

coding for new law in Minnesota Statutes, chapter 477A.

Referred to the Committee on Taxes.

Senators Fobbe and Clark introduced—

S.F. No. 2784: A bill for an act relating to counties; authorizing a county board to ascertain whether the adult next of kin of a decedent has sufficient funds to pay for funeral expenses before the county assumes the responsibility; amending Minnesota Statutes 2009 Supplement, section 261.035.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Saxhaug and Skogen introduced—

S.F. No. 2785: A bill for an act relating to education; prohibiting pre-Labor Day start date for flexible learning year programs; amending Minnesota Statutes 2008, section 124D.126, subdivision 2; Minnesota Statutes 2009 Supplement, section 120A.40.

Referred to the Committee on Education.

Senators Doll, Dibble, Dahle, Skogen and Rosen introduced—

S.F. No. 2786: A bill for an act relating to energy; modifying microenergy loan program; amending Minnesota Statutes 2008, sections 216C.145, subdivisions 3, 5; 216C.146, subdivision 1.

Referred to the Committee on Energy, Utilities, Technology and Communications.

MOTIONS AND RESOLUTIONS

Senator Vandever moved that the name of Senator Johnson be added as a co-author to S.F. No. 1072. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Gimse be added as a co-author to S.F. No. 1188. The motion prevailed.

Senator Rest moved that her name be stricken as a co-author to S.F. No. 2318. The motion prevailed.

Senator Murphy moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Carlson be added as chief author to S.F. No. 2415. The motion prevailed.

Senator Prettner Solon moved that the names of Senators Sheran and Rummel be added as co-authors to S.F. No. 2470. The motion prevailed.

Senator Dibble moved that the names of Senators Dahle and Rummel be added as co-authors to S.F. No. 2535. The motion prevailed.

Senator Bakk moved that the names of Senators Dibble and Prettner Solon be added as co-authors to S.F. No. 2532. The motion prevailed.

Senator Moua moved that the name of Senator Rosen be added as a co-author to S.F. No. 2715.

The motion prevailed.

Senator Doll moved that S.F. No. 1568 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Health, Housing and Family Security. The motion prevailed.

Senator Higgins moved that S.F. No. 2520 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Health, Housing and Family Security. The motion prevailed.

Senator Torres Ray moved that S.F. No. 2593 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Health, Housing and Family Security. The motion prevailed.

Senator Fobbe moved that S.F. No. 2617 be withdrawn from the Committee on Agriculture and Veterans and re-referred to the Committee on Taxes. The motion prevailed.

Senator Olseen moved that S.F. No. 2471 be withdrawn from the Committee on State and Local Government Operations and Oversight and re-referred to the Committee on Finance. The motion prevailed.

Senator Lynch moved that S.F. No. 2708 be withdrawn from the Committee on Education and re-referred to the Committee on Health, Housing and Family Security. The motion prevailed.

Senator Saxhaug moved that S.F. No. 2494, on the Consent Calendar, be stricken and re-referred to the Committee on Rules and Administration. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved that the Senate take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

S.F. No. 2373: A bill for an act relating to veterans; designating September 16 of each year as American Legion Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Koering	Olson, M.	Senjem
Bakk	Fobbe	Kubly	Ortman	Sheran
Berglin	Foley	Langseth	Pappas	Sieben
Betzold	Frederickson	Latz	Pariseau	Skoe
Bonoff	Gerlach	Limmer	Parry	Skogen
Carlson	Gimse	Lynch	Pogemiller	Sparks
Chaudhary	Hann	Marty	Rest	Stumpf
Clark	Higgins	Metzen	Robling	Tomassoni
Dahle	Ingebrigtsen	Michel	Rosen	Torres Ray
Dibble	Johnson	Moua	Rummel	Vandever
Dille	Jungbauer	Murphy	Saltzman	Vickerman
Doll	Kelash	Olseen	Saxhaug	Wiger
Erickson Ropes	Koch	Olson, G.	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 2253: A bill for an act relating to capital improvements; repealing moratorium on demolition or removal of the Rock Island Bridge; repealing Laws 2009, chapter 93, article 1, section 45.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Koering	Olson, M.	Senjem
Bakk	Fobbe	Kubly	Ortman	Sheran
Berglin	Foley	Langseth	Pappas	Sieben
Betzold	Frederickson	Latz	Pariseau	Skoe
Bonoff	Gerlach	Limmer	Parry	Skogen
Carlson	Gimse	Lynch	Pogemiller	Sparks
Chaudhary	Hann	Marty	Rest	Stumpf
Clark	Higgins	Metzen	Robling	Tomassoni
Dahle	Ingebrigtsen	Michel	Rosen	Torres Ray
Dibble	Johnson	Moua	Rummel	Vandever
Dille	Jungbauer	Murphy	Saltzman	Vickerman
Doll	Kelash	Olseen	Saxhaug	Wiger
Erickson Ropes	Koch	Olson, G.	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 2475: A bill for an act relating to veterans; designating May 28 as Veterans of Foreign Wars Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Koering	Olson, M.	Senjem
Bakk	Fobbe	Kubly	Ortman	Sheran
Berglin	Foley	Langseth	Pappas	Sieben
Betzold	Frederickson	Latz	Pariseau	Skoe
Bonoff	Gerlach	Limmer	Parry	Skogen
Carlson	Gimse	Lynch	Pogemiller	Sparks
Chaudhary	Hann	Marty	Rest	Stumpf
Clark	Higgins	Metzen	Robling	Tomassoni
Dahle	Ingebrigtsen	Michel	Rosen	Torres Ray
Dibble	Johnson	Moua	Rummel	Vandever
Dille	Jungbauer	Murphy	Saltzman	Vickerman
Doll	Kelash	Olseen	Saxhaug	Wiger
Erickson Ropes	Koch	Olson, G.	Scheid	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved

that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Frederickson in the chair.

After some time spent therein, the committee arose, and Senator Frederickson reported that the committee had considered the following:

S.F. No. 2259, which the committee recommends to pass.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Senator Chaudhary moved that the report from the Committee on Environment and Natural Resources, reported February 11, 2010, pertaining to the appointment of the Commissioner of the Minnesota Pollution Control Agency, be taken from the table. The motion prevailed.

Senator Chaudhary moved that the foregoing report be now adopted. The motion prevailed.

Senator Chaudhary moved that in accordance with the report from the Committee on Environment and Natural Resources, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA POLLUTION CONTROL AGENCY COMMISSIONER

Paul H. Eger, 4086 Durham Ct., Eagan, Dakota County, effective January 26, 2009, to complete a term expiring on January 3, 2011.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Chaudhary moved that the report from the Committee on Environment and Natural Resources, reported February 11, 2010, pertaining to appointments to the Legislative-Citizen Commission on Minnesota Resources, be taken from the table. The motion prevailed.

Senator Chaudhary moved that the foregoing report be now adopted. The motion prevailed.

Senator Chaudhary moved that in accordance with the report from the Committee on Environment and Natural Resources, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Nancy Gibson, 2712 Glenhurst Ave., Saint Louis Park, Hennepin County, effective May 19, 2008, for a term expiring on January 2, 2012.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Rest moved that the report from the Committee on State and Local Government Operations and Oversight, reported February 11, 2010, pertaining to appointments to the Board of the Arts, be taken from the table. The motion prevailed.

Senator Rest moved that the foregoing report be now adopted. The motion prevailed.

Senator Rest moved that in accordance with the report from the Committee on State and Local Government Operations and Oversight, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE ARTS

Edward Oliver, 20230 Cottagewood Rd., Deephaven, Hennepin County, effective April 25, 2007, for a term expiring on January 3, 2011.

Mary Beth Schubert, 9026 Carter Path, Inver Grove Heights, Dakota County, effective June 25, 2008, to complete a term expiring on January 3, 2011.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Rest moved that the report from the Committee on State and Local Government Operations and Oversight, reported February 11, 2010, pertaining to appointments to the Minnesota Racing Commission, be taken from the table. The motion prevailed.

Senator Rest moved that the foregoing report be now adopted. The motion prevailed.

Senator Rest moved that in accordance with the report from the Committee on State and Local Government Operations and Oversight, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA RACING COMMISSION

Jacqueline Duncanson, 56265 - 124th St., Mapleton, Blue Earth County, effective September 10, 2007, for a term expiring on June 30, 2013.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger, for Senator Stumpf, moved that the report from the Committee on Education, reported February 11, 2010, pertaining to appointments to the Board of the Perpich Center for Arts Education, be taken from the table. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that in accordance with the report from the Committee on Education, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Virginia Katz, 7825 Congdon Blvd., Duluth, Saint Louis County, effective June 30, 2008, for a term expiring on January 2, 2012.

Susan Mackert, 2609 Meadowrose Blvd., Saint Cloud, Stearns County, effective June 30, 2008, for a term expiring on January 2, 2012.

Kaimay Terry, 5109 Ridge Rd., Edina, Hennepin County, effective June 30, 2008, for a term expiring on January 2, 2012.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Wiger, for Senator Stumpf, moved that the report from the Committee on Education, reported February 11, 2010, pertaining to appointments to the Board of Teaching, be taken from the table. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that in accordance with the report from the Committee on Education, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF TEACHING

Jeffrey Anderson, 710 - 8th Ave. N.W., Austin, Mower County, effective February 14, 2009, to fulfill a term expiring on January 3, 2011.

Daniel Bittman, 6649 Timberwolf Tr., Lino Lakes, Anoka County, effective February 14, 2009, for a term expiring on January 7, 2013.

Jennifer Brist, 406 Houston Ave., Crookston, Polk County, effective February 14, 2009, for a term expiring on January 7, 2013.

Kristi Delaney, 3762 Alexandria Ct., Woodbury, Washington County, effective February 14, 2009, for a term expiring on January 7, 2013.

Ron Hill, 5313 S. Park Cir., Savage, Scott County, effective February 14, 2009, for a term expiring on January 7, 2013.

Leonard Runck, 1002 Elm St., Lambertton, Redwood County, effective February 14, 2009, for a term expiring on January 7, 2013.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Wiger, for Senator Stumpf, moved that the report from the Committee on Education, reported February 11, 2010, pertaining to appointments to the Board of the Minnesota State Academies, be taken from the table. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that in accordance with the report from the Committee on Education, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE MINNESOTA STATE ACADEMIES

Martha Amundson, 1013 Fremont Cir., Northfield, Rice County, effective September 25, 2007, for a term expiring on January 3, 2011.

Alex Caddy, 2220 Hulett Ave., Faribault, Rice County, effective September 25, 2007, for a term expiring on January 3, 2011.

Nadine Jacobson, 5805 Kellogg Ave., Edina, Hennepin County, effective March 17, 2009, for a term expiring on January 7, 2013.

Walter Kramer, 425 N. 30th Ave. W., Duluth, Saint Louis County, effective May 19, 2008, for a term expiring on January 2, 2012.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Wiger, for Senator Stumpf, moved that the report from the Committee on Education, reported February 11, 2010, pertaining to appointments to the Board of School Administrators, be taken from the table. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger, for Senator Stumpf, moved that in accordance with the report from the Committee on Education, reported February 11, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF SCHOOL ADMINISTRATORS

Louise A. Sundin, 5216 Vincent Ave. S., Minneapolis, Hennepin County, effective April 28, 2008, for a term expiring on January 2, 2012.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Vickerman moved that the report from the Committee on Agriculture and Veterans, reported February 15, 2010, pertaining to appointments to the Board of Animal Health, be taken from the table. The motion prevailed.

Senator Vickerman moved that the foregoing report be now adopted. The motion prevailed.

Senator Vickerman moved that in accordance with the report from the Committee on Agriculture and Veterans, reported February 15, 2010, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF ANIMAL HEALTH

Dr. Holly Jane Neaton, 11549 Hwy. 25, Watertown, Wright County, effective March 3, 2008, for a term expiring on January 2, 2012.

Dr. John Whitten, 707 Nissen St., Alexandria, Douglas County, effective April 15, 2009, for a term expiring on January 7, 2013.

The motion prevailed. So the appointments were confirmed.

RECESS

Senator Pogemiller moved that the Senate do now recess until 8:00 p.m. The motion prevailed.

The hour of 8:00 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2700, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2700 is herewith transmitted to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 22, 2010

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2700

A bill for an act relating to capital improvements; authorizing spending to acquire and

better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; cancelling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, sections 16A.105; 16A.501; 16A.66, subdivision 2; 103F.161, subdivisions 1, 3; 103F.515, by adding a subdivision; 116J.435, as amended; 174.50, subdivisions 6, 7; 256E.37, subdivisions 1, 2; Minnesota Statutes 2009 Supplement, sections 16A.647, subdivisions 1, 5; 16A.86, subdivision 3a; Laws 2005, chapter 20, article 1, sections 19, subdivision 4; 23, subdivision 12, as amended; Laws 2006, chapter 258, sections 5, subdivision 3; 8, subdivision 4; 17, subdivision 5; 21, subdivision 14, as amended; Laws 2008, chapter 152, article 2, section 3, subdivision 2; Laws 2008, chapter 179, sections 5, subdivision 4; 7, subdivisions 8, 27; 21, subdivision 9; Laws 2008, chapter 365, sections 4, subdivision 3; 5, subdivision 2; 24, subdivision 2; 25; Laws 2009, chapter 93, article 1, sections 11, subdivision 5; 20; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; repealing Laws 2009, chapter 93, article 1, section 45.

February 22, 2010

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 2700 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2700 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, money appropriated in this act for a capital program or project may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget. Unless otherwise specified, the appropriations in this act are available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642.

SUMMARY

<u>University of Minnesota</u>	<u>\$</u>	<u>100,001,000</u>
<u>Minnesota State Colleges and Universities</u>		<u>305,985,000</u>

67TH DAY]

MONDAY, FEBRUARY 22, 2010

7057

<u>Education</u>	7,780,000
<u>Minnesota State Academies</u>	2,500,000
<u>Perpich Center for Arts Education</u>	1,373,000
<u>Natural Resources</u>	129,754,000
<u>Pollution Control Agency</u>	21,186,000
<u>Board of Water and Soil Resources</u>	27,500,000
<u>Zoological Garden</u>	21,000,000
<u>Administration</u>	11,175,000
<u>Amateur Sports Commission</u>	8,450,000
<u>Military Affairs</u>	11,900,000
<u>Public Safety</u>	14,550,000
<u>Transportation</u>	158,727,000
<u>Metropolitan Council</u>	79,443,000
<u>Health</u>	15,000,000
<u>Human Services</u>	4,125,000
<u>Veterans Affairs</u>	4,450,000
<u>Corrections</u>	11,529,000
<u>Employment and Economic Development</u>	134,609,000
<u>Public Facilities Authority</u>	57,000,000
<u>Housing Finance Agency</u>	10,000,000
<u>Minnesota Historical Society</u>	13,757,000
<u>Bond Sale Expenses</u>	1,101,000
<u>Cancellations</u>	<u>(27,562,000)</u>
<u>TOTAL</u>	<u>\$ 1,125,333,000</u>
<u>Bond Proceeds Fund (General Fund Debt Service)</u>	936,200,000
<u>Bond Proceeds Fund (User Financed Debt Service)</u>	88,170,000
<u>Maximum Effort School Loan Fund</u>	5,780,000
<u>State Transportation Fund</u>	67,000,000
<u>Trunk Highway Fund Bond Proceeds Account</u>	32,945,000
<u>Trunk Highway Fund</u>	22,800,000
<u>Bond Proceeds Cancellations</u>	(9,062,000)
<u>Trunk Highway Bond Proceeds Cancellations</u>	(18,500,000)

APPROPRIATIONS

Sec. 2. UNIVERSITY OF MINNESOTASubdivision 1. Total Appropriation\$ 100,001,000

To the Board of Regents of the University of Minnesota for the purposes specified in this section.

Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)55,000,000

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

Subd. 3. Twin Cities Campus(a) Folwell Hall23,000,000

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

(b) Physics and Nanotechnology5,000,000

To predesign and design a new building to house the research branch of the physics program and the Center for Nanostructure Applications. This appropriation is not available until the board of regents has certified to the commissioner of management and budget that the building will not be built within the area impacted by vibration or magnetic resonance caused by light rail transit on Washington Avenue.

Subd. 4. Duluth CampusAmerican Indian Learning Resource Center6,667,000

To design, construct, furnish, and equip an American Indian Learning Resource Center.

Subd. 5. Itasca Biological StationNew Biological Station and Lakeside Lab Renovation3,667,000

To predesign, design, construct, furnish, and equip a new biological station and renovate the classroom in the historic lakeside laboratory at the University of Minnesota facility in Itasca State Park.

Subd. 6. Laboratory Renovation

6,667,000

To renovate, furnish, and equip research laboratories on the Crookston, Duluth, Morris, and Twin Cities campuses.

Subd. 7. University Share

Except for Higher Education Asset Preservation and Replacement (HEAPR) under subdivision 2, the appropriations in this section are intended to cover approximately two-thirds of the cost of each project. The remaining costs must be paid from university sources.

Subd. 8. Unspent Appropriations

Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the Board of Regents must use any money remaining in the appropriation for that project for HEAPR under Minnesota Statutes, section 135A.046. The Board of Regents must report by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investments and higher education finance, and to the chairs of the house of representatives Ways and Means and Finance Committees and the senate Finance Committee, on how the remaining money has been allocated or spent.

Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. Total Appropriation

\$ 305,985,000

To the Board of Trustees of the Minnesota State Colleges and Universities for the

purposes specified in this section.

Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)

52,000,000

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

Subd. 3. Alexandria Technical College

Main Building Renovation and Addition

4,363,000

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

Subd. 4. Anoka Ramsey Community College, Coon Rapids

(a) Fine Arts Building Renovation

5,357,000

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

(b) Bioscience and Allied Health Addition

16,484,000

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

Subd. 5. Dakota County Technical College

Transportation and Emerging Technologies Lab

7,230,000

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

Subd. 6. Hennepin Technical College, Eden Prairie, Brooklyn Park

Learning Resource and Student Services Renovation

10,566,000

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

Subd. 7. Lake Superior College

Health Science Center

12,098,000

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

Subd. 8. Metropolitan State University

Classroom Center

5,860,000

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

Subd. 9. Minneapolis Community and Technical College

Workforce Program Renovation

12,990,000

To complete design and to renovate, furnish, and equip instructional space, support space, and infrastructure for workforce programs.

Subd. 10. Minnesota State Community and Technical College, Moorhead

Library and Classroom Addition

5,448,000

To complete design and to construct, furnish, and equip a classroom and library addition, and to demolish obsolete space.

Subd. 11. Minnesota State University, Mankato

Clinical Science Building Design

1,908,000

To design for construction a Clinical Science Building.

Subd. 12. Minnesota State University, Moorhead**Livingston Lord Library and Information
Technology Renovation**14,901,000

To complete design and to renovate, furnish,
and equip Livingston Lord Library.

**Subd. 13. Minnesota West Community and
Technical College, Worthington****Fieldhouse Renovation**4,641,000

To renovate, furnish, and equip the
Fieldhouse and construct, furnish, and equip
an addition to it.

**Subd. 14. Minnesota West Community and
Technical College, Canby****Wind Turbine Training Facility**3,000,000

To acquire land and for preliminary
engineering, design to acquire, construct, and
install a commercial scale wind turbine for
the wind energy technology program.

**Subd. 15. NHED Mesabi Range Community and
Technical College, Eveleth****Shop Space Addition**5,477,000

To construct, furnish, and equip shop space
for the industrial mechanical technology
and carpentry programs. This appropriation
includes funding for renovation of existing
space for Americans with Disabilities Act
(ADA) compliance.

**Subd. 16. NHED Mesabi Range Community and
Technical College, Virginia****Iron Range Engineering Program Facilities**3,000,000

To predesign, design, construct, furnish,
and equip an addition to and renovation
of existing space for laboratories, flexible
classrooms, and office space for the

engineering program on the Virginia campus.

Subd. 17. Normandale Community College

Academic Partnership Center and Student Services

1,000,000

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

Subd. 18. North Hennepin Community College

(a) Bioscience and Health Careers Center Addition

26,581,000

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

(b) Center for Business and Technology

14,782,000

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

Subd. 19. Ridgewater Community Technical College, Willmar

Technical Instruction Renovation

14,300,000

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

Subd. 20. Rochester Community Technical College

Workforce Center Colocation

8,500,000

To complete the design and to construct, furnish, and equip an addition to the Heintz Center at Rochester Community and Technical College and to renovate the heating, ventilating, and air conditioning systems. The addition will house the Rochester Area Work Force Center. The board of trustees must consult with the commissioner of employment and economic development on

the design of the renovations and addition. The board must enter into a lease agreement with the commissioner of employment and economic development for use of the work force center. The lease agreement must provide that lease payments made by the commissioner will pay for the college's reasonable costs in support of the work force center.

This appropriation is in addition to the appropriation in Laws 2008, chapter 179, section 3, subdivision 23.

Subd. 21. South Central College, Faribault

13,360,000

Classroom Renovation and Addition

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

Subd. 22. Southwest Minnesota State University

Science Lab Renovation

5,666,000

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

Subd. 23. St. Cloud State University

Integrated Science and Engineering Laboratory Facility

42,334,000

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

Subd. 24. St. Cloud Technical College

Allied Health Center Renovation

5,421,000

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

Subd. 25. Classroom Initiatives and Demolition

3,883,000

To design, renovate, furnish, and equip classrooms and academic space and demolish obsolete space at the following campuses: Central Lakes College, Brainerd; Minnesota State Community Technical College, Wadena and Moorhead; Minnesota West Community Technical College, Pipestone; Northland Community Technical College, Thief River Falls; Pine Technical College, Pine City; and Rochester Community Technical College, Rochester.

Campuses may use internal and nonstate money to increase the size of the projects.

Subd. 26. Science, Technology, Engineering, and Math Initiatives

4,835,000

To design, renovate, furnish, and equip science laboratories and classrooms at the following campuses: Bemidji State University; Century College; Minnesota State Community and Technical College, Moorhead; Minnesota State University, Moorhead; Northeast Higher Education District, Hibbing College, Itasca Community College, and Mesabi Range Eveleth; Northwest Technical College; South Central College, North Mankato.

Campuses may use internal and nonstate money to increase the size of the projects.

Subd. 27. Debt Service

(a) Except as provided in paragraph (b), the board shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section. After each sale of general obligation bonds, the commissioner of management and budget shall notify the board of the amounts assessed for each year for the life of the bonds.

(b) The board need not pay debt service on bonds sold to finance higher education asset preservation and replacement. Where a nonstate match is required, the debt service is due on a principal amount equal to one-third

of the total project cost, less the match committed before the bonds are sold. For the workforce center colocation project at Rochester Community and Technical College, the board shall pay the debt service on \$1,079,000 of the principal amount of state bonds sold to finance the project. The commissioner of employment and economic development shall pay the debt service on \$5,262,000 of the principal amount of state bonds sold to finance the project, in the manner provided in Minnesota Statutes, section 16A.643.

(c) The commissioner of management and budget shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of management and budget by December 1 each year. If the board fails to make a payment when due, the commissioner of management and budget shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of management and budget shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Subd. 28. Unspent Appropriations

(a) Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the board must use any money remaining in the appropriation for that project for higher asset preservation and replacement (HEAPR) under Minnesota Statutes, section 135A.046. The Board of Trustees must report

by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investment and higher education finance, and to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee, on how the remaining money has been allocated or spent.

(b) The unspent portion of an appropriation for a project in this section that is complete is available for higher education asset preservation and replacement under this subdivision, at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 27 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 4. **EDUCATION**

Subdivision 1. **Total Appropriation**

\$ 7,780,000

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

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

5,780,000

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

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

high school and middle school, a receiving area and dock and adjacent drives, utilities, and grading.

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

Subd. 3. Library Accessibility and Improvement Grants

2,000,000

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

Sec. 5. MINNESOTA STATE ACADEMIES

Subdivision 1. Total Appropriation

\$ 2,500,000

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

Subd. 2. Asset Preservation

2,000,000

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

Subd. 3. Independent Living Housing

500,000

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

Sec. 6. PERPICH CENTER FOR ARTS EDUCATION

Subdivision 1. **Total Appropriation** **\$ 1,373,000**

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

Subd. 2. **Alpha Building Demolition** 755,000

To demolish the Alpha Building.

Subd. 3. **Delta Dorm Windows** 489,000

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

Subd. 4. **Storage Building** 129,000

To construct a storage building on the site of the demolished Alpha Building.

Sec. 7. **NATURAL RESOURCES**

Subdivision 1. **Total Appropriation** **\$ 129,754,000**

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

The appropriations in this section are subject to the requirements of the natural resources capital improvement program under Minnesota Statutes, section 86A.12, unless this section or the statutes referred to in this section provide more specific standards, criteria, or priorities for projects than Minnesota Statutes, section 86A.12.

Subd. 2. **Natural Resources Asset Preservation** 1,000,000

For the renovation of state-owned facilities and recreational assets operated by the commissioner of natural resources that can be substantially completed within 12 months after the effective date of this section, to be spent in accordance with Minnesota Statutes, section 84.946. The commissioner may use this appropriation to replace buildings if, considering the embedded energy in the building, that is the most energy-efficient and carbon-reducing method of renovation.

Subd. 3. Flood Hazard Mitigation Grants63,500,000

(a) For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161.

(b) The commissioner shall determine project priorities as appropriate, based on need.

(c) This appropriation includes money for the following county and municipal projects: Ada, Afton, Austin, Borup, Breckenridge, Clay County, Climax, Crookston, Felton, Georgetown, Granite Falls, Halstad, Hendrum, Inver Grove Heights, Montevideo, Moorhead, Nielsville, Oakport Township, Oslo, Perley, Roseau, Rushford, and Shelly.

(d) This appropriation includes money for the following watershed district projects: Brandt Angus, Middle-Snake-Tamarac Rivers Watershed District; Fountain Lake, Shell Rock River Watershed District; Grand Marais Creek, Red Lake Watershed District; Hay Creek-Norland, Roseau Watershed District; Manston Slough, Buffalo-Red River Watershed District; North Ottawa, Bois de Sioux Watershed District; Red Path, Bois de Sioux Watershed District; Springbrook, Two Rivers Watershed District; Thief River Falls, County Ditch No. 1, Red Lake Watershed District; Upper Becker Dams, Wild Rice Watershed District; and Upper South Branch, Buffalo-Red River Watershed District.

(e) The commissioner may spend money and make grants for land acquisition, predesign, design, and engineering for the Fargo-Moorhead metropolitan diversion project proposed by the United States Army Corps of Engineers, but must not spend money or make grants for construction of the diversion channel until an implementation plan for mitigation of downstream impacts has been developed, or April 1, 2012, whichever occurs first. The mitigation plan

must ensure that the project will not make downstream flooding worse than it would have been without the project.

(f) For any project listed in this subdivision that the commissioner determines is not ready to proceed or does not expend all the money allocated to it, the commissioner may allocate that project's money to a project on the commissioner's priority list.

(g) To the extent that the cost of a project exceeds two percent of the median household income in the local governmental unit multiplied by the number of households in the local governmental unit, this appropriation is also for the local share of the project.

(h) For the purpose of determining any local match required for the Moorhead project and other Red River flood hazard mitigation projects, the projects include all bondable flood hazard mitigation activities occurring under Department of Natural Resources flood hazard mitigation grants after April 2009 and bondable flood hazard mitigation projects resulting from the United States Army Corps of Engineers Fargo-Moorhead Metropolitan Feasibility Study.

(i) The commissioner shall report quarterly to the chairs of the senate and house of representatives committees on finance, ways and means, and capital investment, and to the chairs of the senate and house of representatives committees and divisions with jurisdiction over natural resources policy and budget on the previous quarter's expenditure of the appropriation in this subdivision.

Subd. 4. Groundwater Monitoring and Observation Wells

1,000,000

To install new publicly owned groundwater level observation wells to monitor the Mount Simon aquifer and assess groundwater for water supply planning in the south and central regions of the state. This appropriation

may also be used to seal existing obsolete monitoring wells in the Mount Simon aquifer that are no longer functional.

Subd. 5. Dam Renovation and Removal

4,750,000

To renovate or remove publicly owned dams. The commissioner shall determine project priorities as appropriate under Minnesota Statutes, sections 103G.511 and 103G.515.

This appropriation includes money for the following projects:

(a) Byllesby Dam, Dakota and Goodhue Counties

(b) Champlin Mill Pond Dam, Hennepin County

(c) Clayton Lake Dam, Pine County

(d) Drayton Dam, Kittson County

(e) Hallock Dam, Kittson County

(f) Lake Bronson Dam, Kittson County

(g) Lanesboro Dam, Fillmore County

(h) Milaca Dam, Mille Lacs County

(i) Montevideo Dam, Chippewa County

(j) Pike River Dam, St. Louis County

(k) \$750,000 is for a grant to the Three Rivers Park District to renovate the Coon Rapids Dam. This appropriation is not available until the commissioner determines that an amount sufficient to complete the project is committed to the project.

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

**Subd. 6. Wildlife and Aquatic Management Area
Land Acquisition and Improvement**

1,000,000

To acquire land in fee for wildlife management area and aquatic management area purposes and for improvements of a capital nature to develop, protect, or improve habitat and facilities on wildlife management areas under Minnesota Statutes, section 86A.05, subdivisions 8 and 14.

Subd. 7. RIM Critical Habitat Match

3,000,000

To provide the state match for the critical habitat private sector matching account under Minnesota Statutes, section 84.943. This appropriation must be used only to acquire fee title.

**Subd. 8. Scientific and Natural Area Acquisition
and Development**

4,500,000

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

Subd. 9. Forests for the Future

500,000

To acquire conservation easements as described under Minnesota Statutes, chapter 84C, on private forest lands and within Forest Legacy Areas established under United States Code, title 16, section 2103c. The conservation easements must guarantee public access, including hunting and fishing.

Subd. 10. State Forest Land Reforestation

3,000,000

To increase reforestation activities to meet the reforestation requirements of Minnesota Statutes, section 89.002, subdivision 2,

including planting, seeding, site preparation, and purchasing native seeds and native seedlings; and for timber stand improvement.

Subd. 11. Forest Roads and Bridges

1,000,000

For reconstruction, resurfacing, replacement, and construction of state forest roads and bridges under Minnesota Statutes, section 89.002.

Subd. 12. Shade Tree Program

3,000,000

For grants to cities, counties, townships, and park and recreation boards in cities of the first class for the planting of publicly owned shade trees on public land to provide environmental benefits; replace trees lost to forest pests, disease or storm; or to establish a more diverse community forest better able to withstand disease and forest pests. The commissioner must give priority to grant requests to remove and replace trees with active infestations of emerald ash borer. For purposes of this appropriation, "shade tree" means a woody perennial grown primarily for aesthetic or environmental purposes with minimal to residual timber value and no intent to harvest the tree for its wood. Any tree planted with funding under this subdivision must be a species native to Minnesota.

Subd. 13. State Park Rehabilitation

5,659,000

For rehabilitation projects within state parks established under Minnesota Statutes, section 85.012, as identified in the January 20, 2010, list of projects titled "State Park Development Projects - 12 month completion possible," including: at the Soudan Underground Mine, water treatment system and lab building, and new discharge pipeline; at Minneopa, safety improvements to the historic pedestrian bridge; at Itasca, repaving the wilderness drive and improvements to the beach area amphitheater; at Fort Ridgely, office consolidation into the historic museum building; at Whitewater and

Mille Lacs Kathio, new RV sanitary dump stations; at Lake Maria, road paving and rehabilitation; and at all parks, campground electrical upgrades. Up to one percent of this appropriation may be used for project predesign for next funding cycle. Most of the appropriation in this subdivision must be spent within 12 months after the effective date of this section.

Subd. 14. State Park and Recreation Area Acquisition

2,150,000

To acquire from willing sellers private lands for the following state parks established under Minnesota Statutes, section 85.012: land within William O'Brien State Park and land near Split Rock Lighthouse State Park that provides a view of the lighthouse; and land within Cuyuna Country State Recreation Area, established under Minnesota Statutes, section 85.013.

Subd. 15. State Park and Recreation Area Development

For projects within state parks established under Minnesota Statutes, section 85.012, and state recreation areas established under Minnesota Statutes, section 85.013.

This appropriation includes money for the following projects:

(a) Cuyuna Country State Recreation Area

1,250,000

(b) Glendalough State Park

350,000

To develop a trail within Glendalough State Park.

Subd. 16. State Trail Rehabilitation

5,000,000

(a) To renovate state trails established under Minnesota Statutes, section 85.015, according to the commissioner's priorities and as provided in Minnesota Statutes, section 84.946. Most of the appropriation in this subdivision must be spent within 12 months

after the effective date of this section. This appropriation is for the following trails:

- (1) Gateway Trail;
- (2) Luce Line Trail;
- (3) Munger Trail;
- (4) Paul Bunyan Trail; and
- (5) Root River Trail.

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

(b) This appropriation may also be used to renovate the Alborn-Pengilly Railroad ATV Trail.

Subd. 17. State Trail Acquisition and Development

21,423,000

To acquire land for and to construct and renovate state trails under Minnesota Statutes, section 85.015.

Up to \$1,000,000 is for the Blazing Star Trail.

Up to \$1,000,000 is for the Browns Creek Trail.

Up to \$2,000,000 is for the Casey Jones Trail.

Up to \$2,000,000 is to design, acquire land for, and develop the Camp Ripley/Veterans State Trail, established in new Minnesota Statutes, section 85.015, subdivision 28, in conjunction with the United States Department of Defense and the Minnesota Department of Transportation.

Up to \$1,000,000 is for the Cuyuna Lakes Trail.

Up to \$2,000,000 is for the Gateway Trail.

Up to \$1,000,000 is for the Gitchi-Gami Trail.

Up to \$2,000,000 is to acquire and develop a five-mile bituminous extension of the Glacial Lakes State Trail in the city of New London to Sibley State Park, in the CSAH 40 corridor, for bicycle and pedestrian use.

Up to \$1,300,000 is to acquire and develop the segment of the Goodhue Pioneer Trail between the cities of Zumbrota and Goodhue.

Up to \$1,500,000 is for the Heartland Trail extension.

Up to \$2,373,000 is for paving the Luce Line Trail and developing a parallel horse trail between the city of Winsted and city of Cedar Mills. The trail between the city of Winsted and city of Cedar Mills must be available for multiple uses, including hiking, biking, horseback riding, snowmobiling, cross-country skiing, and inline skating. Notwithstanding Minnesota Statutes, section 84.8712, subdivision 1, snowmobiles with metal traction devices may be used on the portion of the Luce Line Trail paved with this appropriation. The commissioner of natural resources shall ensure that all drainage tile passing under the Luce Line Trail can be maintained and provide for adequate crossing locations for farmers with construction standards that allow for large machinery to cross the trail.

Up to \$550,000 is for the Mill Towns Trail.

Up to \$400,000 is for the Minnesota River Trail.

Up to \$1,800,000 is for the Paul Bunyan Trail.

Up to \$1,500,000 is for the Shooting Star Trail.

For any project listed in this subdivision that the commissioner determines is not ready to proceed, the commissioner may allocate that project's money to another state trail project. The chairs of the house of representatives

and senate committees with jurisdiction over environment and natural resources and legislators from the affected legislative districts must be notified of any changes.

Subd. 18. Regional Trails

500,000

For matching grants under Minnesota Statutes, section 85.019, subdivision 4b.

For a grant to Aitkin County to acquire land for and to construct segments of the Northwoods Regional All-Terrain Vehicle Trail.

Subd. 19. Trail Connections

4,792,000

For matching grants under Minnesota Statutes, section 85.019, subdivision 4c.

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

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

\$512,000 is for a grant to the city of Granite Falls to renovate the Roebling suspension pedestrian bridge over the Minnesota River in Granite Falls.

\$175,000 is for a grant to the city of Hibbing to acquire land, predesign, design, construct, and resurface the Carey Lake Bike Trail which follows 25th Street (Dupont Road) east to the Carey Lake Park in Hibbing, St. Louis County.

\$1,000,000 is for a grant to the city of Rochester to acquire the DM&E Pine Island spur right-of-way to connect to the Douglas State Trail.

\$800,000 is for a grant to the Rocori Trail Board to acquire, design, and construct phase

1 of the Rocori Trail, from Richmond to the east side of the Sauk River into Cold Spring, connecting the Glacial Lakes State Trail to the Beaver Island Trail and Lake Wobegon Trail.

\$250,000 is for a grant to Stearns County to develop the 26-mile Dairyland Trail connecting to the Lake Wobegon Trail.

\$500,000 is for a grant to the city of Walker for phases 2 and 3 of the Shingobee Trail Connection to the Paul Bunyan State Trail.

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

Subd. 20. St. Mathias Trail Paving - Fort Ripley

50,000

For a grant to the city of Fort Ripley to pave a trail in St. Mathias Park.

Subd. 21. Rum River Buffer and Bridge Replacement

130,000

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

Subd. 22. Fort Snelling Upper Bluff

1,200,000

For a grant to Hennepin County to conduct

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

Subd. 23. Lake Superior Campground Expansion

1,000,000

For a grant to the city of Two Harbors to design and construct an expansion of the Burlington Bay Campground.

Subd. 24. Unspent Appropriations

The unspent portion of an appropriation, but not to exceed ten percent of the appropriation, for a project in this section that is complete, other than an appropriation for flood hazard mitigation, is available for asset preservation under Minnesota Statutes, section 84.946. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred for asset preservation.

Sec. 8. POLLUTION CONTROL AGENCY

Subdivision 1. Total Appropriation

\$ 21,186,000

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

Subd. 2. Closed Landfill Cleanup

8,700,000

To design and construct remedial systems and acquire land at landfills throughout the state in accordance with the closed landfill program under Minnesota Statutes, sections 115B.39 to 115B.42. The agency must follow the agency priorities. Entities administering projects undertaken with funds in this subdivision must conform to occupational safety and health standards under federal law and Minnesota Statutes, chapter 182, and

report to the legislature any violations.

Subd. 3. Capital Assistance Program

12,486,000

For the solid waste capital assistance grants program under Minnesota Statutes, section 115A.54, except that the \$2,000,000 limit on the total amount of the grant is waived for these projects.

(1) \$500,000 is for a grant to Becker County to design and construct a waste transfer facility. This amount includes 75 percent of the cost of the transfer station and 50 percent of the cost of the material recovery facility. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025. This grant is not available until the agency determines that an amount sufficient to complete the project is committed to it from nonstate sources.

(2) \$5,075,000 is for a grant to the city of Perham in Otter Tail County to design, construct, furnish, and equip a material recovery facility at the Perham Resource Recovery Facility. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025.

(3) \$5,000,000 is for a grant to the Pope/Douglas Solid Waste Joint Powers Board to design, construct, furnish, and equip the expansion of the Pope/Douglas waste-to-energy facility located in Alexandria. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025.

(4) \$1,911,000 is for a grant to Redwood County under the solid waste capital assistance grants program in Minnesota Statutes, section 115A.54, to predesign, design, construct, furnish, and equip the Redwood County Materials Recovery Facility in order to allow processing of

recyclables from other counties. The counties using this facility must agree to achieve a 60 percent recycling rate and an organics recovery rate of 15 percent by 2025. This grant is not available until the agency determines that an amount sufficient to complete the project is committed to it from nonstate sources.

Sec. 9. BOARD OF WATER AND SOIL RESOURCES

Subdivision 1. Total Appropriation

\$ 27,500,000

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

Subd. 2. RIM Conservation Reserve

25,000,000

(a) To acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands; restore and enhance rivers and streams, riparian lands, and associated uplands in order to protect soil and water quality; support fish and wildlife habitat; reduce flood damage; and provide other public benefits. The provisions of Minnesota Statutes, section 103F.515, apply to this appropriation, except that the board may establish alternative payment rates for easements and practices to establish restored native prairies, as defined in Minnesota Statutes, section 84.02, subdivision 7, and to protect uplands. Of this appropriation, up to ten percent may be used to implement the program.

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

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

wetlands and reduce flooding in the Austin area.

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

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

Up to \$2,000,000 is for use in Area II.

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

(b) The board is authorized to enter into new agreements and amend past agreements with landowners as required by Minnesota Statutes, section 103F.515, subdivision 5, to allow for restoration, including overseeding and harvesting of native prairie vegetation for use for energy production in a manner that does not devalue the natural habitat, water quality benefits, or carbon sequestration functions of the area enrolled in the easement. This shall occur after seed production and minimize impacts on wildlife. Of this appropriation, up to five percent may be used for restoration, including overseeding. The board must submit to the legislative committees with jurisdiction over environment finance and capital investment an interim report on this program by October 1, 2010, and a final report by February 1, 2011.

Subd. 3. Wetland Replacement Due to Public Road Projects

2,500,000

To acquire land for wetland restoration or preservation to replace wetlands drained or filled as a result of the repair or reconstruction, replacement, or rehabilitation of existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m). The board shall give priority consideration to establishing wetland credits in the seven-county metropolitan area in partnership

with the Minneapolis Park and Recreation Board and the sculpture garden project.

The provisions of Minnesota Statutes, section 103F.515, apply to this appropriation, except that the board may establish alternative payment rates for easements and practices to establish restored native prairies, as defined in Minnesota Statutes, section 84.02, subdivision 7, and to protect uplands.

The purchase price paid for acquisition of land, fee, or perpetual easement must be the fair market value as determined by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, and nonprofit organizations or fee owners to acquire land and restore and create wetlands and to acquire existing wetland banking credits. Acquisition of or the conveyance of land may be in the name of the political subdivision.

Sec. 10. **MINNESOTA ZOOLOGICAL GARDEN**

Subdivision 1. Total Appropriation **\$ 21,000,000**

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

Subd. 2. Asset Preservation and Improvement **6,000,000**

For capital asset preservation improvements and betterments to infrastructure and exhibits at the Minnesota Zoo, to be spent in accordance with Minnesota Statutes, section 16B.307.

Subd. 3. Master Plan **15,000,000**

To design, construct, furnish, and equip phase 1 of the Heart of the Zoo entry, Visitor Center, and Environmental Education Center.

This appropriation is not available until the city of St. Paul certifies to the commissioner of management and budget that it has sufficient financing to complete phase 2 renovation of exhibits at the Como Zoo.

Sec. 11. ADMINISTRATION

Subdivision 1. Total Appropriation \$ 11,175,000

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

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

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

Subd. 3. Asset Preservation 8,075,000

For asset preservation projects in properties managed by the commissioner. This appropriation must be spent in accordance with Minnesota Statutes, section 16B.307.

\$1,250,000 is to design, renovate, furnish, and equip phase 1 of Capitol campus security upgrades.

\$75,000 is to predesign renovation of the Governor's residence on Summit Avenue in St. Paul.

Subd. 4. Cooperative Local Facilities Grants 1,000,000

For grants to counties, cities, towns, and school districts to construct or renovate cooperative local facilities under new Minnesota Statutes, section 16B.355.

Subd. 5. Veterans, Firefighters, and Police Memorial - Eagan 100,000

For a grant to the city of Eagan to design and construct a memorial to those in the military, firefighters, and police who have died in the line of duty.

Sec. 12. AMATEUR SPORTS COMMISSION

Subdivision 1. Total Appropriation \$ 8,450,000

To the Minnesota Amateur Sports Commission for the purposes specified in

this section.

Subd. 2. **Women's Hockey Center - Blaine** 950,000

To predesign, design, construct, furnish, and equip a women's locker room, training room, and education display at the National Sports Center Super Rink in Blaine.

Subd. 3. **National Volleyball Center - Rochester** 4,000,000

For a grant to the city of Rochester to design, construct, furnish, and equip the phase 2 expansion of the National Volleyball Center in Rochester, designated by the Minnesota Amateur Sports Commission as a regional amateur sports center, subject to Minnesota Statutes, section 16A.695.

Subd. 4. **Northwestern Minnesota Regional Sports Center - Moorhead** 3,500,000

For a grant to the city of Moorhead to design, construct, furnish, and equip the Northwestern Minnesota Regional Sports Center.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources. The match may include in-kind contributions, and may include contributions made since January 1, 2007.

Sec. 13. **MILITARY AFFAIRS**

Subdivision 1. **Total Appropriation** **\$ 11,900,000**

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

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

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

Subd. 3. Facility Life Safety Improvements**1,000,000**

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

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

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

Subd. 5. Cedar Street Armory Renovation**5,000,000**

To design and renovate the Cedar Street Armory in St. Paul, including mechanical, electrical, building envelope, and life safety improvements.

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

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

Subd. 7. Unspent Appropriations.

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

Sec. 14. PUBLIC SAFETY**Subdivision 1. Total Appropriation****\$ 14,550,000**

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

**Subd. 2. Emergency Management Training Facility
- Camp Ripley**

7,000,000

To the commissioner of administration to design, construct, furnish, and equip an emergency vehicle operator's course and housing at Camp Ripley.

Nonmilitary public safety personnel from Minnesota must be given access to the facility.

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

3,000,000

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

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 4. Emergency Operations Center and Fire Training Facility - Minneapolis

750,000

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

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 5. Marshall - Minnesota Emergency Response and Industry Training Center (MERIT)

1,000,000

For a grant to the city of Marshall to acquire land, predesign, design, construct, furnish, and equip the expansion of the Minnesota Emergency Response and Industry Training Center (MERIT Center) in Marshall, Lyon County. The project includes acquiring

approximately 80 acres of land for expanded facilities that will include a driving course, classrooms and offices, skid pad, and training simulators for driving, hand gun shooting, and driving education. This appropriation is not available until the commissioner determines that at least an equal amount is committed to the project from nonstate sources.

Subd. 6. Public Safety Facility - Princeton

2,800,000

For a grant to the city of Princeton to design, construct, furnish, and equip a new public safety building to be the headquarters for emergency operations for the city and to house equipment used to respond to regional emergencies.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Sec. 15. TRANSPORTATION

Subdivision 1. Total Appropriation

\$ 158,727,000

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

Subd. 2. Local Bridge Replacement and Rehabilitation

67,000,000

This appropriation is from the bond proceeds account in the state transportation fund to match federal money and to replace or rehabilitate local deficient bridges as provided in Minnesota Statutes, section 174.50. To the extent practicable, the commissioner shall expend the funds as provided under Minnesota Statutes, section 174.50, subdivisions 6c and 7, paragraph (c).

Political subdivisions may use grants made under this subdivision to construct or reconstruct bridges, including but not limited to:

(1) matching federal aid grants to construct or

reconstruct key bridges;

(2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;

(3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and

(4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more economical than replacement of the existing bridge.

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

\$1,800,000 is for a grant to the city of Fergus Falls to renovate the Tower Road bridge.

Up to \$10,000,000 is for a grant to Hennepin County for phase 2 of the project for the removal of the existing Canadian Pacific Railway bridge and crib wall structure supporting the roadway, construction of a retaining wall structure to support Lowry Avenue, and construction of an extension of phase 1, the construction and replacement of the Lowry Avenue Bridge carrying County State-Aid Highway 153 across the Mississippi River in Minneapolis.

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

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

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

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

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

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

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

Subd. 3. Greater Minnesota Transit

2,500,000

For capital assistance for greater Minnesota transit systems to be used for transit capital facilities under Minnesota Statutes, section 174.24, subdivision 3c. Money from this appropriation may be used to pay up to 80 percent of the nonfederal share of these facilities.

\$520,000 is for a grant to the city of Northfield to design, construct, furnish, and equip a multimodal hub to serve as a transfer station, park and ride, intercity hub and trailhead, providing connections to Mill Towns State Trail, bike paths, and sidewalks within the city of Northfield.

Subd. 4. Rail Service Improvement

2,000,000

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

Subd. 5. Minnesota Valley Railroad Track Rehabilitation

6,500,000

For a grant to the Minnesota Valley Regional Rail Authority to rehabilitate and make capital improvements to railroad track from east of Gaylord to Winthrop. A grant under this subdivision is in addition to any grant, loan, or loan guarantee for this project made by the commissioner under Minnesota Statutes, sections 222.46 to 222.62.

Subd. 6. Northstar Commuter Rail Extension to St. Cloud

1,000,000

To match federal money for environmental analysis, design, engineering, and acquisition of real property or interests in real property to extend the Northstar commuter rail line from Big Lake to the St. Cloud area.

Subd. 7. Railroad Grade Warning Devices Replacement

2,500,000

(a) To design, construct, and equip the replacement of active highway railroad grade crossing warning devices that have reached the end of their useful life.

(b) \$900,000 is for a grant to the city of Grand Rapids to make at-grade railroad crossing improvements in the city. The project includes closing at-grade crossings at 12th Avenue West and 5th Avenue East

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

Subd. 8. Port Development Assistance

3,000,000

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

Subd. 9. Range Regional Airport

3,700,000

For a grant to the Chisholm-Hibbing Airport Authority for site preparation and to predesign, design, and construct a multiuse hangar and maintenance and storage facilities.

Subd. 10. Duluth Airport Terminal

11,700,000

For a grant to the city of Duluth to predesign, design, construct, furnish, and equip phase 2 of the new terminal facilities at the Duluth International Airport as phase 2 of the airport terminal project is described for purposes of the federal aviation administration project grant.

This appropriation is not available until the commissioner determines that at least an

equal amount is committed to the project from nonstate sources.

Subd. 11. Thief River Falls Airport

2,097,000

For a grant to the city of Thief River Falls to design, construct, furnish, and equip a multipurpose hangar at the Thief River Falls Regional Airport in Pennington County. This appropriation is not available until the commissioner determines that a match from other sources of at least \$699,000 is committed to the project.

Subd. 12. Rochester Maintenance Facility

26,430,000

This appropriation is from the bond proceeds account in the trunk highway fund.

To prepare a site for and design, construct, furnish, and equip a new maintenance facility in Rochester.

Subd. 13. Arden Hills Training Center

6,500,000

This appropriation is from the bond proceeds account in the trunk highway fund.

To design and construct an addition to the Arden Hills Training Center.

Subd. 14. Maple Grove Truck Station

15,800,000

This appropriation is from the trunk highway fund.

To design and construct a new truck station in Maple Grove.

Subd. 15. Little Falls Truck Station

3,300,000

This appropriation is from the trunk highway fund.

To design and construct a new truck station in Little Falls.

Subd. 16. Maplewood Bridge Crew Building

3,000,000

This appropriation is from the trunk highway fund.

To design and construct a new building for the metro bridge crew.

Subd. 17. Design

700,000

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

Subd. 18. Hoffman Yard

1,000,000

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

Sec. 16. METROPOLITAN COUNCIL

Subdivision 1. Total Appropriation

\$ 79,443,000

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

Subd. 2. Transit Capital Improvement Program

43,500,000

(a) To advance transit in the metropolitan area, in consultation with the Counties Transit Improvement Board. Transit way corridors include the following: Bottineau Boulevard, Cedar Avenue, Central Corridor LRT, I-35W corridor, I-94 corridor, Red Rock corridor, Riverview corridor, Robert Street corridor, Rush Line, and Southwest corridor.

The appropriation must be used first to maximize federal money for all the following projects and to fund all projects in this paragraph as follows, but not listed in rank order of priority:

(1) preliminary engineering for the Southwest Corridor light rail line from the Hiawatha light rail in downtown Minneapolis to the vicinity of the Southwest Station transit hub in Eden Prairie;

(2) environmental assessment, preliminary engineering, design, right-of-way acquisition, and construction of bus shoulders and transit facilities all as part of the Cedar Avenue Bus Rapid Transit Way in Dakota County and Hennepin County from 162nd Street in Lakeville to 28th Avenue in Bloomington;

(3) a grant to the Ramsey County Regional Railroad Authority to acquire land and structures, to renovate structures, and for design, engineering, and environmental work to complete revitalization of the Union Depot for use as a multimodal transit center in St. Paul. The center must be designed so that it facilitates a potential future connection of high-speed rail to Minneapolis;

(4) real property acquisition for and construction of a park-and-ride facility for the Red Rock Corridor Transit Way;

(5) environmental analysis, engineering, acquisition of real property or interests in real property, and construction of a park-and-ride facility in the city of Woodbury for the I-94 Corridor Transit Way; and

(6) a grant to the Hennepin County Regional Rail Authority for environmental analysis, engineering, design, acquisition of real property or interests in real property, and site preparation for the Minneapolis Transportation Interchange Facility located in the vicinity of the confluence of the Hiawatha light rail line and the Northstar commuter rail line. The interchange must be designed so that it facilitates a potential future connection of passenger or commuter rail to the Union Depot in St. Paul. The amount of the grant may not exceed the amount spent under this appropriation for park-and-ride facilities.

(b) The remainder of the appropriation must be used to implement any of the following capital improvements, which are not listed in rank order of priority, to be selected by the Metropolitan Council after consultation with the Counties Transit Improvement

Board and after consultation with other stakeholders as appropriate. The council shall seek geographic balance in the allocation of this appropriation where possible. The remainder of the appropriation is for:

(1) environmental studies, engineering, real property acquisition, and construction of passenger facilities for the Robert Street Corridor Transit Way along a corridor on or parallel to U.S. Highway 52 and Robert Street from within the city of St. Paul to Dakota County Road 42 in Rosemount;

(2) environmental analysis and project development for the Bottineau Boulevard Transit Way corridor from the Target Ballpark station in downtown Minneapolis to the vicinity of the Target development in northern Brooklyn Park or the Arbor Lakes retail area in Maple Grove;

(3) real property acquisition for and construction of a park-and-ride facility in the vicinity of the intersection of County Road 14 and Interstate Highway 35E for the Rush Line Transit Way;

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

(5) a grant to Hennepin County for design of a transit station in the Lake Street area at marked Interstate Highway 35W in the city of Minneapolis;

(6) a grant to the city of Ramsey to match federal and local money for environmental analysis, engineering, design, acquisition of real property or interests in real property, and construction of a Northstar commuter rail station in the vicinity of the city of Ramsey Municipal Center;

(7) a grant to the city of Rosemount to

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

(8) a grant to the Ramsey County Regional Railroad Authority for environmental work and preliminary engineering for bus rapid transit in the Riverview corridor between the east side of St. Paul and the Minneapolis-St. Paul International Airport and the Mall of America.

Subd. 3. Metropolitan Cities Inflow and Infiltration Grants

3,000,000

For grants to cities within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, for capital improvements in municipal wastewater collection systems to reduce the amount of inflow and infiltration to the Metropolitan Council's metropolitan sanitary sewer disposal system. To be eligible for a grant, a city must be identified by the Metropolitan Council as a contributor of excessive inflow or infiltration. Grants from this appropriation are for up to 50 percent of the cost to mitigate inflow and infiltration in the publicly owned municipal wastewater collection systems. The council must award grants based on applications from eligible cities that identify eligible capital costs and include a timeline for inflow and infiltration mitigation construction, pursuant to guidelines established by the council.

Subd. 4. Metropolitan Regional Parks and Trails Capital Improvements

(a) Metropolitan Council Priorities

10,500,000

For the cost of improvements and betterments of a capital nature and acquisition by the council and local government units of regional recreational open-space lands in

accordance with the council's policy plan as provided in Minnesota Statutes, section 473.147. Priority must be given to park rehabilitation and land acquisition projects. This appropriation must not be used to purchase easements.

(b) Como Zoo

11,000,000

For a grant to the city of St. Paul to predesign, design, construct, furnish, and equip phase 2 renovation of exhibits at the Como Zoo.

(c) Dakota Rail Regional Trail, Pedestrian and Bicycle Tunnel

343,000

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

(d) Minneapolis Sculpture Garden

2,000,000

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

(e) Old Cedar Avenue Bridge

2,000,000

For a grant to the city of Bloomington to

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

This appropriation is added to the appropriation in Laws 2008, chapter 365, section 4, subdivision 3, as amended by this act.

(f) Phalen-Keller Regional Park

1,100,000

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

(g) Rock Island Bridge Park and Trail Development

1,000,000

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

(h) Springbrook Nature Center

2,000,000

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

(i) Theodore Wirth Olympic Training Center1,000,000

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

(j) Veterans Memorial Parks2,000,000

For a grant to the Minneapolis Park and Recreation Board to: (1) restore the Sheridan Veterans Memorial Park on the Mississippi River in Minneapolis, to construct an appropriate monument to memorialize the war service of Minnesota veterans of all wars, and to construct related park facilities; and (2) match money provided by Hennepin County to restore the flagpole monument and plaza, and make other infrastructure improvements of a capital nature for the Veterans of World War I Victory Memorial Parkway, consistent with Hennepin County's planned infrastructure improvements.

Sec. 17. **HEALTH****Subdivision 1. Total Appropriation****\$ 15,000,000**

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

Subd. 2. Gillette Children's Specialty Healthcare10,000,000

For a grant to Ramsey County to design, construct, furnish, and equip capital improvements to the hospital facility operated by Gillette Children's Specialty Healthcare, subject to Minnesota Statutes, section 16A.695. A management contract or use agreement with respect to the facility must require that it be used to carry out a governmental program, including but not limited to providing health care.

This appropriation is intended to cover approximately one-sixth of the \$62,000,000 total project cost. It is not available until the commissioner has determined that an amount sufficient to complete the project has been committed from nonstate sources.

If this state bond financed property is sold, and notwithstanding Minnesota Statutes, section 16A.695, subdivision 3, clause (2), the net proceeds must be applied as follows: first, to pay the state the amount of state bond proceeds used to acquire or better the property; and second, any remaining amount must be paid to Ramsey County, or its successor in interest in the property. When the sale is complete and the sale proceeds have been applied as provided in this subdivision, section 16A.695 no longer applies to the property and the property is no longer state bond financed property.

Subd. 3. Hyperbaric Oxygen Chamber

5,000,000

For a grant to Hennepin County for Hennepin County Medical Center to design, construct, furnish, and equip the relocation of a hyperbaric oxygen facility on the Hennepin County Medical Center campus.

Sec. 18. HUMAN SERVICES

Subdivision 1. Total Appropriation

\$ 4,125,000

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

Subd. 2. Asset Preservation

2,000,000

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

Subd. 3. Early Childhood Learning and Child Protection Facilities

2,000,000

To the commissioner of human services for grants under Minnesota Statutes, section 256E.37, to construct and rehabilitate early childhood learning and child protection facilities.

Subd. 4. Remembering With Dignity

125,000

To the commissioner of human services for grave markers or memorial monuments for unmarked graves on public land of deceased residents of state hospitals or regional treatment centers.

Subd. 5. Sex Offender Treatment Center; Facilities Study

The commissioner of human services, in consultation with the commissioners of corrections and administration, shall study the potential for using existing vacant or underused state facilities, including regional treatment centers, for the sex offender treatment program or for other programs or services administered by the Department of Human Services. The study must analyze the feasibility, time required, and cost of making the building and infrastructure changes necessary for the program. The study must also examine the current civil commitment policies of the state, sex offender treatment, and possible legislation to change determinate sentencing for sex offenders. The study must include a review of how other states use civil commitment for sex offenders. The commissioner shall submit a report on the study, with specific recommendations, to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over capital investment, human services policy and finance, and public safety policy and finance by January 15, 2011.

Sec. 19. VETERANS AFFAIRS

Subdivision 1. Total Appropriation

\$ 4,450,000

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

Subd. 2. Asset Preservation

4,000,000

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

Subd. 3. Luverne Veterans Home Entrance Enclosure

450,000

To design, construct, and furnish a new enclosure attached to the front entrance of the Luverne Veterans Home; re-engineer the circle drive parking lot adjoining the entrance to increase visitor parking capacity; and provide day room and lounge space on either side of the entrance.

Sec. 20. CORRECTIONS

Subdivision 1. Total Appropriation

\$ 11,529,000

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

Subd. 2. Asset Preservation

8,000,000

For improvements and betterments of a capital nature at Minnesota correctional facilities statewide, in accordance with Minnesota Statutes, section 16B.307.

Subd. 3. ARMER Radio System Migration

3,529,000

To design, construct, furnish, and equip the Allied Radio Matrix for Emergency Response (ARMER) system migration into all state correctional facilities, including, but not limited to, building and radio site improvements, installation of fixed antenna systems and repeaters, and installation of master control dispatch console equipment.

Subd. 4. Unspent appropriations

The unspent portion of an appropriation for

a project in this section that is complete, upon written notice to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307, at the same correctional facility as the project for which the original appropriation was made. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 21. EMPLOYMENT AND ECONOMIC DEVELOPMENT

Subdivision 1. Total Appropriation

\$ 134,609,000

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

Subd. 2. Greater Minnesota Business Development Infrastructure Grant Program

12,000,000

For grants under Minnesota Statutes, section 116J.431.

\$1,000,000 is for a grant to the city of North Branch in Chisago County to complete the predesign, design, and construction of a main water line loop, including connections and a main sanitary sewer line with a lift station, in the city of North Branch. The trunk water main loop connection line will provide adequate water volume and pressure for fire protection and suppression for industrial users at the ESSBY Business Park, while the trunk sewer line is required to provide sanitary sewer service to property along the water main loop.

\$200,000 is for a matching grant to the Board of Trustees of the Minnesota State Colleges and Universities for Pine Technical College to design, construct, furnish, and equip an entrepreneurship and technology business incubator at Pine Technical College. This appropriation is not available until the board determines that at least an equal match

has been committed from nonstate sources, including a grant from the United States Economic Development Administration.

\$285,000 is for a grant to the Voyageurs National Park Clean Water Joint Powers Board to predesign a wastewater collection and treatment facility located in the Voyageurs National Park area.

Subd. 3. Innovative Business Development Public Infrastructure Grant Program

4,000,000

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

Subd. 4. Redevelopment Account

5,000,000

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

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

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

Subd. 5. Bemidji - Headwaters Science Center475,000

For a grant to the city of Bemidji to predesign and design the Headwaters Science Center, subject to Minnesota Statutes, section 16A.695.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 6. Chatfield - Potter Center for the Arts5,094,000

For a grant to the Chatfield Economic Development Authority to predesign, design, construct, furnish, and equip the renovation of Potter Memorial Auditorium in the city of Chatfield as the Potter Center for the Arts. The economic development authority may enter into leases and management agreements with the city and other entities to provide the programs in the center, subject to Minnesota Statutes, section 16A.695.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 7. Duluth Zoo200,000

For a grant to the city of Duluth for asset preservation and exhibit renewal at the Duluth Zoo that is needed for the zoo to achieve accreditation. No match is required.

Subd. 8. Hennepin County**Minnesota African American History Museum and Cultural Center**840,000

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

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 9. Mankato - Civic Center and All Seasons Arenas

13,000,000

For a grant to the city of Mankato to design, construct, furnish, and equip the expansion of the Civic Center auditorium, including a performing arts theater, and the remodelling and expansion of the Civic Center and All Seasons arenas, which must include the Southern Minnesota Women's Hockey Exposition Center, for joint use by the city and Minnesota State University, Mankato.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 10. Minneapolis - Granary Road Storm Water Infrastructure

3,500,000

For a grant to the city of Minneapolis to acquire land for, and to predesign, design, and construct, storm water and roadway infrastructure for phase 2 of the proposed Granary Road between 17th Avenue SE and 25th Avenue SE in Minneapolis.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 11. Minneapolis - Orchestra Hall

16,000,000

For a grant to the city of Minneapolis to predesign, design, construct, furnish, and equip the renovation of Orchestra Hall at its current downtown Minneapolis location, including \$2,000,000 for Peavey Plaza. The city of Minneapolis may operate a performing arts center and adjacent property for public recreation and may enter into a lease or management agreement for the improved

facilities, subject to Minnesota Statutes, section 16A.695.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 12. Ramsey County - Rice Street Bioscience Corridor

5,000,000

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

Subd. 13. Ramsey - Water Recycling Treatment Plant

1,250,000

For a grant to the city of Ramsey to design, construct, furnish, and equip a water recycling treatment plant.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 14. Rochester - Mayo Civic Center Complex

32,000,000

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

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 15. St. Cloud - Civic Center Expansion

15,000,000

For a grant to the city of St. Cloud to predesign, design, construct, furnish, and equip an expansion to the St. Cloud Civic Center, including a parking facility and skyway connection.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

Subd. 16. St. Louis County - Arrowhead Regional Event Facilities

250,000

For a grant to St. Louis County as the fiscal agent to provide and improve event facilities in the Arrowhead region as provided in this subdivision. The facilities must have a cooperative agreement to provide training, exhibition, and competition centers for the five community colleges of the Northeast Higher Education District. The St. Louis County Board of Commissioners shall make grants to the cities included in this subdivision, and the cities will retain title to the facilities. Grants may include the following projects:

(a) Hibbing Memorial Building

To predesign and design a new addition to the Hibbing Memorial Building. This request includes the American Disabilities Act compliance requirements for the Hibbing Memorial Building to serve as a regional facility for veterans, seniors, and community events.

(b) Mountain Iron Arrowhead Event Center

To predesign and design a new Arrowhead event facility in the city of Mountain Iron.

Subd. 17. St. Paul

(a) Asian Pacific Cultural Center

5,000,000

For a grant to the St. Paul Housing and Redevelopment Authority, to construct, furnish, and equip an Asian-Pacific Cultural Center, subject to Minnesota Statutes, section 16A.695. The appropriation does not require a local match.

(b) Ordway Center for the Performing Arts16,000,000

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

Sec. 22. PUBLIC FACILITIES AUTHORITY**Subdivision 1. Total Appropriation****\$ 57,000,000**

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

Subd. 2. State Match For Federal Grants30,000,000

(a) To match federal grants for the clean water revolving fund under Minnesota Statutes, section 446A.07, and the drinking water revolving fund under Minnesota Statutes, section 446A.081.

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

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

Subd. 3. Wastewater Infrastructure Funding Program27,000,000

For grants to eligible municipalities under the wastewater infrastructure funding program under Minnesota Statutes, section 446A.072.

Up to \$2,800,000 may be used as a grant to the city of Williams to undertake corrective action on a system built since 2001 with federal money from USDA Rural Economic and Community Development. This grant is not subject to the 2010 or 2011 project priority list nor to the limitations on grant amounts set forth in Minnesota Statutes, section 446A.072, subdivision 5a.

Sec. 23. MINNESOTA HOUSING FINANCE AGENCY

\$ 10,000,000

To the Minnesota Housing Finance Agency for transfer to the housing development fund to finance the costs to rehabilitate, or to replace units lost in a fire, to preserve public housing under Minnesota Statutes, section 462A.202, subdivision 3a. For purposes of this section, "public housing" means housing for low-income persons and households financed by the federal government and owned and operated by the public housing authorities and agencies formed by cities and counties. Eligible public housing authorities must have a public housing assessment system rating of standard or above. Priority must be given to proposals that maximize federal or local resources to finance the capital costs. The priority in Minnesota Statutes, section 462A.202, subdivision 3a, for projects to increase the supply of affordable housing and the restrictions of Minnesota Statutes, section 462A.202, subdivision 7, do not apply to this appropriation.

Sec. 24. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. Total Appropriation

\$ 13,757,000

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

Subd. 2. Historic Sites Asset Preservation

3,400,000

For capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments, to be spent in accordance with Minnesota Statutes, section 16B.307. The society shall determine project priorities as appropriate based on need.

Subd. 3. County and Local Preservation Grants

1,000,000

To be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature,

as provided in Minnesota Statutes, section 138.0525.

\$150,000 is for a grant to the city of South St. Paul to renovate the historically significant 1941 Navy Hangar at 310 Airport Road at Fleming Field in the city to meet life safety and building code requirements, subject to Minnesota Statutes, section 16A.695. No local match is required for this grant.

Subd. 4. Oliver H. Kelley Farm Historic Site

9,357,000

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

Sec. 25. BOND SALE EXPENSES

\$

1,101,000

(a) \$1,086,000 is from the bond proceeds fund to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

(b) \$15,000 is from the bond proceeds account in the trunk highway fund to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, section 167.50, subdivision 4.

Sec. 26. BOND SALE AUTHORIZATION.

Subdivision 1. **Bond proceeds fund.** To provide the money appropriated in this act from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$1,024,370,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

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

Subd. 3. **Transportation fund.** To provide the money appropriated in this act from the state

transportation fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$67,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Subd. 4. **Trunk highway fund bond proceeds account.** To provide the money appropriated in this act from the bond proceeds account in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$32,945,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be credited to the bond proceeds account in the trunk highway fund.

Sec. 27. CANCELLATIONS; BOND SALE AUTHORIZATIONS REDUCED.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2008, chapter 179, section 28, is reduced by \$7,480.88.

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

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

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

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

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

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

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

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

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

Subd. 27. **Department of Natural Resources facility damage.** \$2,283,263 of the appropriation in Laws 2007, First Special Session chapter 2, article 1, section 5, subdivision 2, to rehabilitate and

replace state facilities and restore natural resources in the flood damaged area, is canceled. The bond sale authorization in Laws 2007, First Special Session chapter 2, article 1, section 15, subdivision 1, is reduced by \$2,283,263.

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

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

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

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

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

Subd. 33. **2009 authorizations.** (a) The bond sale authorization in Laws 2009, chapter 93, article 1, section 21, subdivision 1, is reduced by \$79,375,000.

(b) The bond sale authorization in Laws 2009, chapter 93, article 1, section 21, subdivision 2, is reduced by \$5,780,000.

Sec. 28. Minnesota Statutes 2008, section 16A.105, is amended to read:

16A.105 DEBT CAPACITY FORECAST.

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

Sec. 29. Minnesota Statutes 2008, section 16A.501, is amended to read:

16A.501 REPORT ON EXPENDITURE OF BOND PROCEEDS.

(a) The commissioner of management and budget must report annually to the legislature on the

degree to which entities receiving appropriations for capital projects in previous omnibus capital improvement acts have encumbered or expended that money. The report must be submitted to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee by January 1 of each year.

(b) The commissioner of management and budget must report by January 15 of each year to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over capital investment, finance, and ways and means, on the amount and percentage of each agency's capital appropriation that is used to pay for the costs of staff directly attributable to capital programs or projects funded with state general obligation bond proceeds. The report must also include information on agencies' compliance with the commissioner's policies governing the use of general obligation bond proceeds to pay staff costs and any changes to the commissioner's policies.

Sec. 30. Minnesota Statutes 2009 Supplement, section 16A.647, subdivision 1, is amended to read:

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

Sec. 31. Minnesota Statutes 2009 Supplement, section 16A.647, subdivision 5, is amended to read:

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

Sec. 32. Minnesota Statutes 2008, section 16A.66, subdivision 2, is amended to read:

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

Sec. 33. [16B.327] RECYCLING CONSTRUCTION AND DEMOLITION WASTE FROM STATE BUILDINGS; REQUIREMENT.

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

Sec. 34. Minnesota Statutes 2008, section 16B.335, subdivision 1, is amended to read:

Subdivision 1. **Construction and major remodeling.** (a) The commissioner, or any other recipient to whom an appropriation is made to acquire or better public lands or buildings or other public improvements of a capital nature, must not prepare final plans and specifications for any construction, major remodeling, or land acquisition in anticipation of which the appropriation was made until the agency that will use the project has presented the program plan and cost estimates for all elements necessary to complete the project to the chair of the senate Finance Committee and the chair of the house of representatives Ways and Means Committee and the chairs have made their recommendations, and the chair of the house of representatives Capital Investment Committee is notified. "Construction or major remodeling" means construction of a new building, a substantial addition to an existing building, or a substantial change to the interior configuration of an existing building. The presentation must note any significant changes in the work that will be done, or in its cost, since the appropriation for the project was enacted or from the predesign submittal. The program plans and estimates must be presented for review at least two weeks before a recommendation is needed. The recommendations are advisory only. Failure or refusal to make a recommendation is considered a negative recommendation. The chairs of the senate Finance Committee and the house of representatives Capital Investment and Ways and Means Committees must also be notified whenever there is a substantial change in a construction or major remodeling project, or in its cost.

(b) Capital projects exempt from the requirements of this subdivision include demolition or decommissioning of state assets, hazardous material projects, utility infrastructure projects, environmental testing, parking lots, parking structures, park and ride facilities, bus rapid transit stations, light rail lines, exterior lighting, fencing, highway rest areas, truck stations, storage facilities not consisting primarily of offices or heated work areas, roads, bridges, trails, pathways, campgrounds, athletic fields, dams, floodwater retention systems, water access sites, harbors, sewer separation projects, water and wastewater facilities, port development projects for which the commissioner of transportation has entered into an assistance agreement under section 457A.04, ice centers, a local government project with a construction cost of less than \$1,500,000, or any other capital project with a construction cost of less than \$750,000.

Sec. 35. **[16B.355] COOPERATIVE LOCAL FACILITIES GRANTS.**

Subdivision 1. **Grants authorized.** The commissioner shall make grants to counties, cities, towns, and school districts to acquire, construct, or renovate public land and buildings and other public improvements of a capital nature for cooperative facilities to be owned and operated by the grantees.

Subd. 2. **Match.** A grant under this section may not be made until the commissioner has determined that at least 30 percent of the total project cost has been committed to the project from nonstate sources.

Subd. 3. **Amount.** No more than one-third of the amount appropriated by any one appropriation act may be granted to any one project.

Subd. 4. **Application.** (a) To be eligible to receive a grant, the grant application must be made to the commissioner on behalf of any combination of at least three counties, cities, towns, or school districts. The grant applicants must have entered into a joint powers agreement and formed a joint powers board under section 471.59 to govern the facilities. The joint powers board must approve the application by resolution.

(b) The grant application must demonstrate that acquisition, construction, or renovation of the cooperative facilities will improve the delivery of services by the grant applicants and will generate savings to the applicants in operating their buildings and programs.

(c) The commissioner shall prescribe and provide the application form. The application must include at least the following information:

(1) identification of the facilities;

(2) a plan for the facilities;

(3) a description of how the facilities will improve the delivery of governmental services by the applicants;

(4) a detailed estimate, along with necessary supporting evidence, of the total costs for the facilities;

(5) an estimate of the dates when the facilities for which the grant is requested will be contracted for and completed;

(6) a detailed estimate, along with necessary supporting evidence, of the savings in operating costs of buildings and programs that the project will generate;

(7) the manner in which the applicants will meet the local match requirement; and

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

Subd. 5. **Priority.** The commissioner, in consultation with the commissioner of management and budget and the commissioners of other state departments, as appropriate, shall give priority to projects that demonstrate a significant increase in cooperation as measured by one or more of the following criteria:

(1) improved quality, access, transparency, or level of service to citizens;

(2) fundamental change in the organization of service delivery;

(3) substantial savings in operating costs; or

(4) positive return on investment over the life of the facility.

Subd. 6. **Geographic distribution.** At least half the money provided as grants each fiscal

biennium must be for projects located outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2.

Sec. 36. Minnesota Statutes 2008, section 85.015, is amended by adding a subdivision to read:

Subd. 28. **Camp Ripley/Veterans State Trail.** The trail shall originate at Crow Wing State Park in Crow Wing County at the southern end of the Paul Bunyan Trail and shall extend from Crow Wing State Park westerly to the city of Pillager, then southerly along the west side of Camp Ripley, then easterly along the south side of Camp Ripley across to the east side of the Mississippi River, and then northerly through Fort Ripley to Crow Wing State Park. A second segment of the trail shall be established that shall extend in a southerly direction and in close proximity to the Mississippi River from the southeasterly portion of the first segment of the trail to the city of Little Falls, and then terminate at the Soo Line Trail in Morrison County.

Sec. 37. Minnesota Statutes 2008, section 103F.161, subdivision 3, is amended to read:

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

Sec. 38. Minnesota Statutes 2008, section 103F.515, is amended by adding a subdivision to read:

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

Sec. 39. Minnesota Statutes 2008, section 116J.435, as amended by Laws 2009, chapter 35, sections 1 and 2, and Laws 2009, chapter 78, article 2, section 12, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 40. Minnesota Statutes 2008, section 174.50, subdivision 6, is amended to read:

Subd. 6. **Grant rules criteria; rulemaking.** ~~Procedures for application for grants from the fund, conditions for their administration, and criteria for priority, unless established in the laws authorizing~~

~~the grants, shall be established by rules of the Department of Transportation consistent with those laws. The commissioner of transportation shall adopt rules consistent with this section that establish criteria for determining priorities and amounts of grants shall, which must be based on consideration of:~~

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

Sec. 41. Minnesota Statutes 2008, section 174.50, subdivision 7, is amended to read:

Subd. 7. ~~Rules for administering funds and grants~~ **Program administration; rulemaking.**

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

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

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

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

Sec. 42. Minnesota Statutes 2008, section 256E.37, subdivision 1, is amended to read:

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

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

(2) A grant for an individual facility must not exceed ~~\$300,000~~ \$500,000 for each program that is housed in the facility, up to a maximum of ~~\$750,000~~ \$2,000,000 for a facility that houses

three programs or more. Programs include Head Start, School Readiness, Early Childhood Family Education, licensed child care, and other early childhood intervention programs.

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

Sec. 43. Minnesota Statutes 2008, section 256E.37, subdivision 2, is amended to read:

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

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

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

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

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

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

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

(b) The commissioner may give priority to:

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

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

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

Sec. 44. Minnesota Statutes 2008, section 403.275, subdivision 2, is amended to read:

Subd. 2. **Procedure; certain costs of issuance.** (a) The commissioner may sell and issue the bonds on the terms and conditions the commissioner determines to be in the best interests of the state. The bonds may be sold at public or private sale. The commissioner may enter any agreements or pledges the commissioner determines necessary or useful to sell the bonds that are not inconsistent with sections 403.21 to 403.40. Sections 16A.672 to 16A.675 apply to the bonds. The commissioner may issue all or part of the bonds as tax credit bonds or as interest subsidy bonds under section 16A.647 or a combination of the two. Except for amounts appropriated to pay the costs of investment banking and banking services under section 16A.647, the proceeds of the bonds issued under this section must be credited to a special 911 revenue bond proceeds account in the state treasury.

(b) Before the proceeds are received in the 911 revenue bond proceeds account, the commissioner of management and budget may transfer to the account from the 911 emergency

telecommunications service account amounts not exceeding the expected proceeds from the next bond sale. The commissioner of management and budget shall return these amounts to the 911 emergency telecommunications service account by transferring proceeds when received. The amounts of these transfers are appropriated from the 911 emergency telecommunications service account and from the 911 revenue bond proceeds account.

Sec. 45. Minnesota Statutes 2008, section 462A.36, subdivision 2, is amended to read:

Subd. 2. **Authorization.** (a) The agency may issue up to ~~\$30,000,000~~ \$36,000,000 of nonprofit housing bonds in one or more series to which the payments made under this section may be pledged. The nonprofit housing bonds authorized in this subdivision may be issued for the purpose of making loans, on terms and conditions the agency deems appropriate, to finance the costs of the construction, acquisition, preservation, and rehabilitation of permanent supportive housing for individuals and families who: (1) either have been without a permanent residence for at least 12 months or at least four times in the last three years; or (2) are at significant risk of lacking a permanent residence for 12 months or at least four times in the last three years. The bonds may also be issued to finance the costs of the construction, acquisition, preservation, and rehabilitation of foreclosed or vacant housing to be used for affordable rental housing.

(b) An insubstantial portion of the bond proceeds may be used for permanent supportive housing for individuals and families experiencing homelessness who do not meet the criteria of paragraph (a).

Sec. 46. Laws 2005, chapter 20, article 1, section 19, subdivision 4, is amended to read:

Subd. 4. **Red Rock Corridor Transit Way** 500,000

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

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

Sec. 47. Laws 2005, chapter 20, article 1, section 23, subdivision 12, as amended by Laws 2006, chapter 171, section 2, and Laws 2006, chapter 258, section 50, is amended to read:

Subd. 12. **Bioscience Development** 18,500,000

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

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

Worthington.

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

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

Sec. 48. Laws 2006, chapter 258, section 5, subdivision 3, is amended to read:

Subd. 3. ~~Frechette Hall~~ Asset Preservation

25,000

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

Sec. 49. Laws 2006, chapter 258, section 8, subdivision 4, is amended to read:

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

2,500,000

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

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

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

Sec. 50. Laws 2006, chapter 258, section 17, subdivision 5, is amended to read:

Subd. 5. **Red Rock corridor transit way** 500,000

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

Sec. 51. Laws 2006, chapter 258, section 21, subdivision 14, as amended by Laws 2008, chapter 179, section 66, is amended to read:

Subd. 14. **Itasca County - infrastructure** 12,000,000

For a grant to Itasca County for public infrastructure needed to support a steel plant in Itasca County and economic development projects in the surrounding area. Grant money may be used by Itasca County and the Itasca County Regional Railroad Authority to acquire right-of-way and mitigate loss of wetlands and runoff of storm water, and to predesign, design, construct, and equip roads and rail lines; and, in cooperation with Nashwauk Municipal Utility, may be used by the Nashwauk Public Utilities Commission to acquire right-of-way and mitigate loss of wetlands and runoff of storm water and to predesign, design, construct, and equip natural gas pipelines, electric

infrastructure, water supply systems, and wastewater collection and treatment systems. If the county determines that any of the listed uses are not needed, then the grant may be used for the remaining listed uses.

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

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

Sec. 52. Laws 2008, chapter 152, article 2, section 3, subdivision 2, is amended to read:

Subd. 2. State Road Construction

1,717,694,000

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

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

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

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

(4) \$100,000,000 in each fiscal year for fiscal years 2011 through 2018 2013 through 2016, and the commissioner may use up to

\$17,000,000 of the amount in each fiscal year for program delivery.

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

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

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

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

department's funding allocation process or the amount otherwise allocated to each transportation district.

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

Sec. 53. Laws 2008, chapter 179, section 5, subdivision 4, is amended to read:

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

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

Sec. 54. Laws 2008, chapter 179, section 7, subdivision 8, is amended to read:

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

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

Sec. 55. Laws 2008, chapter 179, section 7, subdivision 27, is amended to read:

Subd. 27. **State Trail Acquisition, Rehabilitation, and Development** 15,320,000

To acquire land for and to construct and renovate state trails under Minnesota Statutes, section 85.015.

\$970,000 is for the Chester Woods Trail from

Rochester to Dover.

\$700,000 is for the Casey Jones Trail.

\$750,000 is for the Gateway Trail, to replace an at-grade crossing of the Gateway Trail at Highway 120 with a grade-separated crossing.

\$1,600,000 is for the Gitchi-Gami Trail between Silver Bay and Tettegouche State Park.

\$1,500,000 is for the Great River Ridge Trail from Plainview to Elgin to Eyota.

\$1,500,000 is for the Heartland Trail.

\$500,000 is for the Mill Towns Trail from Lake Byllesby Park to Cannon Falls.

\$150,000 is for the Mill Towns Trail within the city of Faribault.

\$1,500,000 is for the Minnesota River Trail from Appleton ~~to~~ through Milan to the Marsh Lake Dam.

\$2,000,000 is for the Paul Bunyan Trail from Walker to Guthrie.

\$250,000 is for the Root River Trail from Preston to Forestville State Park.

\$100,000 is for the Root River Trail, the eastern extension.

\$250,000 is for the Root River Trail, the eastern extension Wagon Wheel.

\$550,000 is to connect the Stagecoach Trail with the Douglas Trail in Olmsted County.

\$3,000,000 is to rehabilitate state trails.

For any project listed in this subdivision that the commissioner determines is not ready to proceed, the commissioner may allocate that project's money to another state trail project in this subdivision. The chairs of the house and senate committees with jurisdiction over environment and natural

resources and legislators from the affected legislative districts must be notified of any changes.

Sec. 56. Laws 2008, chapter 179, section 21, subdivision 9, is amended to read:

Subd. 9. Itasca County - Steel Plant Infrastructure

28,000,000

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

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

Sec. 57. Laws 2008, chapter 365, section 4, subdivision 3, is amended to read:

Subd. 3. Old Cedar Avenue Bridge

2,000,000

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

subdivision 8.

Sec. 58. Laws 2008, chapter 365, section 5, subdivision 2, is amended to read:

Subd. 2. Minneapolis Veterans Home Campus

(a) Building 9 Demolition

1,000,000

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

(b) New Nursing Facility

9,100,000

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

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

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

Subd. 5. Intercity Passenger Rail Projects

26,000,000

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

consistent with the accounting policies adopted by the commissioner of management and budget.

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

Sec. 20. BOND SALE SCHEDULE.

The commissioner of finance management and budget shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2011, no more than \$1,085,281,000 \$957,002,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of finance management and budget shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 61. LEASE REVENUE; ST. CLOUD TECHNICAL COLLEGE.

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

Sec. 62. REPEALER.

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

Sec. 63. EFFECTIVE DATE.

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

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, sections 16A.105; 16A.501; 16A.66, subdivision 2; 16B.335, subdivision 1; 85.015, by adding a subdivision; 103F.161, subdivision 3; 103F.515, by adding a subdivision; 116J.435, as amended; 174.50, subdivisions 6, 7; 256E.37, subdivisions 1, 2; 403.275, subdivision 2; 462A.36, subdivision 2; Minnesota Statutes 2009 Supplement, section 16A.647, subdivisions 1, 5; Laws 2005, chapter 20, article 1, sections 19, subdivision 4; 23, subdivision 12, as amended; Laws 2006, chapter 258, sections 5, subdivision 3; 8, subdivision 4; 17, subdivision 5;

21, subdivision 14, as amended; Laws 2008, chapter 152, article 2, section 3, subdivision 2; Laws 2008, chapter 179, sections 5, subdivision 4; 7, subdivisions 8, 27; 21, subdivision 9; Laws 2008, chapter 365, sections 4, subdivision 3; 5, subdivision 2; Laws 2009, chapter 93, article 1, sections 11, subdivision 5; 20; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Laws 2009, chapter 93, article 1, section 45."

We request the adoption of this report and repassage of the bill.

House Conferees: Alice Hausman, Jean Wagenius, Loren Solberg, Bev Scalze, Larry Howes

Senate Conferees: Keith Langseth, David Tomassoni, Sandra Pappas, Paul Koering, Ann Lynch

Senator Langseth moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2700 be now adopted, and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate for the balance of the proceedings on H.F. No. 2700. The Sergeant at Arms was instructed to bring in the absent members.

Senator Limmer moved that the recommendations and Conference Committee Report on H.F. No. 2700 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 24 and nays 41, as follows:

Those who voted in the affirmative were:

Bonoff	Gerlach	Jungbauer	Ortman	Rosen
Chaudhary	Gimse	Koch	Pariseau	Saltzman
Dille	Hann	Limmer	Parry	Senjem
Fischbach	Ingebrigtsen	Michel	Rest	Vanderveer
Frederickson	Johnson	Olson, G.	Robling	

Those who voted in the negative were:

Anderson	Doll	Lourey	Pogemiller	Stumpf
Bakk	Erickson Ropes	Lynch	Rummel	Tomassoni
Berglin	Fobbe	Marty	Saxhaug	Torres Ray
Betzold	Foley	Metzen	Scheid	Vickerman
Carlson	Higgins	Moua	Sheran	Wiger
Clark	Kelash	Murphy	Sieben	
Cohen	Koering	Olseen	Skoe	
Dahle	Langseth	Olson, M.	Skogen	
Dibble	Latz	Pappas	Sparks	

The motion did not prevail.

The question recurred on the adoption of the Langseth motion. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2700 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 47 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Langseth	Pogemiller	Skogen
Bakk	Dille	Latz	Rest	Sparks
Berglin	Erickson Ropes	Lynch	Rummel	Stumpf
Betzold	Fobbe	Marty	Saltzman	Tomassoni
Bonoff	Foley	Metzen	Saxhaug	Torres Ray
Carlson	Frederickson	Moua	Scheid	Vickerman
Chaudhary	Higgins	Murphy	Senjem	Wiger
Clark	Kelash	Olseen	Sheran	
Cohen	Koering	Olson, M.	Sieben	
Dahle	Kubly	Pappas	Skoe	

Those who voted in the negative were:

Doll	Hann	Koch	Olson, G.	Robling
Fischbach	Ingebrigtsen	Limmer	Ortman	Rosen
Gerlach	Johnson	Lourey	Pariseau	Vandever
Gimse	Jungbauer	Michel	Parry	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MEMBERS EXCUSED

Senator Prettner Solon was excused from the Session of today. Senators Cohen and Lourey were excused from the Session of today from 11:00 a.m. to 12:10 p.m. Senator Stumpf was excused from the Session of today from 11:50 a.m. to 12:10 p.m. Senator Ortman was excused from the Session of today from 8:00 to 8:05 p.m. Senator Kubly was excused from the Session of today from 8:00 to 9:35 p.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 25, 2010. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)

