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A bill for an act

relating to higher education; providing funding for the University of Minnesota, the Minnesota State Colleges and Universities, the Higher Education Services Office, and the Mayo Medical Foundation; providing for the mission of state universities; regulating the marketing of credit cards to students; regulating the responsibilities of and changing the name of the Higher Education Services Office; regulating the state grant program and other financial aid programs; providing benefits for students entering active military service; providing assistance for low-income students to increase college awareness; regulating the selection of regents of the University of Minnesota; regulating the Minnesota college savings program; providing assistance to nursing students; creating a task force on postsecondary funding; creating a Rochester higher education development committee; regulating private career schools; appropriating money; amending Minnesota Statutes 2004, sections 135A.052, subdivision 1; 136A.01, subdivision 2; 136A.031, subdivisions 2, 3; 136A.121, subdivisions 2, 6, 9, 13, by adding subdivisions; 136A.125, subdivision 2; 136A.1701, by adding subdivisions; 136F.02, subdivision 1; 136F.04, subdivision 4; 136G.03, subdivisions 3, 21a, 22, 32; 136G.05, subdivision 8; 136G.09, subdivisions 11, 12; 136G.11, subdivisions 1, 3, 13, by adding a subdivision; 136G.13, subdivisions 1, 5; 136G.14; 137.0245, subdivision 3; 141.21, by adding a subdivision; 141.25, subdivisions 3, 5, 8, 9, 12; 141.251; 141.26, subdivision 5; 141.271, subdivisions 4, 7, 10, by adding subdivisions; 141.28, subdivision 1, by adding a subdivision; 141.29, subdivision 3; 141.30; 141.35; 299A.45, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 137; 141; 144; 583; repealing Minnesota Statutes 2004, sections 136A.011; 136A.031, subdivision 1; Laws 1986, chapter 398, article 1, section 18.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

HIGHER EDUCATION APPROPRIATIONS

1 Section 1. [HIGHER EDUCATION APPROPRIATIONS.]

2 The sums in the columns marked "APPROPRIATIONS" are added  
 3 to, or, if shown in parentheses, are subtracted from the  
 4 appropriations to the specified agencies in 2005 S.F. No. 1879,  
 5 article 5, if enacted. The appropriations are from the general  
 6 fund, unless another fund is named, and are available for the  
 7 fiscal year indicated for each purpose. The figures "2006" and  
 8 "2007," where used in this article, mean that the additions to  
 9 or subtractions from the appropriations listed under them are  
 10 for the fiscal year ending June 30, 2006, or June 30, 2007,  
 11 respectively. The "first year" is fiscal year 2006. The  
 12 "second year" is fiscal year 2007. The "biennium" is fiscal  
 13 years 2006 and 2007.

14 SUMMARY BY FUND

	2006	2007	TOTAL
15 General	(\$ 26,940,000)	\$ 106,706,000	\$ 79,766,000

17 SUMMARY BY AGENCY - ALL FUNDS

	2006	2007	TOTAL
18 Higher Education			
19 Services Office	2,518,000	1,007,000	3,525,000
20 Board of Trustees			
21 of the Minnesota			
22 State Colleges and			
23 Universities	(35,020,000)	29,780,000	(5,240,000)
24 Board of Regents			
25 of the University			
26 of Minnesota	5,467,000	75,764,000	81,231,000
27 Commissioner			
28 of Health	95,000	155,000	250,000

30 APPROPRIATIONS  
 31 Available for the Year  
 32 Ending June 30  
 33 2006 2007

34 Sec. 2. HIGHER EDUCATION  
 35 SERVICES OFFICE

36 Subdivision 1. Total			
37 Appropriation	\$ 2,518,000	\$ 1,007,000	

38 The amounts that may be spent from this  
 39 appropriation for each purpose are  
 40 specified in the following subdivisions.

41 Subd. 2. State Grants

42 Notwithstanding 2005 S.F. No. 1879,  
 43 article 5, section 2, subdivision 2, if  
 44 enacted, the living and miscellaneous

1 expense allowance is set at \$5,280 in  
2 each year.

3 Subd. 3. Child Care Grants	125,000	125,000
4 Subd. 4. Intervention for College 5 Attendance Program	500,000	500,000
6 For the purpose of new Minnesota 7 Statutes, section 136A.861. No more 8 than \$50,000 of this appropriation in 9 each year may be used for 10 administrative expenses. This 11 appropriation is added to the agency's 12 permanent budget base.		
13 Subd. 5. United Family 14 Medicine Residency	360,000	360,000
15 For a grant to the united family 16 medicine residency program. This 17 appropriation shall be used to support 18 18 resident physicians each year in 19 family practice at united family 20 medicine residency programs and shall 21 prepare doctors to practice family care 22 medicine in underserved rural and urban 23 areas of the state. It is intended 24 that this program will improve health 25 care in underserved communities, 26 provide affordable access to 27 appropriate medical care, and manage 28 the treatment of patients in a more 29 cost-effective manner.		
30 Subd. 6. Rochester Higher 31 Education	1,200,000	-0-
32 (a) \$200,000 is for the Rochester 33 Higher Education Development Committee 34 to carry out its planning activities. 35 This is a onetime appropriation.		
36 (b) \$1,000,000 is for a onetime 37 appropriation that must be deposited 38 into the Rochester higher education 39 development account. With the approval 40 of the Higher Education Services 41 Office, money in this account may be 42 used to: (1) provide additional 43 planning and development funds, if 44 needed; (2) provide initial funding for 45 academic program development; and (3) 46 provide funding related to academic 47 facilities, if needed. The 48 appropriation under this paragraph is 49 available until June 30, 2009.		
50 Subd. 7. Agency Administration	333,000	22,000
51 Of this appropriation, \$15,000 each 52 year is for grants to increase 53 campus-community collaboration and 54 service learning statewide. For each 55 \$1 in state funding, grant recipients 56 must contribute \$2 in campus or 57 community-based support.		
58 Of this appropriation, \$310,000 in the 59 first year is for the Higher Education 60 Services Office to upgrade computer		

1 program application software related to  
2 state grant awards. This appropriation  
3 does not cancel but is available until  
4 expended. This is a onetime  
5 appropriation and is not added to the  
6 agency's base.

7 Of this appropriation, \$8,000 in the  
8 first year and \$7,000 in the second  
9 year is for increased dues for the  
10 Midwestern Higher Education Compact.  
11 This appropriation is ongoing and  
12 \$15,000 is added to the agency's base.

13 Subd. 8. Balance Forward

14 A balance in the first year under this  
15 section does not cancel, but is  
16 available for the second year.

17 Subd. 9. Transfers

18 Notwithstanding 2005 S.F. No. 1879,  
19 article 5, section 2, subdivision 13,  
20 if enacted, the higher education  
21 services office may transfer  
22 unencumbered balances from the  
23 appropriations in this section and in  
24 2005 S.F. No. 1879, article 5, section  
25 2, if enacted, to the state grant  
26 appropriation, the child care grants  
27 appropriation, and the interstate  
28 tuition reciprocity appropriation.

29 Subd. 10. Reporting

30 Notwithstanding 2005 S.F. No. 1879,  
31 article 5, section 2, subdivision 14,  
32 if enacted, the higher education  
33 services office shall evaluate and  
34 report quarterly on state financial aid  
35 expenditures and unexpended balances to  
36 the chairs of the higher education  
37 finance committees of the senate and  
38 house of representatives and the  
39 commissioner of finance. By November 1  
40 and February 15, the services office  
41 shall provide updated state grant  
42 spending projections taking into  
43 account the most current and projected  
44 enrollment and tuition and fee  
45 information, economic conditions, and  
46 other relevant factors.

47 Sec. 3. BOARD OF TRUSTEES OF THE  
48 MINNESOTA STATE COLLEGES AND UNIVERSITIES

49 Subdivision 1. Total

50 Appropriation (35,020,000) 29,780,000

51 The amounts that may be spent from this  
52 appropriation for each purpose are  
53 specified in the following subdivision.

54 Subd. 2. Estimated Expenditures  
55 and Appropriations

56 Notwithstanding 2005 S.F. No. 1879,  
57 article 5, section 3, subdivision 2, if  
58 enacted, the legislature estimates that  
59 instructional expenditures will be



1 \$547,942,000 in the first year and  
 2 \$553,354,000 in the second year. The  
 3 legislature estimates that  
 4 noninstructional expenditures will be  
 5 \$59,532,000 in the first year and  
 6 \$60,120,000 in the second year.

7 This appropriation includes funding for  
 8 the recurring enrollment adjustment and  
 9 money to strengthen and expand the  
 10 Minnesota online program, increase the  
 11 capacity for training nurses and  
 12 teachers, provide for the management  
 13 education needs of farm and small  
 14 business owners, provide services and  
 15 outreach to underserved populations,  
 16 provide needed repair and replacement  
 17 of facilities, and encourage and reward  
 18 excellent performance by faculty or  
 19 staff.

20 Sec. 4. BOARD OF REGENTS OF THE  
 21 UNIVERSITY OF MINNESOTA

22 Subdivision 1. Total		
23 Appropriation	5,467,000	75,764,000

24 The amounts that may be spent from this  
 25 appropriation for each purpose are  
 26 specified in the following subdivisions.

27 Subd. 2. Operations and  
 28 Maintenance

29	5,467,000	75,764,000
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30 Estimated Expenditures  
 31 and Appropriations

32 Notwithstanding 2005 S.F. No. 1879,  
 33 article 5, section 4, subdivision 2, if  
 34 enacted, the legislature estimates that  
 35 instructional expenditures will be  
 36 \$303,200,000 in the first year and  
 37 \$318,548,000 in the second year. The  
 38 legislature estimates that  
 39 noninstructional expenditures will be  
 40 \$292,478,000 the first year and  
 41 \$307,283,000 in the second year.

42 This appropriation includes funding for  
 43 the recurring enrollment adjustment and  
 44 the following initiatives: Biosciences  
 45 for a Healthy Society to advance the  
 46 university's expertise and to increase  
 47 the university's competitiveness in  
 48 leveraging new funding from federal and  
 49 private sources; Preparing Students for  
 50 the 21st Century to enhance the ability  
 51 of the university to attract and retain  
 52 exceptional students; competitive  
 53 compensation to enable the university  
 54 to attract and retain quality faculty  
 55 members; research support to provide  
 56 resources for the university to  
 57 maintain a competitive advantage in  
 58 emerging and ongoing research  
 59 initiatives; and 21st Century  
 60 technology to support enhancement to  
 61 major university systems.

1 This appropriation includes \$4,000,000  
 2 for outreach services to historically  
 3 underserved students.

4 This appropriation includes \$68,000 in  
 5 the first year and \$67,000 in the  
 6 second year for the information  
 7 exchange program in the Minnesota  
 8 Institute for Sustainable Agriculture.  
 9 \$135,000 is added to the university's  
 10 base.

11 Sec. 5. COMMISSIONER OF HEALTH 95,000 155,000

12 To the commissioner of health to  
 13 implement new Minnesota Statutes,  
 14 section 144.1498. The funding base for  
 15 this program is \$219,000 in fiscal year  
 16 2008 and \$280,000 in fiscal year 2009.

17 ARTICLE 2

18 RELATED PROVISIONS

19 Section 1. Minnesota Statutes 2004, section 135A.052,  
 20 subdivision 1, is amended to read:

21 Subdivision 1. [STATEMENT OF MISSIONS.] The legislature  
 22 recognizes each type of public postsecondary institution to have  
 23 a distinctive mission within the overall provision of public  
 24 higher education in the state and a responsibility to cooperate  
 25 with each other. These missions are as follows:

26 (1) the technical colleges shall offer vocational training  
 27 and education to prepare students for skilled occupations that  
 28 do not require a baccalaureate degree;

29 (2) the community colleges shall offer lower division  
 30 instruction in academic programs, occupational programs in which  
 31 all credits earned will be accepted for transfer to a  
 32 baccalaureate degree in the same field of study, and remedial  
 33 studies, for students transferring to baccalaureate institutions  
 34 and for those seeking associate degrees;

35 (3) consolidated community technical colleges shall offer  
 36 the same types of instruction, programs, certificates, diplomas,  
 37 and degrees as the technical colleges and community colleges  
 38 offer;

39 (4) the state universities shall offer undergraduate and  
 40 graduate instruction through the master's applied doctoral  
 41 degree, including specialist certificates, in the liberal arts  
 42 and sciences and professional education; and

1 (5) the University of Minnesota shall offer undergraduate,  
2 graduate, and professional instruction through the doctoral  
3 degree, and shall be the primary state supported academic agency  
4 for research and extension services.

5 It is part of the mission of each system that within the  
6 system's resources the system's governing board and chancellor  
7 or president shall endeavor to:

8 (a) prevent the waste or unnecessary spending of public  
9 money;

10 (b) use innovative fiscal and human resource practices to  
11 manage the state's resources and operate the system as  
12 efficiently as possible;

13 (c) coordinate the system's activities wherever appropriate  
14 with the activities of the other system and governmental  
15 agencies;

16 (d) use technology where appropriate to increase system  
17 productivity, improve customer service, increase public access  
18 to information about the system, and increase public  
19 participation in the business of the system;

20 (e) utilize constructive and cooperative labor-management  
21 practices to the extent otherwise required by chapters 43A and  
22 179A; and

23 (f) recommend to the legislature appropriate changes in law  
24 necessary to carry out the mission of the system.

25 [EFFECTIVE DATE.] This section is effective the day  
26 following final enactment.

27 Sec. 2. [135A.145] [SALE OF STUDENT INFORMATION; MARKETING  
28 CREDIT CARDS TO STUDENTS.]

29 Subdivision 1. [PROHIBITED PRACTICES.] No public or  
30 private postsecondary educational institution in this state,  
31 including its agents, employees, student or alumni  
32 organizations, or affiliates, may:

33 (1) sell, give, or otherwise transfer to any card issuer  
34 the name, address, telephone number, or other contact  
35 information of a student at the postsecondary educational  
36 institution without the student's consent; or

1       (2) enter into any agreement to market credit cards to  
2 students at a postsecondary educational institution.

3       For purposes of this section, the terms "credit," "credit  
4 card," and "card issuer" have the meanings given them in the  
5 Truth in Lending Act, United States Code, title 15, section 1602.

6       Subd. 2. [VIOLATIONS.] The attorney general may seek the  
7 penalties and remedies available under section 8.31 against any  
8 person who violates this section.

9       Sec. 3. [135A.165] [DEAF STUDENTS; TUITION WAIVER.]

10       (a) For the purpose of this section, a "deaf person" means  
11 an individual with a hearing loss of such severity that the  
12 individual must depend primarily on visual communication, such  
13 as writing, lip reading, manual communication, and gestures.

14       (b) A deaf person is entitled to the waiver of tuition and  
15 fees remaining after deducting any federal or state grants or  
16 other public or private grants made to the person for the  
17 purpose of paying the tuition and fees at a Minnesota state  
18 college or university or the University of Minnesota. A deaf  
19 person must receive either a federal Pell grant or a state grant  
20 under section 136A.121 for a term to receive a waiver for that  
21 term.

22       Sec. 4. [135A.53] [RESIDENT TUITION.]

23       (a) A student shall qualify for a resident tuition rate or  
24 its equivalent at state universities and colleges, including the  
25 University of Minnesota, if the student meets all of the  
26 following requirements:

27       (1) high school attendance within the state for three or  
28 more years;

29       (2) graduation from a state high school or attainment  
30 within the state of the equivalent of high school graduation;  
31 and

32       (3) registration as an entering student at, or current  
33 enrollment in, a public institution of higher education.

34       (b) This section is in addition to any other statute, rule,  
35 or higher education institution regulation or policy providing  
36 eligibility for a resident tuition rate or its equivalent to a

1 student.

2 [EFFECTIVE DATE.] This section is effective the day  
3 following final enactment and applies to tuition for school  
4 terms commencing on or after that date.

5 Sec. 5. Minnesota Statutes 2004, section 136A.01,  
6 subdivision 2, is amended to read:

7 Subd. 2. [RESPONSIBILITIES.] The Higher Education Services  
8 Office is responsible for:

9 (1) necessary state level administration of financial aid  
10 programs, including accounting, auditing, and disbursing state  
11 and federal financial aid funds, and reporting on financial aid  
12 programs to the governor and the legislature;

13 (2) approval, registration, licensing, and financial aid  
14 eligibility of private collegiate and career schools, under  
15 sections 136A.61 to 136A.71 and chapter 141;

16 (3) administering the-Telecommunications-Council-under-Laws  
17 ~~1993-First-Special-Session-chapter-27-article-57-section-27~~ the  
18 Learning Network of Minnesota~~7-and-the-Statewide-Library-Task~~  
19 ~~Force~~;

20 (4) negotiating and administering reciprocity agreements;

21 (5) publishing and distributing financial aid information  
22 and materials, and other information and materials under section  
23 136A.87, to students and parents;

24 (6) collecting and maintaining student enrollment and  
25 financial aid data;

26 (7) administering the federal programs that affect students  
27 and institutions on a statewide basis; and

28 (8) prescribing policies, procedures, and rules under  
29 chapter 14 necessary to administer the programs under its  
30 supervision.

31 Sec. 6. Minnesota Statutes 2004, section 136A.031,  
32 subdivision 2, is amended to read:

33 Subd. 2. [HIGHER EDUCATION ADVISORY COUNCIL.] A Higher  
34 Education Advisory Council (HEAC) is established. The HEAC is  
35 composed of the president of the University of Minnesota or  
36 designee; the chancellor of the Minnesota State Colleges and

1 Universities or designee; the commissioner of education; the  
2 president of the Private College Council; a representative from  
3 the Minnesota Association-of-Private-Postsecondary-Schools  
4 Career College Association; and a member appointed by the  
5 governor. The HEAC shall ~~{1}~~ bring to the attention of the  
6 Higher Education Services ~~Council~~ Office any matters that the  
7 HEAC deems necessary, ~~and {2} review and comment upon matters~~  
8 ~~before the council. The council shall refer all proposals to~~  
9 ~~the HEAC before submitting recommendations to the governor and~~  
10 ~~the legislature. The council shall provide time for a report~~  
11 ~~from the HEAC at each meeting of the council.~~

12 Sec. 7. Minnesota Statutes 2004, section 136A.031,  
13 subdivision 3, is amended to read:

14 Subd. 3. [STUDENT ADVISORY COUNCIL.] A Student Advisory  
15 Council (SAC) to the Higher Education Services ~~Council~~ Office is  
16 established. The members of SAC shall include: the chair of  
17 the University of Minnesota student senate; the state chair of  
18 the Minnesota State University Student Association; the  
19 president of the Minnesota State College Student Association and  
20 an officer of the Minnesota State College Student Association,  
21 one in a community college course of study and one in a  
22 technical college course of study; the president of the  
23 Minnesota Association of Private College Students; and a student  
24 who is enrolled in a private vocational school, to be appointed  
25 by the Minnesota Association-of-Private-Postsecondary-Schools  
26 Career College Association. A member may be represented by a  
27 student designee who attends an institution from the same system  
28 that the absent member represents. The SAC shall select one of  
29 its members to serve as chair.

30 The Higher Education Services ~~Council~~ Office shall inform  
31 the SAC of all matters related to student issues under  
32 consideration and shall refer all proposals to the SAC before  
33 taking action or sending the proposals to the governor or  
34 legislature. The SAC shall report to the Higher Education  
35 Services ~~Council~~ Office quarterly and at other times that the  
36 SAC considers desirable. The SAC shall determine its meeting

1 times, but it shall also meet with the ~~eouneit~~ office within 30  
2 days after the director's request for a meeting.

3 The SAC shall:

4 (1) bring to the attention of the Higher Education Services  
5 ~~eouneit~~ Office any matter that the SAC believes needs the  
6 attention of the ~~eouneit~~ office;

7 (2) make recommendations to the Higher Education Services  
8 ~~eouneit~~ Office as it finds appropriate;

9 (3) appoint student members to the Higher Education  
10 Services ~~eouneit~~ Office advisory groups as provided in  
11 subdivision 4; and

12 (4) provide any reasonable assistance to the ~~eouneit~~ office.

13 Sec. 8. Minnesota Statutes 2004, section 136A.121,  
14 subdivision 2, is amended to read:

15 Subd. 2. [ELIGIBILITY FOR GRANTS.] An applicant is  
16 eligible to be considered for a grant, regardless of the  
17 applicant's sex, creed, race, color, national origin, or  
18 ancestry, under sections 136A.095 to 136A.131 if the office  
19 finds that the applicant:

20 (1) is a resident of the state of Minnesota;

21 (2) is a graduate of a secondary school or its equivalent,  
22 or is 17 years of age or over, and has met all requirements for  
23 admission as a student to an eligible college or technical  
24 college of choice as defined in sections 136A.095 to 136A.131;

25 (3) has met the financial need criteria established in  
26 Minnesota Rules;

27 (4) is not in default, as defined by the office, of any  
28 federal or state student educational loan; and

29 (5) is not more than 30 days in arrears ~~for-any~~ in  
30 court-ordered child support payments-owed-to-a that is collected  
31 or enforced by the public agency authority responsible for child  
32 support enforcement or, if the applicant is more than 30 days in  
33 arrears in court-ordered child support that is collected or  
34 enforced by the public authority responsible for child support  
35 enforcement, but is complying with a written payment  
36 agreement under section 518.553 or order for arrearages. An

1 ~~agreement-must-provide-for-a-repayment-of-arrearages-at-no-less~~  
 2 ~~than-20-percent-per-month-of-the-amount-of-the-monthly-child~~  
 3 ~~support-obligation-or-no-less-than-\$30-per-month-if-there-is-no~~  
 4 ~~current-monthly-child-support-obligation.--Compliance-means-that~~  
 5 ~~payments-are-made-by-the-payment-date.~~

6 ~~The-director-and-the-commissioner-of-human-services-shall~~  
 7 ~~develop-procedures-to-implement-clause-(5).~~

8 Sec. 9. Minnesota Statutes 2004, section 136A.121,  
 9 subdivision 6, is amended to read:

10 Subd. 6. [COST OF ATTENDANCE.] (a) The recognized cost of  
 11 attendance consists of allowances specified in law for living  
 12 and miscellaneous expenses, and an allowance for tuition and  
 13 fees equal to the lesser of the average actual tuition and fees  
 14 charged by the institution, or the tuition and fee maximums  
 15 established in law.

16 (b) For a student registering for less than full time, the  
 17 office shall prorate the cost of attendance to the actual number  
 18 of credits for which the student is enrolled.

19 The recognized cost of attendance for a student who is  
 20 confined to a Minnesota correctional institution shall consist  
 21 of the tuition and fee component in paragraph (a), with no  
 22 allowance for living and miscellaneous expenses.

23 For the purpose of this subdivision, "fees" include only  
 24 those fees that are mandatory and charged to ~~full-time~~ resident  
 25 students attending the institution. Fees do not include charges  
 26 for tools, equipment, computers, or other similar materials  
 27 where the student retains ownership. Fees include charges for  
 28 these materials if the institution retains ownership. Fees do  
 29 not include optional or punitive fees.

30 Sec. 10. Minnesota Statutes 2004, section 136A.121, is  
 31 amended by adding a subdivision to read:

32 Subd. 7a. [SURPLUS APPROPRIATION.] If the amount  
 33 appropriated is determined by the office to be more than  
 34 sufficient to fund projected grant demand in the second year of  
 35 the biennium, the office may increase the living and  
 36 miscellaneous expense allowance in the second year of the



1 biennium to the extent of the excess. The adjustment may be  
2 made one or more times. In making the determination that there  
3 is more than sufficient funds, the office shall balance the need  
4 for sufficient resources to meet the projected demand for grants  
5 with the goal of fully allocating the appropriation for state  
6 grants.

7 Sec. 11. Minnesota Statutes 2004, section 136A.121,  
8 subdivision 9, is amended to read:

9 Subd. 9. [AWARDS.] An undergraduate student who meets the  
10 office's requirements is eligible to apply for and receive a  
11 grant in any year of undergraduate study unless the student has  
12 obtained a baccalaureate degree or previously has been enrolled  
13 full time or the equivalent for eight semesters or the  
14 equivalent, excluding courses taken from a Minnesota school or  
15 postsecondary institution which is not participating in the  
16 state grant program and from which a student transferred no  
17 credit. A student who withdraws from enrollment for active  
18 military service is entitled to an additional semester or the  
19 equivalent of grant eligibility. A student enrolled in a  
20 two-year program at a four-year institution is only eligible for  
21 the tuition and fee maximums established by law for two-year  
22 institutions.

23 Sec. 12. Minnesota Statutes 2004, section 136A.121,  
24 subdivision 13, is amended to read:

25 Subd. 13. [DEADLINE.] The deadline for the office to  
26 accept applications for state grants for a term is ~~14~~ 30 days  
27 after the start of that term.

28 [EFFECTIVE DATE.] This section is effective the day  
29 following final enactment and is retroactive to July 1, 2003.  
30 An applicant who missed the 14-day deadline previously in effect  
31 between July 1, 2003, and June 30, 2005, but who met the 30-day  
32 deadline, has until September 1, 2005, to reapply. Retroactive  
33 awards under this section must be made on a first come, first  
34 served funds available basis.

35 Sec. 13. Minnesota Statutes 2004, section 136A.121, is  
36 amended by adding a subdivision to read:

1        Subd. 19. [DATA.] An eligible institution must provide to  
2 the office aggregate and distributional data on student  
3 enrollment, financial aid, financial, and other aggregate and  
4 other distributional data as determined by the director, to  
5 enable the office to carry out its responsibilities under  
6 chapters 136A and 141.

7        Sec. 14. Minnesota Statutes 2004, section 136A.125,  
8 subdivision 2, is amended to read:

9        Subd. 2. [ELIGIBLE STUDENTS.] (a) An applicant is eligible  
10 for a child care grant if the applicant:

11        (1) is a resident of the state of Minnesota;

12        (2) has a child 12 years of age or younger, or 14 years of  
13 age or younger who is handicapped as defined in section 125A.02,  
14 and who is receiving or will receive care on a regular basis  
15 from a licensed or legal, nonlicensed caregiver;

16        (3) is income eligible as determined by the office's  
17 policies and rules, but is not a recipient of assistance from  
18 the Minnesota family investment program;

19        (4) has not earned a baccalaureate degree and has been  
20 enrolled full time less than eight semesters or the equivalent;

21        (5) is pursuing a nonsectarian program or course of study  
22 that applies to an undergraduate degree, diploma, or  
23 certificate;

24        (6) is enrolled at least half time in an eligible  
25 institution; and

26        (7) is in good academic standing and making satisfactory  
27 academic progress.

28        (b) A student who withdraws from enrollment for active  
29 military service is entitled to an additional semester or the  
30 equivalent of grant eligibility.

31        Sec. 15. Minnesota Statutes 2004, section 136A.1701, is  
32 amended by adding a subdivision to read:

33        Subd. 11. [DATA.] An eligible institution must provide to  
34 the office aggregate and distributional data on student  
35 enrollment, financial aid, financial, and other aggregate and  
36 distributional data on data as determined by the director, to

1 enable the office to carry out its responsibilities under  
2 chapters 136A and 141.

3 Sec. 16. Minnesota Statutes 2004, section 136A.1701, is  
4 amended by adding a subdivision to read:

5 Subd. 12. [ELIGIBLE STUDENT.] "Eligible student" means a  
6 student who is a Minnesota resident who is enrolled or accepted  
7 for enrollment at an eligible school in Minnesota or in another  
8 state or province. Non-Minnesota residents are eligible  
9 students if they are enrolled or accepted for enrollment in a  
10 minimum of one course of at least 30 days in length during the  
11 academic year that requires physical attendance at an eligible  
12 school located in Minnesota. Non-Minnesota resident students  
13 enrolled exclusively during the academic year in correspondence  
14 courses or courses offered over the Internet are not eligible  
15 students. Non-Minnesota resident students not physically  
16 attending classes in Minnesota due to enrollment in a study  
17 abroad program for 12 months or less are eligible students.  
18 Non-Minnesota residents enrolled in study abroad programs  
19 exceeding 12 months are not eligible students. For purposes of  
20 this section, an "eligible student" must also meet the  
21 eligibility requirements of section 136A.15, subdivision 8.

22 Sec. 17. [136A.1703] [INCOME-CONTINGENT LOANS.]

23 The office shall administer an income-contingent loan  
24 repayment program to assist graduates of Minnesota schools in  
25 medicine, dentistry, pharmacy, chiropractic medicine, public  
26 health, and veterinary medicine, and Minnesota residents  
27 graduating from optometry and osteopathy programs. Applicant  
28 data collected by the office for this program may be disclosed  
29 to a consumer credit reporting agency under the same conditions  
30 as those that apply to the supplemental loan program under  
31 section 136A.162. No new applicants may be accepted after June  
32 30, 1995.

33 Sec. 18. [136A.1785] [LOAN CAPITAL FUND.]

34 The office may deposit and hold assets derived from the  
35 operation of its student loan programs authorized by this  
36 chapter in a fund known as the loan capital fund. Assets in the

1 loan capital fund are available to the office solely for  
2 carrying out the purposes and terms of sections 136A.15 to  
3 136A.1702, including, but not limited to, making student loans  
4 authorized by this chapter, paying administrative expenses  
5 associated with the operation of its student loan programs,  
6 repurchasing defaulted student loans, and paying expenses in  
7 connection with the issuance of revenue bonds authorized under  
8 this chapter. Assets in the loan capital fund may be invested  
9 as provided in sections 11A.24 and 136A.16, subdivision 8. All  
10 interest and earnings from the investment of the loan capital  
11 fund inure to the benefit of the fund and are deposited into the  
12 fund.

13       Sec. 19. [136A.861] [INTERVENTION FOR COLLEGE ATTENDANCE  
14 PROGRAM GRANTS.]

15       Subdivision 1. [GRANTS.] The director of the Higher  
16 Education Services Office shall award grants to foster  
17 postsecondary attendance by providing outreach services to  
18 historically underserved groups of elementary and secondary  
19 students. Grants must be awarded to programs that provide  
20 precollege services, including, but not limited to:

- 21       (1) academic counseling;
- 22       (2) mentoring;
- 23       (3) fostering and improving parental involvement in  
24 planning for and facilitating a college education;
- 25       (4) services for students with English as a second  
26 language;
- 27       (5) academic enrichment activities;
- 28       (6) tutoring;
- 29       (7) career awareness and exploration;
- 30       (8) orientation to college life;
- 31       (9) assistance with high school course selection and  
32 information about college admission requirements;
- 33       (10) financial aid counseling; and
- 34       (11) summer academic enrichment programs.

35 Services may be provided by postsecondary institutions, school  
36 districts, businesses, foundations, professional organizations,

1 community-based organizations, or others deemed appropriate by  
2 the director.

3 Subd. 2. [ELIGIBLE STUDENTS.] Eligible students include  
4 elementary and secondary students who meet one or more of the  
5 following criteria:

6 (1) are counted under section 1124(c) of the Elementary and  
7 Secondary Education Act of 1965 (Title I);

8 (2) are eligible for free or reduced-price lunch under the  
9 National School Lunch Act;

10 (3) receive assistance under the Temporary Assistance for  
11 Needy Families Law (Title I of the Personal Responsibility and  
12 Work Opportunity Reconciliation Act of 1996); or

13 (4) are a member of a group traditionally underrepresented  
14 in higher education.

15 Subd. 3. [APPLICATION PROCESS.] The director of the Higher  
16 Education Services Office shall develop a grant application  
17 process. The director shall attempt to distribute grants in a  
18 manner that ensures that eligible students throughout the state  
19 have access to precollege services.

20 The grant application must include, at a minimum, the  
21 following information:

22 (1) a description of the characteristics of the students to  
23 be served;

24 (2) a description of the services to be provided and a  
25 timeline for implementation of the activities;

26 (3) a description of how the services provided will foster  
27 postsecondary attendance;

28 (4) a description of how the services will be evaluated to  
29 determine whether the program goals were met; and

30 (5) other information as identified by the director.

31 Grant recipients must specify both program and student outcome  
32 goals, and performance measures for each goal.

33 Priority shall be given to collaborative efforts between two or  
34 more organizations.

35 Subd. 4. [MATCH REQUIRED.] Applicants are required to  
36 match the grant amount dollar-for-dollar. The match may be in

1 cash or an in-kind contribution.

2 Subd. 5. [REVIEW COMMITTEE.] The director must establish  
3 and convene a grant selection committee to review applications  
4 and award grants. The members of the committee may include  
5 representatives of postsecondary institutions, elementary and  
6 secondary education, organizations providing precollege outreach  
7 services, and others deemed appropriate by the director.

8 Subd. 6. [PROGRAM EVALUATION.] Each grant recipient must  
9 annually submit a report to the Higher Education Services Office  
10 delineating its program and student outcome goals, and  
11 activities implemented to achieve the stated outcomes. The  
12 goals must be clearly stated and measurable. Grant recipients  
13 are required to collect, analyze, and report on participation  
14 and outcome data that enable the office to verify that the  
15 program goals were met. The office shall maintain:

16 (1) information about successful precollege program  
17 activities for dissemination to individuals throughout the state  
18 interested in adopting or replicating successful program  
19 practices; and

20 (2) data on the success of the funded projects in  
21 increasing the high school graduation and college participation  
22 rates of students served by the grant recipients. The office  
23 may convene meetings of the grant recipients, as needed, to  
24 discuss issues pertaining to the implementation of precollege  
25 services.

26 Subd. 7. [REPORT.] By January 15 of each odd-numbered  
27 year, the office shall submit a report to the committees in the  
28 legislature with jurisdiction over higher education finance  
29 regarding the grant recipients and their activities. The report  
30 shall include information about the students served, the  
31 organizations providing services, program activities, program  
32 goals and outcomes, and program revenue sources and funding  
33 levels.

34 Sec. 20. Minnesota Statutes 2004, section 136F.02,  
35 subdivision 1, is amended to read:

36 Subdivision 1. [MEMBERSHIP.] The board consists of ~~15~~ 18

1 members appointed by the governor with the advice and consent of  
2 the senate. At least one member of the board shall have  
3 experience in and represent business and at least one member  
4 shall have experience in and represent organized labor. At  
5 least one member of the board must be a resident of each  
6 congressional district, except that congressional districts  
7 containing all or part of 17 or more counties shall be split in  
8 approximately half geographically along county lines and one  
9 member must be a resident of each half. Three members must be  
10 students who are enrolled at least half time in a degree,  
11 diploma, or certificate program or have graduated from an  
12 institution governed by the board within one year of the date of  
13 appointment. The student members shall include: one member  
14 from a community college, one member from a state university,  
15 and one member from a technical college. The remaining members  
16 must be appointed to represent the state at large.

17 [EFFECTIVE DATE.] This section is effective the day  
18 following final enactment. Of the three members added to the  
19 board by this section, one shall be appointed for an original  
20 two-year term, one for a four-year term, and one for a six-year  
21 term. The governor shall determine which term applies to an  
22 appointment. After the original terms, all succeeding terms  
23 shall be six years. If there is not a member representing  
24 business and labor respectively, as provided by this section,  
25 the governor shall make those appointments at the first  
26 opportunity to do so.

27 Sec. 21. Minnesota Statutes 2004, section 136F.04,  
28 subdivision 4, is amended to read:

29 Subd. 4. [RECOMMENDATIONS.] Each student association shall  
30 recommend at least two and not more than four candidates for its  
31 student member. By ~~January-2~~ April 15 of the year in which its  
32 members' term expires, each student association shall submit its  
33 recommendations to the governor. The governor is not bound by  
34 these recommendations.

35 Sec. 22. Minnesota Statutes 2004, section 136G.03,  
36 subdivision 3, is amended to read:

1 Subd. 3. [ACCOUNT OWNER.] "Account owner" means a person  
2 who enters into a participation agreement and is entitled  
3 to ~~select-or-change~~ conduct transactions on the account,  
4 including selecting and changing the beneficiary of an account  
5 ~~or-to-receive~~ and receiving distributions from the account ~~for~~  
6 ~~other-than-payment-of-qualified-higher-education-expenses.~~

7 Sec. 23. Minnesota Statutes 2004, section 136G.03,  
8 subdivision 21a, is amended to read:

9 Subd. 21a. [MINOR TRUST ACCOUNT.] "Minor trust account"  
10 means a Uniform Gift to Minors Act account, or a Uniform  
11 Transfers to Minors Act account, ~~or-a-trust-instrument-naming-a~~  
12 ~~minor-person-as-beneficiary,~~ created and operating under the  
13 laws of Minnesota or another state.

14 Sec. 24. Minnesota Statutes 2004, section 136G.03,  
15 subdivision 22, is amended to read:

16 Subd. 22. [NONQUALIFIED DISTRIBUTION.] "Nonqualified  
17 distribution" means a distribution made from an account other  
18 than (1) a qualified distribution; or (2) a distribution due to  
19 the death or disability of, or scholarship to, or attendance at  
20 a United States military academy by, a beneficiary.

21 Sec. 25. Minnesota Statutes 2004, section 136G.03,  
22 subdivision 32, is amended to read:

23 Subd. 32. [SCHOLARSHIP.] "Scholarship" means a  
24 scholarship, or educational assistance allowance, ~~or-payment~~  
25 ~~under-section-529(b)(3)(c)-of-the-Internal-Revenue-Code.~~

26 Sec. 26. Minnesota Statutes 2004, section 136G.05,  
27 subdivision 8, is amended to read:

28 Subd. 8. [ADMINISTRATION.] The director shall administer  
29 the program, including accepting and processing applications,  
30 maintaining account records, making payments, making matching  
31 grants under section 136G.11, and undertaking any other  
32 necessary tasks to administer the program. The office may  
33 contract with one or more third parties to carry out some or all  
34 of these administrative duties, including ~~premetien~~ providing  
35 incentives and marketing ~~of~~ the program. The office and the  
36 board may jointly contract with third-party providers, if the



1 office and board determine that it is desirable to contract with  
2 the same entity or entities for administration and investment  
3 management.

4 Sec. 27. Minnesota Statutes 2004, section 136G.09,  
5 subdivision 11, is amended to read:

6 Subd. 11. [EFFECT OF PLAN CHANGES ON PARTICIPATION  
7 AGREEMENT.] Amendments to sections 136G.01 to 136G.13  
8 automatically amend the participation agreement. Any amendments  
9 to the operating procedures and policies of the plan shall  
10 automatically amend the participation agreement ~~30-days~~ after  
11 adoption by the office or the board.

12 Sec. 28. Minnesota Statutes 2004, section 136G.09,  
13 subdivision 12, is amended to read:

14 Subd. 12. [SPECIAL ACCOUNT TO HOLD PLAN ASSETS IN TRUST.]  
15 All assets of the plan, including contributions to accounts and  
16 matching grant accounts and earnings, are held in trust for the  
17 exclusive benefit of account owners and beneficiaries. Assets  
18 must be held in a separate account in the state treasury to be  
19 known as the Minnesota college savings plan account or in  
20 accounts with the third party provider selected pursuant to  
21 section 136G.05, subdivision 8. Plan assets are not subject to  
22 claims by creditors of the state, are not part of the general  
23 fund, and are not subject to appropriation by the state.  
24 Payments from the Minnesota college savings plan account shall  
25 be made under sections 136G.01 to 136G.13.

26 Sec. 29. Minnesota Statutes 2004, section 136G.11,  
27 subdivision 1, is amended to read:

28 Subdivision 1. [MATCHING GRANT QUALIFICATION.] By June 30  
29 of each year, a state matching grant must be added to each  
30 account established under the program if the following  
31 conditions are met:

32 (1) the contributor applies, in writing in a form  
33 prescribed by the director, for a matching grant;

34 (2) a minimum contribution of \$200 was made during the  
35 preceding calendar year; and

36 (3) the beneficiary's family meets Minnesota college

1 savings plan residency requirements; and

2 (4) the family income of the beneficiary did not exceed  
3 \$80,000.

4 Sec. 30. Minnesota Statutes 2004, section 136G.11,  
5 subdivision 3, is amended to read:

6 Subd. 3. [RESIDENCY REQUIREMENT.] (a) If the beneficiary  
7 is under age 25, the beneficiary's parents or legal guardians  
8 must be Minnesota residents to qualify for a matching grant. If  
9 the beneficiary is age 25 or older, the beneficiary must be a  
10 Minnesota resident to qualify for a matching grant.

11 (b) To meet the residency requirements, the parent or legal  
12 guardian of beneficiaries under age 25 must have filed a  
13 Minnesota individual income tax return as a Minnesota resident  
14 and claimed the beneficiary as a dependent on the parent or  
15 legal guardian's federal tax return for the calendar year in  
16 which contributions were made. If the beneficiary's parents are  
17 divorced, the parent or legal guardian claiming the beneficiary  
18 as a dependent on the federal individual income tax return must  
19 be a Minnesota resident. For beneficiaries age 25 or older, the  
20 beneficiary, and a spouse, if any, must have filed a Minnesota  
21 and a federal individual income tax return as a Minnesota  
22 resident for the calendar year in which contributions were made.

23 (c) A parent of beneficiaries under age 25 and  
24 beneficiaries age 25 or older who did not reside in Minnesota in  
25 the calendar year in which contributions were made are not  
26 eligible for a matching grant.

27 Sec. 31. Minnesota Statutes 2004, section 136G.11, is  
28 amended by adding a subdivision to read:

29 Subd. 3a. [FAMILY INCOME.] (a) For purposes of this  
30 section, "family income" means:

31 (1) if the beneficiary is under age 25, the combined  
32 adjusted gross income of the beneficiary's parents or legal  
33 guardians as reported on the federal tax return or returns for  
34 the calendar year in which contributions were made. If the  
35 beneficiary's parents or legal guardians are divorced, the  
36 income of the parent claiming the beneficiary as a dependent on

1 the federal individual income tax return and the income of that  
2 parent's spouse, if any, is used to determine family income; or

3 (2) if the beneficiary is age 25 or older, the combined  
4 adjusted gross income of the beneficiary and spouse, if any.

5 (b) For a parent or legal guardian of beneficiaries under  
6 age 25 and for beneficiaries age 25 or older who resided in  
7 Minnesota and filed a federal individual income tax return, the  
8 matching grant must be based on family income from the calendar  
9 year in which contributions were made.

10 Sec. 32. Minnesota Statutes 2004, section 136G.11,  
11 subdivision 13, is amended to read:

12 Subd. 13. [FORFEITURE OF MATCHING GRANTS.] (a) Matching  
13 grants are forfeited if:

14 (1) the account owner transfers the total account balance  
15 of an account to another account or to another qualified tuition  
16 program;

17 (2) the beneficiary receives a full tuition scholarship or  
18 ~~admission-to~~ is attending a United States service academy;

19 (3) the beneficiary dies or becomes disabled;

20 (4) the account owner changes the beneficiary of the  
21 account; or

22 (5) the account owner closes the account with a  
23 nonqualified withdrawal.

24 (b) Matching grants must be proportionally forfeited if:

25 (1) the account owner transfers a portion of an account to  
26 another account or to another qualified tuition program;

27 (2) the beneficiary receives a scholarship covering a  
28 portion of qualified higher education expenses; or

29 (3) the account owner makes a partial nonqualified  
30 withdrawal.

31 (c) If the account owner makes a misrepresentation in a  
32 participation agreement or an application for a matching grant  
33 that results in a matching grant, the matching grant associated  
34 with the misrepresentation is forfeited. The office and the  
35 board must instruct the plan administrator as to the amount to  
36 be forfeited from the matching grant account. The office and

1 the board must withdraw the matching grant or the proportion of  
2 the matching grant that is related to the misrepresentation.

3 Sec. 33. Minnesota Statutes 2004, section 136G.13,  
4 subdivision 1, is amended to read:

5 Subdivision 1. [QUALIFIED DISTRIBUTION METHODS.] (a)  
6 Qualified distributions may be made:

7 (1) directly to participating eligible educational  
8 institutions on behalf of the beneficiary; ~~or~~

9 (2) in the form of a check payable to both the beneficiary  
10 and the eligible educational institution; or

11 (3) directly to the account owner or beneficiary if the  
12 account owner or beneficiary has already paid qualified higher  
13 education expenses.

14 (b) Qualified distributions must be withdrawn  
15 proportionally from contributions and earnings in an account  
16 owner's account on the date of distribution as provided in  
17 section 529 of the Internal Revenue Code.

18 Sec. 34. Minnesota Statutes 2004, section 136G.13,  
19 subdivision 5, is amended to read:

20 Subd. 5. [DISTRIBUTIONS DUE TO DEATH OR DISABILITY OF, OR  
21 SCHOLARSHIP TO, OR ATTENDANCE AT A UNITED STATES MILITARY

22 ACADEMY BY, A BENEFICIARY.] An account owner may request a

23 distribution due to the death or disability of, or scholarship  
24 to, or attendance at a United States military academy by, a

25 beneficiary from an account by submitting a completed request to  
26 the plan. Prior to distribution, the account owner shall

27 certify the reason for the distribution and provide written  
28 confirmation from a third party that the beneficiary has died,

29 become disabled, or received a scholarship for attendance at an  
30 eligible educational institution, or is attending a United

31 States military academy. The plan must not consider a request

32 to make a distribution until a third-party written confirmation  
33 is received by the plan. For purposes of this subdivision, a

34 third-party written confirmation consists of the following:

35 (1) for death of the beneficiary, a certified copy of the  
36 beneficiary's death record;

1 (2) for disability of the beneficiary, a certification by a  
2 physician who is a doctor of medicine or osteopathy stating that  
3 the doctor is legally authorized to practice in a state of the  
4 United States and that the beneficiary is unable to attend any  
5 eligible educational institution because of an injury or illness  
6 that is expected to continue indefinitely or result in death.  
7 Certification must be on a form approved by the plan; ~~or~~

8 (3) for a scholarship award to the beneficiary, a letter  
9 from the grantor of the scholarship or from the eligible  
10 educational institution receiving or administering the  
11 scholarship, that identifies the beneficiary by name and Social  
12 Security number or taxpayer identification number as the  
13 recipient of the scholarship and states the amount of the  
14 scholarship, the period of time or number of credits or units to  
15 which it applies, the date of the scholarship, and, if  
16 applicable, the eligible educational institution to which the  
17 scholarship is to be applied; or

18 (4) for attendance by the beneficiary at a United States  
19 military academy, a letter from the military academy indicating  
20 the beneficiary's enrollment and attendance.

21 Sec. 35. Minnesota Statutes 2004, section 136G.14, is  
22 amended to read:

23 136G.14 [MINOR TRUST ACCOUNTS.]

24 (a) This section applies to a plan account in which funds  
25 of a minor trust account are invested.

26 (b) The account owner may not be changed to any person  
27 other than a successor custodian or the beneficiary unless a  
28 court order directing the change of ownership is provided to the  
29 plan administrator. The custodian must sign all forms and  
30 requests submitted to the plan administrator in the custodian's  
31 representative capacity. The custodian must notify the plan  
32 administrator in writing when the beneficiary becomes legally  
33 entitled to be the account owner. An account owner under this  
34 section may not select a contingent account owner.

35 (c) The beneficiary of an account under this section may  
36 not be changed. If the beneficiary dies, assets in a plan

1 account become the property of the beneficiary's estate. Funds  
2 in an account must not be transferred or rolled over to another  
3 account owner or to an account for another beneficiary. A  
4 nonqualified distribution from an account, or a distribution due  
5 to the disability or scholarship award to the beneficiary, or  
6 made on account of the beneficiary's attendance at a United  
7 States military academy, must be used for the benefit of the  
8 beneficiary.

9 Sec. 36. Minnesota Statutes 2004, section 137.0245,  
10 subdivision 3, is amended to read:

11 Subd. 3. [DUTIES.] (a) The advisory council shall:

12 (1) develop, in consultation with current and former  
13 regents and the administration of the University of Minnesota, a  
14 statement of the selection criteria to be applied and a  
15 description of the responsibilities and duties of a regent, and  
16 shall distribute this to potential candidates; and

17 (2) for each position on the board, identify and recruit  
18 qualified candidates for the Board of Regents, based on the  
19 background and experience of the candidates, and their potential  
20 for discharging the responsibilities of a member of the Board of  
21 Regents. The selection criteria must not include a limitation  
22 on the number of terms an individual may serve on the Board of  
23 Regents; and

24 (3) report to the joint committee established under section  
25 137.0246 on the membership needs of the board in terms of  
26 individual skills and characteristics. Individual skills relate  
27 to training and experience in fields such as finance, higher  
28 education, labor, and management. Individual characteristics  
29 relate to qualities such as gender, race, and geographic  
30 location of residence.

31 (b) The selection criteria developed under paragraph (a),  
32 clause (1), must include a criterion that regents represent  
33 diversity in geography; gender; race; occupation, including  
34 business and labor; and experience.

35 Sec. 37. [137.0246] [REGENT SELECTION; LEGISLATURE.]

36 (a) By February 15 of each odd-numbered year, or at a date

1 agreed to by concurrent resolution, a joint legislative  
2 committee shall meet to recommend nominees for regent of the  
3 University of Minnesota to be presented to a joint convention of  
4 the legislature. The joint legislative committee consists of 20  
5 legislator members. Ten members shall be appointed by the  
6 speaker of the house. Ten members shall be appointed by the  
7 Subcommittee on Committees of the Committee on Rules and  
8 Administration from the senate. An equal number of members from  
9 the majority and minority party shall be appointed from each  
10 house. The members appointed from the minority party must be  
11 appointed from among those recommended by the minority leader.  
12 The chairs of the education policy committees and of the higher  
13 education budget divisions and the ranking minority member of  
14 those committees and divisions must be appointed. A majority of  
15 the members from each house is a quorum of the joint committee.

16 (b) The joint committee shall determine the number of  
17 persons, and the person or persons to be recommended for each  
18 open seat.

19 (c) The joint convention must meet on or before March 7 of  
20 that same odd-numbered year.

21 Sec. 38. [144.1498] [NURSING LOW-INCOME LOAN REPAYMENT.]

22 Subdivision 1. [DEFINITION.] For purposes of this section,  
23 "qualifying educational loans" means government, commercial, and  
24 foundation loans for actual costs paid for tuition, reasonable  
25 education expenses, and reasonable living expenses related to  
26 the graduate or undergraduate education of a licensed practical  
27 nurse or registered nurse.

28 Subd. 2. [CREATION OF ACCOUNT; LOAN REPAYMENT PROGRAM.] A  
29 low-income nursing education account is created in the general  
30 fund. The commissioner of health shall use money from the  
31 account to establish a loan repayment program for licensed  
32 practical or registered nurses who agree to practice in a  
33 Minnesota nursing home or work in a position in Minnesota as a  
34 nurse educator. Appropriations made to the account do not  
35 cancel and are available until expended.

36 Subd. 3. [ELIGIBILITY.] (a) To be eligible to apply to

1 participate in the loan repayment program, an individual must:

2 (1) be a resident of Minnesota;

3 (2) currently be attending a program leading to a degree in  
4 practical or registered nursing or a graduate nursing degree in  
5 a public or private postsecondary education institution located  
6 in Minnesota; and

7 (3) submit an application to the commissioner of health.

8 (b) An applicant selected to participate must sign a  
9 contract to agree to serve a minimum three-year, full-time  
10 service obligation in a position or place of employment  
11 described in subdivision 2. The service must begin no later  
12 than March 31 following completion of required training. If  
13 fewer applications are submitted by nursing students than there  
14 are participant slots available, the commissioner may consider  
15 applications submitted by nursing program graduates who are  
16 licensed or registered nurses or nurses who are nurse  
17 educators. Nurses selected for loan repayment assistance must  
18 comply with this section.

19 Subd. 4. [LOAN REPAYMENT.] The commissioner of health may  
20 accept applicants each year for participation in the loan  
21 repayment program, within the limits of available funding.  
22 Applicants are responsible for securing their own loans. The  
23 commissioner shall select participants in a priority based upon  
24 lowest family income, followed in order of ascending family  
25 income. Family income may be determined in the same manner as  
26 for state grants under section 136A.121 or in another manner the  
27 commissioner determines fairly represents family income. The  
28 commissioner shall give preference to applicants closest to  
29 completing their training. For each year that a participant  
30 meets the service obligation required under subdivision 3, up to  
31 a maximum of four years, the commissioner shall make annual  
32 disbursements directly to the participant equivalent to 15  
33 percent of the average educational debt for indebted nursing  
34 school graduates in the year closest to the applicant's  
35 selection for which information is available or the balance of  
36 the qualifying educational loans, whichever is less. The



1 maximum annual loan repayment for a participant is \$2,500.  
2 Before receiving loan repayment disbursements and as requested,  
3 the participant must complete and return to the commissioner an  
4 affidavit of practice form provided by the commissioner  
5 verifying that the participant is practicing as required under  
6 subdivision 3. The participant must provide the commissioner  
7 with verification that the full amount of loan repayment  
8 disbursement received by the participant has been applied toward  
9 the designated loans. After each disbursement, verification  
10 must be received by the commissioner and approved before the  
11 next loan repayment disbursement is made. Participants remain  
12 eligible for loan repayment as long as they practice as required  
13 under subdivision 3.

14 Subd. 5. [PENALTY FOR NONFULFILLMENT.] If a participant  
15 does not fulfill the service commitment under subdivision 3, the  
16 commissioner of health shall collect from the participant 100  
17 percent of any payments made for qualified educational loans and  
18 interest at a rate established according to section 270.75. The  
19 commissioner shall deposit the money collected in the low-income  
20 nursing education account established under subdivision 2.

21 Subd. 6. [SUSPENSION OR WAIVER OF OBLIGATION.] Payment or  
22 service obligations cancel in the event of a participant's  
23 death. The commissioner of health may waive or suspend payment  
24 or service obligations in cases of total and permanent  
25 disability or long-term temporary disability lasting for more  
26 than two years. The commissioner shall evaluate all other  
27 requests for suspension or waivers on a case-by-case basis and  
28 may grant a waiver of all or part of the money owed as a result  
29 of a nonfulfillment penalty if emergency circumstances prevented  
30 fulfillment of the required service commitment.

31 Sec. 39. Minnesota Statutes 2004, section 299A.45,  
32 subdivision 1, is amended to read:

33 Subdivision 1. [ELIGIBILITY.] Following certification  
34 under section 299A.44 and compliance with this section and rules  
35 of the commissioner of public safety and the higher education  
36 services office, dependent children less than 23 years of age

1 and the surviving spouse of a public safety officer killed in  
2 the line of duty on or after January 1, 1973, are eligible to  
3 receive educational benefits under this section. To qualify for  
4 an award, they must be enrolled in undergraduate degree or  
5 certificate programs after June 30, 1990, at an eligible  
6 Minnesota institution as provided in section 136A.101,  
7 subdivision 4. A student who withdraws from enrollment for  
8 active military service is entitled to an additional semester or  
9 the equivalent of grant eligibility. Persons who have received  
10 a baccalaureate degree or have been enrolled full time or the  
11 equivalent of ten semesters or the equivalent, whichever occurs  
12 first, are no longer eligible.

13 Sec. 40. Minnesota Statutes 2004, section 299A.45,  
14 subdivision 4, is amended to read:

15 Subd. 4. [RENEWAL.] Each award must be given for one  
16 academic year and is renewable for a maximum of eight semesters  
17 or the equivalent. A student who withdraws from enrollment for  
18 active military service is entitled to an additional semester or  
19 the equivalent of grant eligibility. An award must not be given  
20 to a dependent child who is 23 years of age or older on the  
21 first day of the academic year.

22 Sec. 41. [583.215] [EXPIRATION.]  
23 Sections 336.9-601, subsections (h) and (i); 550.365;  
24 559.209; 582.039; and 583.20 to 583.32, expire June 30, 2009.

25 Sec. 42. [APPLICATION OF ELIGIBILITY.]

26 The additional semester or the equivalent of grant  
27 eligibility under sections 11, 14, 39, and 40 applies to any  
28 student who withdrew from enrollment in a postsecondary  
29 institution after December 31, 2002, for enrollment for active  
30 military service as defined in Minnesota Statutes, section  
31 190.05, subdivision 5b or 5c.

32 Sec. 43. [ADVISORY TASK FORCE ON PUBLIC POSTSECONDARY  
33 FUNDING.]

34 The Higher Education Services Office shall convene an  
35 advisory task force to study the current postsecondary funding  
36 policy under Minnesota Statutes, sections 135A.01 to 135A.034.

1 The task force must include a legislative fiscal analysis staff  
2 member from the senate assigned to the senate higher education  
3 finance division, a legislative fiscal analysis staff member  
4 assigned to the house Higher Education Finance Committee, the  
5 chief financial officers of the University of Minnesota and the  
6 Minnesota State Colleges and Universities, and the commissioner  
7 of finance, or their designees. The task force may include  
8 other members as selected by the Higher Education Services  
9 Office. The task force must study and make specific  
10 recommendations on alternatives to the methods currently used by  
11 the postsecondary systems to implement the provisions of  
12 Minnesota Statutes, section 135A.031, subdivision 4. The task  
13 force must submit its recommendations to the legislature and the  
14 governor by January 15, 2006. The task force expires on June  
15 30, 2007.

16 Sec. 44. [RECIPROCITY NEGOTIATIONS.]

17 The Higher Education Services Office must, as soon as  
18 possible, enter into negotiations with the appropriate officials  
19 of the state of Wisconsin concerning higher education  
20 reciprocity. The office must attempt to negotiate an agreement  
21 that would result in Wisconsin resident students attending  
22 Minnesota public higher education institutions paying no less  
23 than Minnesota resident students attending those institutions.  
24 The office must report the results of the negotiations to the  
25 legislature by November 1, 2005.

26 Sec. 45. [REVISOR INSTRUCTION.]

27 The revisor of statutes shall change the terms "HESO" and  
28 "Higher Education Services Office" to "Minnesota Office of  
29 Higher Education" wherever in Minnesota Statutes and Minnesota  
30 Rules the terms appear.

31 Sec. 46. [REPEALER.]

32 (a) Minnesota Statutes 2004, sections 136A.011 and  
33 136A.031, subdivision 1, are repealed.

34 (b) Laws 1986, chapter 398, article 1, section 18, as  
35 amended, is repealed.

36 (c) Minnesota Rules, parts 4815.0100; 4815.0110; 4815.0120;

1 4815.0130; 4815.0140; 4815.0150; 4815.0160; 4830.8100;  
2 4830.8110; 4830.8120; 4830.8130; 4830.8140; and 4830.8150, are  
3 repealed.

4 ARTICLE 3

5 ROCHESTER HIGHER EDUCATION

6 Section 1. [ROCHESTER HIGHER EDUCATION DEVELOPMENT  
7 COMMITTEE.]

8 Subdivision 1. [ESTABLISHMENT.] The Rochester Higher  
9 Education Development Committee is established to research and  
10 make recommendations to the governor and legislature on the  
11 creation of mission-driven postsecondary educational programs or  
12 institutions in the Rochester area that meet the educational  
13 needs of the region and the state and that capitalize on the  
14 unique opportunities for educational partnerships presented in  
15 the Rochester area.

16 Subd. 2. [MEMBERSHIP.] The committee is composed of 11  
17 members, to be appointed by the governor, as follows:

18 (1) a trustee of the Minnesota State Colleges and  
19 Universities, or the trustee's designee;

20 (2) a regent of the University of Minnesota, or the  
21 regent's designee;

22 (3) six persons from the Rochester area representing  
23 business, health and medical sciences, and technology;

24 (4) the commissioner of finance, or the commissioner's  
25 designee;

26 (5) one person who by training or experience has special  
27 expertise in postsecondary finance and planning; and

28 (6) one person who by training or experience has special  
29 expertise in postsecondary academic planning and programming.

30 Before the first meeting of the committee, the governor  
31 shall select one person from the committee who shall serve as  
32 chair.

33 Subd. 3. [COMPENSATION AND REMOVAL.] Appointments to the  
34 committee are not subject to Minnesota Statutes, section 15.0597.  
35 Members of the committee are not entitled to reimbursement under  
36 Minnesota Statutes, section 15.059, subdivision 6. Members may

1 be removed and vacancies filled pursuant to Minnesota Statutes,  
2 section 15.059, subdivision 4. The director of the Higher  
3 Education Services Office may provide administrative support to  
4 the committee.

5 Subd. 4. [DUTIES.] (a) The committee shall develop a  
6 recommendation for establishment and implementation of expanded  
7 higher education programs or institutions in Rochester. The  
8 committee's report must include recommendations on:

9 (1) the mission and focus of the programs or institutions;

10 (2) the nature of undergraduate and graduate programs to be  
11 offered;

12 (3) site and facility needs;

13 (4) funding sources and opportunities;

14 (5) operational needs;

15 (6) alliances or other types of cooperative arrangements  
16 with public and private institutions;

17 (7) governance structures; and

18 (8) mechanisms to ensure that the expanded programs are  
19 aligned with the unique needs and opportunities of the Rochester  
20 area and that programs take advantage of opportunities presented  
21 by regional business and industry.

22 (b) If the committee recommends any programmatic changes  
23 that result in institutional realignments, the committee must  
24 consult with the representatives of affected employees and  
25 address the continuation of collective bargaining and  
26 contractual rights and benefits, including accumulated sick  
27 leave, vacation time, seniority, time to tenure, separation or  
28 retirement benefits, and pension plan coverage.

29 (c) The committee must consider specifically whether  
30 expansion of the University of Minnesota in Rochester is the  
31 most appropriate method of meeting the region's needs.

32 (d) The committee may also research and provide  
33 recommendations on sites for the facilities and programs. The  
34 committee shall recommend any changes to Minnesota law required  
35 to implement recommendations of the committee.

36 Subd. 5. [REPORT.] The committee must issue a report with

1 recommendations to the governor and the legislature by January  
2 15, 2006.

3 Subd. 6. [SUNSET.] The committee expires on December 31,  
4 2007.

5 Sec. 2. [ROCHESTER HIGHER EDUCATION DEVELOPMENT ACCOUNT.]

6 A Rochester higher education development account is created  
7 in the state treasury in the special revenue fund. Money in  
8 this account is appropriated to the Higher Education Services  
9 Office for allocation to the committee established in section 1,  
10 subdivision 1, and the implementation activities outlined in  
11 article 1, section 2, subdivision 6, paragraph (b). The office  
12 shall serve as fiscal agent for the committee established in  
13 section 1.

14 Sec. 3. [EFFECTIVE DATE.]

15 This article is effective the day following final enactment.

16 ARTICLE 4

17 PRIVATE CAREER SCHOOLS

18 Section 1. Minnesota Statutes 2004, section 141.21, is  
19 amended by adding a subdivision to read:

20 Subd. 6a. [MULTIPLE LOCATION.] "Multiple location" means  
21 any site where classes or administrative services are provided  
22 to students and which has a street address that is different  
23 than the street address found on the school's private career  
24 school license.

25 Sec. 2. Minnesota Statutes 2004, section 141.25,  
26 subdivision 3, is amended to read:

27 Subd. 3. [APPLICATION.] Application for a license shall be  
28 on forms prepared and furnished by the office, and shall include  
29 the following and other information as the office may require:

30 (1) the title or name of the school, ownership and  
31 controlling officers, members, managing employees, and director;

32 (2) the specific programs which will be offered and the  
33 specific purposes of the instruction;

34 (3) the place or places where the instruction will be  
35 given;

36 (4) a listing of the equipment available for instruction in

1 each program;

2 (5) the maximum enrollment to be accommodated with  
3 equipment available in each specified program;

4 (6) the qualifications of instructors and supervisors in  
5 each specified program;

6 (7) a current balance sheet, income statement, and adequate  
7 supporting documentation, prepared and certified by an  
8 independent public accountant or CPA;

9 (8) copies of all media advertising and promotional  
10 literature and brochures or electronic display currently used or  
11 reasonably expected to be used by the school;

12 (9) copies of all Minnesota enrollment agreement forms and  
13 contract forms and all enrollment agreement forms and contract  
14 forms used in Minnesota; and

15 (10) gross income earned in the preceding year from student  
16 tuition, fees, and other required institutional charges, unless  
17 the school files with the office a surety bond equal to at least  
18 ~~\$50,000~~ \$250,000 as described in subdivision 5.

19 Sec. 3. Minnesota Statutes 2004, section 141.25,  
20 subdivision 5, is amended to read:

21 Subd. 5. [BOND.] (a) No license shall be issued to any  
22 school which maintains, conducts, solicits for, or advertises  
23 within the state of Minnesota any program, unless the applicant  
24 files with the office a continuous corporate surety bond written  
25 by a company authorized to do business in Minnesota conditioned  
26 upon the faithful performance of all contracts and agreements  
27 with students made by the applicant.

28 (b) The amount of the surety bond shall be ten percent of  
29 the preceding year's gross income from student tuition, fees,  
30 and other required institutional charges, but in no event less  
31 than \$10,000 nor greater than ~~\$50,000~~ \$250,000, except that a  
32 school may deposit a greater amount at its own discretion. A  
33 school in each annual application for licensure must compute the  
34 amount of the surety bond and verify that the amount of the  
35 surety bond complies with this subdivision, unless the school  
36 maintains a surety bond equal to at least ~~\$50,000~~ \$250,000. A

1 school that operates at two or more locations may combine gross  
2 income from student tuition, fees, and other required  
3 institutional charges for all locations for the purpose of  
4 determining the annual surety bond requirement. The gross  
5 tuition and fees used to determine the amount of the surety bond  
6 required for a school having a license for the sole purpose of  
7 recruiting students in Minnesota shall be only that paid to the  
8 school by the students recruited from Minnesota.

9 (c) The bond shall run to the state of Minnesota and to any  
10 person who may have a cause of action against the applicant  
11 arising at any time after the bond is filed and before it is  
12 canceled for breach of any contract or agreement made by the  
13 applicant with any student. The aggregate liability of the  
14 surety for all breaches of the conditions of the bond shall not  
15 exceed the principal sum deposited by the school under paragraph  
16 (b). The surety of any bond may cancel it upon giving 60 days'  
17 notice in writing to the office and shall be relieved of  
18 liability for any breach of condition occurring after the  
19 effective date of cancellation.

20 (d) In lieu of bond, the applicant may deposit with the  
21 commissioner of finance a sum equal to the amount of the  
22 required surety bond in cash, or securities as may be legally  
23 purchased by savings banks or for trust funds in an aggregate  
24 market value equal to the amount of the required surety bond.

25 (e) Failure of a school to post and maintain the required  
26 surety bond or deposit under paragraph (d) may result in denial,  
27 suspension, or revocation of the school's license.

28 Sec. 4. Minnesota Statutes 2004, section 141.25,  
29 subdivision 8, is amended to read:

30 Subd. 8. [FEES AND TERMS OF LICENSE.] An application for  
31 an initial license under sections 141.21 to 141.35 shall be  
32 accompanied by a nonrefundable application fee ~~established by~~  
33 ~~the office~~ as provided in section 141.255 that is sufficient to  
34 recover, but not exceed, ~~its~~ the administrative costs of the  
35 office.

36 All licenses shall expire one year from the date issued by



1 the office, except as provided in section 141.251.

2 Sec. 5. Minnesota Statutes 2004, section 141.25,  
3 subdivision 9, is amended to read:

4 Subd. 9. [CATALOG, BROCHURE, OR ELECTRONIC DISPLAY.]

5 Before a license is issued to a school, the school shall furnish  
6 to the office a catalog, brochure, or electronic display  
7 including:

8 (1) identifying data, such as volume number and date of  
9 publication;

10 (2) name and address of the school and its governing body  
11 and officials;

12 (3) a calendar of the school showing legal holidays,  
13 beginning and ending dates of each course quarter, term, or  
14 semester, and other important dates;

15 (4) the school policy and regulations on enrollment  
16 including dates and specific entrance requirements for each  
17 program;

18 (5) the school policy and regulations about leave,  
19 absences, class cuts, make-up work, tardiness, and interruptions  
20 for unsatisfactory attendance;

21 (6) the school policy and regulations about standards of  
22 progress for the student including the grading system of the  
23 school, the minimum grades considered satisfactory, conditions  
24 for interruption for unsatisfactory grades or progress, a  
25 description of any probationary period allowed by the school,  
26 and conditions of reentrance for those dismissed for  
27 unsatisfactory progress;

28 (7) the school policy and regulations about student conduct  
29 and conditions for dismissal for unsatisfactory conduct;

30 (8) a detailed schedule of fees, charges for tuition,  
31 books, supplies, tools, student activities, laboratory fees,  
32 service charges, rentals, deposits, and all other charges;

33 (9) the school policy and regulations, including an  
34 explanation of section 141.271, about refunding tuition, fees,  
35 and other charges if the student does not enter the program,  
36 withdraws from the program, or the program is discontinued;

1 (10) a description of the available facilities and  
2 equipment;

3 (11) a course outline syllabus for each course offered  
4 showing course objectives, subjects or units in the course, type  
5 of work or skill to be learned, and approximate time, hours, or  
6 credits to be spent on each subject or unit;

7 (12) the school policy and regulations about granting  
8 credit for previous education and preparation;

9 (13) a procedure for investigating and resolving student  
10 complaints; and

11 (14) the name and address of the Minnesota Higher Education  
12 Services Office.

13 A school that is exclusively a distance education school is  
14 exempt from clauses (3) and (5).

15 Sec. 6. Minnesota Statutes 2004, section 141.25,  
16 subdivision 12, is amended to read:

17 Subd. 12. [PERMANENT RECORDS.] A school licensed under  
18 this chapter and located in Minnesota shall maintain a permanent  
19 record for each student for 50 years from the last date of the  
20 student's attendance. A school licensed under this chapter and  
21 offering distance instruction to a student located in Minnesota  
22 shall maintain a permanent record for each Minnesota student for  
23 50 years from the last date of the student's attendance.  
24 Records include school transcripts, documents, and files  
25 containing student data about academic credits earned, courses  
26 completed, grades awarded, degrees awarded, and periods of  
27 attendance. To preserve permanent records, a school shall  
28 submit a plan that meets the following requirements:

29 (1) at least one copy of the records must be held in a  
30 secure, fireproof depository;

31 (2) an appropriate official must be designated to provide a  
32 student with copies of records or a transcript upon request;

33 (3) an alternative method, approved by the office, of  
34 complying with clauses (1) and (2) must be established if the  
35 school ceases to exist; and

36 (4) a continuous surety bond must be filed with the office

1 in an amount not to exceed \$20,000 if the school has no binding  
2 agreement for preserving student records or a trust must be  
3 arranged if the school ceases to exist.

4 Sec. 7. Minnesota Statutes 2004, section 141.251, is  
5 amended to read:

6 141.251 [LICENSE RENEWAL.]

7 Subdivision 1. [APPLICATION.] Application for renewal of a  
8 license must be made at least ~~30~~ 60 days before expiration of  
9 the current license on a form provided by the office. A renewal  
10 application shall be accompanied by a nonrefundable fee  
11 ~~established-by-the-office~~ as provided in section 141.255 that is  
12 sufficient to recover, but does not exceed, ~~its~~ the  
13 administrative costs of the office.

14 Subd. 2. [CONDITIONS.] The office shall adopt rules  
15 establishing the conditions for renewal of a license. The  
16 conditions shall permit two levels of renewal based on the  
17 record of the school. A school that has demonstrated the  
18 quality of its program and operation through longevity and  
19 performance in the state may renew its license based on a  
20 relaxed standard of scrutiny. A school that has been in  
21 operation in Minnesota for a limited period of time or that has  
22 not performed adequately on performance indicators shall renew  
23 its license based on a strict standard of scrutiny. The office  
24 shall specify minimum longevity standards and performance  
25 indicators that must be met before a school may be permitted to  
26 operate under the relaxed standard of scrutiny. The performance  
27 indicators used in this determination shall include, but not be  
28 limited to: degree granting status, regional or national  
29 accreditation, loan default rates, placement rate of graduates,  
30 student withdrawal rates, audit results, student complaints, and  
31 school status with the United States Department of Education.  
32 Schools that meet the requirements established in rule shall be  
33 required to submit a full relicensure report once every four  
34 years, and in the interim years will be exempt from the  
35 requirements of section 141.25, subdivision 3, clauses (4), (5),  
36 and (8), and Minnesota Rules, parts 4880.1700, subpart 6; and

1 4880.2100, subpart 4.

2 Sec. 8. [141.255] [FEES.]

3 Subdivision 1. [INITIAL LICENSURE FEE.] The office  
4 processing fee for an initial licensure application is:

5 (1) \$1,500 for a school that will offer no more than one  
6 program during its first year of operation;

7 (2) \$2,000 for a school that will offer two or more  
8 nondegree level programs during its first year of operation; and

9 (3) \$2,500 for a school that will offer two or more degree  
10 level programs during its first year of operation.

11 Subd. 2. [RENEWAL LICENSURE FEE; LATE FEE.] (a) The office  
12 processing fee for a renewal licensure application is:

13 (1) for a category A school, as determined by the office,  
14 the fee is \$865 if the school offers one program or \$1,150 if  
15 the school offers two or more programs; and

16 (2) for a category B or C school, as determined by the  
17 office, the fee is \$430 if the school offers one program or \$575  
18 if the school offers two or more programs.

19 (b) If a license renewal application is not received by the  
20 office by the close of business at least 60 days before the  
21 expiration of the current license, a late fee of \$100 per  
22 business day shall be assessed.

23 Subd. 3. [DEGREE LEVEL ADDITION FEE.] The office  
24 processing fee for adding a degree level to an existing program  
25 is \$2,000 per program.

26 Subd. 4. [PROGRAM ADDITION FEE.] The office processing fee  
27 for adding a program that represents a significant departure in  
28 the objectives, content, or method of delivery of programs that  
29 are currently offered by the school is \$500 per program.

30 Subd. 5. [VISIT OR CONSULTING FEE.] If the office  
31 determines that a fact-finding visit or outside consultant is  
32 necessary to review or evaluate any new or revised program, the  
33 office shall be reimbursed for the expenses incurred related to  
34 the review as follows:

35 (1) \$300 for the team base fee or for a paper review  
36 conducted by a consultant if the office determines that a

1 fact-finding visit is not required;

2 (2) \$300 for each day or part thereof on site per team  
3 member; and

4 (3) the actual cost of customary meals, lodging, and  
5 related travel expenses incurred by team members.

6 Subd. 6. [MODIFICATION FEE.] The fee for modification of  
7 any existing program is \$100 and is due if there is:

8 (1) an increase or decrease of 25 percent or more, from the  
9 original date of program approval, in clock hours, credit hours,  
10 or calendar length of an existing program;

11 (2) a change in academic measurement from clock hours to  
12 credit hours or vice versa; or

13 (3) an addition or alteration of courses that represent a  
14 25 percent change or more in the objectives, content, or methods  
15 of delivery.

16 Subd. 7. [SOLICITOR PERMIT FEE.] The solicitor permit fee  
17 is \$350 and must be paid annually.

18 Subd. 8. [MULTIPLE LOCATION FEE.] Schools wishing to  
19 operate at multiple locations must pay:

20 (1) \$250 per location, for two to five locations; and

21 (2) an additional \$50 for each location over five.

22 Subd. 9. [STUDENT TRANSCRIPT FEE.] The fee for a student  
23 transcript requested from a closed school whose records are held  
24 by the office is \$10, with a maximum of five transcripts per  
25 request.

26 Sec. 9. Minnesota Statutes 2004, section 141.26,  
27 subdivision 5, is amended to read:

28 Subd. 5. [FEE.] The initial and renewal application for  
29 each permit shall be accompanied by a nonrefundable fee as  
30 ~~established-by-the-office~~ under section 141.255.

31 Sec. 10. Minnesota Statutes 2004, section 141.271, is  
32 amended by adding a subdivision to read:

33 Subd. 1b. [SHORT-TERM PROGRAMS.] Licensed schools  
34 conducting programs not exceeding 40 hours in length shall not  
35 be required to make a full refund once a program has commenced  
36 and shall be allowed to prorate any refund based on the actual

1 length of the program as stated in the school catalog or  
2 advertisements and the number of hours attended by the student.

3 Sec. 11. Minnesota Statutes 2004, section 141.271,  
4 subdivision 4, is amended to read:

5 Subd. 4. [RESIDENT SCHOOLS.] When a student has been  
6 accepted by a school offering a resident program and gives  
7 written notice of cancellation, or the school has actual notice  
8 of a student's nonattendance after the start of the period of  
9 instruction for which the student has been charged, but before  
10 completion of 75 percent of the period of instruction, the  
11 amount charged for tuition, fees, and all other charges shall be  
12 prorated based on number of days in the term as a portion of the  
13 total charges for tuition, fees, and all other charges. An  
14 additional 25 percent of the total cost of the period of  
15 instruction may be added, but shall not exceed \$100. After  
16 completion of 75 percent of the period of instruction for which  
17 the student has been charged, no refunds are required.

18 Sec. 12. Minnesota Statutes 2004, section 141.271,  
19 subdivision 7, is amended to read:

20 Subd. 7. [EQUIPMENT AND SUPPLIES.] The fair market retail  
21 price, if separately stated in the catalog and contract or  
22 enrollment agreement, of equipment or supplies furnished to the  
23 student, which the student fails to return in condition suitable  
24 for resale, and which may reasonably be resold, within ten  
25 business days following cancellation may be retained by the  
26 school and may be deducted from the total cost for tuition, fees  
27 and all other charges when computing refunds.

28 An overstatement of the fair market retail price of any  
29 equipment or supplies furnished the student shall be considered  
30 inconsistent with this provision.

31 Sec. 13. Minnesota Statutes 2004, section 141.271,  
32 subdivision 10, is amended to read:

33 Subd. 10. [CANCELLATION OCCURRENCE.] Written notice of  
34 cancellation shall take place on the date the letter of  
35 cancellation is postmarked or, in the cases where the notice is  
36 hand carried, it shall occur on the date the notice is delivered

1 to the school. If a student has not attended classes for a  
 2 period of 21 consecutive days, the student is considered to have  
 3 withdrawn from school for all purposes as of the student's last  
 4 documented date of attendance.

5 Sec. 14. Minnesota Statutes 2004, section 141.271, is  
 6 amended by adding a subdivision to read:

7 Subd. 14. [CLOSED SCHOOL.] In the event a school closes  
 8 for any reason during a term and interrupts and terminates  
 9 classes during that term, all tuition for the term shall be  
 10 refunded to the students or the appropriate state or federal  
 11 agency or private lender that provided any funding for the term  
 12 and any outstanding obligation of the student for the term is  
 13 canceled.

14 Sec. 15. Minnesota Statutes 2004, section 141.28,  
 15 subdivision 1, is amended to read:

16 Subdivision 1. [NOT TO ADVERTISE STATE APPROVAL.] Schools,  
 17 agents of schools, and solicitors may not advertise or represent  
 18 in writing or orally that such school is approved or accredited  
 19 by the state of Minnesota, except that any school, agent, or  
 20 solicitor may advertise that the school and solicitor have been  
 21 duly licensed by the state. using the following language:

22 "(Name of school) is licensed as a private career school with  
 23 the Minnesota Higher Education Services Office. Licensure is  
 24 not an endorsement of the institution. Credits earned at the  
 25 institution may not transfer to all other institutions. The  
 26 educational programs may not meet the needs of every student or  
 27 employer."

28 Sec. 16. Minnesota Statutes 2004, section 141.28, is  
 29 amended by adding a subdivision to read:

30 Subd. 6. [FINANCIAL AID PAYMENTS.] (a) All schools must  
 31 collect, assess, and distribute funds received from loans or  
 32 other financial aid as provided in this subdivision.

33 (b) Student loans or other financial aid funds received  
 34 from federal, state, or local governments or administered in  
 3'35 accordance with federal student financial assistance programs  
 36 under title IV of the Higher Education Act of 1965, as amended,

1 United States Code, title 20, chapter 28, must be collected and  
2 applied as provided by applicable federal, state, or local law  
3 or regulation.

4 (c) Student loans or other financial aid assistance  
5 received from a bank, finance or credit card company, or other  
6 private lender must be collected or disbursed as provided in  
7 paragraphs (d) and (e).

8 (d) Loans or other financial aid payments for amounts  
9 greater than \$3,000 must be disbursed:

10 (1) in two equal disbursements, if the course or term  
11 length is less than six months. The loan or payment amounts may  
12 be disbursed no earlier than the first day the student attends  
13 class with the remainder to be disbursed halfway through the  
14 class or term;

15 (2) in three equal disbursements, if the course or term  
16 length is more than six months, but less than 12 months. The  
17 loan or payment amounts may be disbursed no earlier than the  
18 first day the student attends class, one-third of the way  
19 through the class or term, and two-thirds of the way through the  
20 class or term; or

21 (3) in four equal disbursements, if the course or term  
22 length is greater than 12 months. The loan or payment amounts  
23 may be disbursed no earlier than the first day a student attends  
24 class, one-quarter of the way through the class or term, halfway  
25 through the class or term, and three-fourths of the way through  
26 the class or term.

27 (e) Loans or other financial aid payments for amounts less  
28 than \$3,000 may be disbursed as a single disbursement on the  
29 first day a student attends class, regardless of course length.

30 (f) No school may enter into a contract or agreement with,  
31 or receive any money from, a bank, finance or credit card  
32 company, or other private lender, unless the private lender  
33 follows the requirements for disbursements provided in  
34 paragraphs (d) and (e).

35 Sec. 17. Minnesota Statutes 2004, section 141.29,  
36 subdivision 3, is amended to read:



1 Subd. 3. [POWERS AND DUTIES.] The office shall have (in  
2 addition to the powers and duties now vested therein by law) the  
3 following powers and duties:

4 (a) To negotiate and enter into interstate reciprocity  
5 agreements with similar agencies in other states, if in the  
6 judgment of the office such agreements are or will be helpful in  
7 effectuating the purposes of Laws 1973, Chapter 714;

8 (b) To grant conditional school license for periods of less  
9 than one year if in the judgment of the office correctable  
10 deficiencies exist at the time of application and when refusal  
11 to issue school license would adversely affect currently  
12 enrolled students;

13 (c) The office may upon its own motion, and shall upon the  
14 verified complaint in writing of any person setting forth fact  
15 which, if proved, would constitute grounds for refusal or  
16 revocation under Laws 1973, Chapter 714, investigate the actions  
17 of any applicant or any person or persons holding or claiming to  
18 hold a license or permit. However, before proceeding to a  
19 hearing on the question of whether a license or permit shall be  
20 refused, revoked or suspended for any cause enumerated in  
21 subdivision 1, the office may shall grant a reasonable time to  
22 the holder of or applicant for a license or permit to correct  
23 the situation. If within such time the situation is corrected  
24 and the school is in compliance with the provisions of this  
25 chapter, no further action leading to refusal, revocation, or  
26 suspension shall be taken.

27 Sec. 18. Minnesota Statutes 2004, section 141.30, is  
28 amended to read:

29 141.30 [INSPECTION.]

30 (a) The office or a delegate may inspect the instructional  
31 books and records, classrooms, dormitories, tools, equipment and  
32 classes of any school or applicant for license at any reasonable  
33 time. The office may require the submission of a certified  
34 public audit, or if there is no such audit available the office  
35 or a delegate may inspect the financial books and records of the  
36 school. In no event shall such financial information be used by

1 the office to regulate or set the tuition or fees charged by the  
2 school.

3 (b) Data obtained from an inspection of the financial  
4 records of a school or submitted to the office as part of a  
5 license application or renewal are nonpublic data as defined in  
6 section 13.02, subdivision 9. Data obtained from inspections  
7 may be disclosed to other members of the office, to law  
8 enforcement officials, or in connection with a legal or  
9 administrative proceeding commenced to enforce a requirement of  
10 law.

11 Sec. 19. Minnesota Statutes 2004, section 141.35, is  
12 amended to read:

13 141.35 [EXEMPTIONS.]

14 Sections 141.21 to 141.35 shall not apply to the following:

15 (1) public postsecondary institutions;

16 (2) private postsecondary institutions registered under  
17 sections 136A.61 to 136A.71 that are nonprofit, or that are for  
18 profit and registered under sections 136A.61 to 136A.71 as of  
19 December 31, 1998, or are approved to offer exclusively  
20 baccalaureate or postbaccalaureate programs;

21 (3) schools of nursing accredited by the state Board of  
22 Nursing or an equivalent public board of another state or  
23 foreign country;

24 (4) private schools complying with the requirements of  
25 section 120A.22, subdivision 4;

26 (5) courses taught to students in a valid apprenticeship  
27 program taught by or required by a trade union;

28 (6) schools exclusively engaged in training physically or  
29 mentally handicapped persons for the state of Minnesota;

30 (7) schools licensed by boards authorized under Minnesota  
31 law to issue licenses;

32 (8) schools and educational programs, or training programs,  
33 contracted for by persons, firms, corporations, government  
34 agencies, or associations, for the training of their own  
35 employees, for which no fee is charged the employee;

36 (9) schools engaged exclusively in the teaching of purely

1 avocational, recreational, or remedial subjects as determined by  
2 the office;

3 (10) driver training schools and instructors as defined in  
4 section 171.33, subdivisions 1 and 2;

5 (11) classes, courses, or programs conducted by a bona fide  
6 trade, professional, or fraternal organization, solely for that  
7 organization's membership;

8 (12) programs in the fine arts provided by organizations  
9 exempt from taxation under section 290.05 and registered with  
10 the attorney general under chapter 309. For the purposes of  
11 this clause, "fine arts" means activities resulting in artistic  
12 creation or artistic performance of works of the imagination  
13 which are engaged in for the primary purpose of creative  
14 expression rather than commercial sale or employment. In making  
15 this determination the office may seek the advice and  
16 recommendation of the Minnesota Board of the Arts;

17 (13) classes, courses, or programs intended to fulfill the  
18 continuing education requirements for licensure or certification  
19 in a profession, that have been approved by a legislatively or  
20 judicially established board or agency responsible for  
21 regulating the practice of the profession, and that are offered  
22 ~~primarily~~ exclusively to an individual practicing the  
23 profession;

24 (14) classes, courses, or programs intended to prepare  
25 students to sit for undergraduate, graduate, postgraduate, or  
26 occupational licensing and occupational entrance examinations;

27 (15) classes, courses, or programs providing 16 or fewer  
28 clock hours of instruction that are not part of the curriculum  
29 for an occupation or entry level employment;

30 (16) classes, courses, or programs providing instruction in  
31 personal development, modeling, or acting;

32 (17) training or instructional programs, in which one  
33 instructor teaches an individual student, that are not part of  
34 the curriculum for an occupation or are not intended to prepare  
35 a person for entry level employment; and

36 (18) schools with no physical presence in Minnesota, as

1 determined by the office, engaged exclusively in offering  
2 distance instruction that are located in and regulated by other  
3 states or jurisdictions.

4 Sec. 20. [POSTSECONDARY PRIVATE SCHOOL REGULATION.]

5 The director of the Higher Education Services Office must  
6 convene a group to study regulation of private postsecondary  
7 schools subject to regulation under Minnesota Statutes, chapters  
8 136A and 141. The purpose of the study is to determine the  
9 appropriate level of regulation for the various types of private  
10 postsecondary schools. The study group must, at a minimum,  
11 include representatives from the Minnesota Private College  
12 Council, the Minnesota Career College Association, and staff of  
13 the higher education finance divisions and committees of the  
14 house of representatives and the senate. The director must make  
15 recommendations accompanied with legislation to implement those  
16 recommendations to the chairs of the legislative committees and  
17 divisions with primary jurisdiction over higher education  
18 finance by January 15, 2006.

Senate Higher Education Budget Division: 2005 Session  
(Dollars in 000's)

Status: HED Bill

	Base FY 2006-07	Agency FY 2006-07	Governor FY 2006-07	Senate FY 2006-07	Senate SF 1879	Difference Senate vs Governor	Difference Senate vs Base	Difference Senate vs SF 1879
<b>HIGHER EDUCATION SERVICES OFFICE</b>								
<u>Agency Administration</u>								
Student Financial Aid Services	1,234	1,234	1,234	1,234	1,234	0	0	0
Research & Program Services	716	716	716	716	716	0	0	0
Director & Council	346	346	346	346	346	0	0	0
Communication & Legislative Services	446	446	446	446	446	0	0	0
Financial Services	872	872	872	872	872	0	0	0
Human Resources & Agency Services	156	156	156	156	156	0	0	0
Information & Technology Services	622	622	622	622	622	0	0	0
<b>Subtotal Agency Administration</b>	<b>4,392</b>	<b>4,392</b>	<b>4,392</b>	<b>4,392</b>	<b>4,392</b>	<b>0</b>	<b>0</b>	<b>0</b>
<u>Other Small Programs</u>								
Post Secondary Service Learning	200	200	200	230	200	30	30	30
Student and Parent Information	250	250	250	250	250	0	0	0
Get Ready Outreach Program	368	368	368	368	368	0	0	0
Intervention for College Access Program (ICAP)	510	510	510	1,510	510	1,000	1,000	1,000
<b>Subtotal Other Small Programs</b>	<b>1,328</b>	<b>1,328</b>	<b>1,328</b>	<b>2,358</b>	<b>1,328</b>	<b>1,030</b>	<b>1,030</b>	<b>1,030</b>
<u>Financial Aid</u>								
State Grants Base	281,000	281,000	281,000	281,000	281,000	0	0	0
Safety Officer Survivor Program	150	150	150	150	150	0	0	0
<b>Subtotal Financial Aid</b>	<b>281,150</b>	<b>281,150</b>	<b>281,150</b>	<b>281,150</b>	<b>281,150</b>	<b>0</b>	<b>0</b>	<b>0</b>
<u>Financial Aid Change Items</u>								
Implement Federal Pell Grant Changes				(12,570)		(12,570)	(12,570)	(12,570)
Reinvest Pell Savings-30-day Deadline				1,260		1,260	1,260	1,260
Reinvest Pell Savings-\$75 Increase LME				5,090		5,090	5,090	5,090
Reinvest Pell Savings-Actual Tuition				11,570		11,570	11,570	11,570
Apply Federal LEAP & SLEAP Funding				(2,538)		(2,538)	(2,538)	(2,538)
Correct State Grant Base Funding				(2,220)		(2,220)	(2,220)	(2,220)
Interaction Effect-State Grant Changes				(592)		(592)	(592)	(592)
<b>Subtotal Financial Aid Change Items</b>				<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>

Date Printed: 4/21/2005

Senate Higher Education Budget Division: 2005 Session  
(Dollars in 000's)

Status: HED Bill

	Base FY 2006-07	Agency FY 2006-07	Governor FY 2006-07	Senate FY 2006-07	Senate SF 1879	Difference Senate vs Governor	Difference Senate vs Base	Difference Senate vs SF 1879
<b>Change Items</b>								
Accountability Measurement System			400	0		(400)	0	0
State Grant Software Rewrite			310	310		0	310	310
University in Rochester-Implementation			200	200		0	200	200
University in Rochester-Development			3,000	1,000		(2,000)	1,000	1,000
United Family Practice Residency Program				720		720	720	720
MHEC Dues				15		15	15	15
<b>Subtotal Change Items</b>			3,910	2,245		(1,665)	2,245	2,245
<b>Other Programs</b>								
Child Care	9,486	9,486	9,486	9,736	9,486	250	250	250
Work Study	24,888	24,888	24,888	24,888	24,888	0	0	0
Interstate Tuition Reciprocity	7,200	7,200	2,000	2,000	2,000	0	(5,200)	0
Minnesota College Savings Program	2,240	2,240	2,240	2,240	2,240	0	0	0
Learning Network of Minnesota	9,658	9,658	8,658	8,658	8,658	0	(1,000)	0
MINITEX	8,762	8,762	8,762	8,762	8,762	0	0	0
MnLINK Gateway	800	800	800	800	800	0	0	0
<b>Subtotal Other Programs</b>	63,034	63,034	56,834	57,084	56,834	250	(5,950)	250
<b>General Fund Appropriation Total HESO FY 2006-2007</b>	<b>349,904</b>	<b>349,904</b>	<b>347,614</b>	<b>347,229</b>	<b>343,704</b>	<b>(385)</b>	<b>(2,675)</b>	<b>3,525</b>
<b>Special Revenue</b> Private Career School Fee Increase			26	26		0	26	26
<b>MAYO FOUNDATION</b>								
Medical School	1,028	1,028	1,028	1,028	1,028	0	0	0
Residency Programs	1,754	1,754	1,754	1,754	1,754	0	0	0
<b>General Fund Appropriation Total MAYO FY 2006-2007</b>	<b>2,782</b>	<b>2,782</b>	<b>2,782</b>	<b>2,782</b>	<b>2,782</b>	<b>0</b>	<b>0</b>	<b>0</b>

Senate Higher Education Budget Division: 2005 Session  
(Dollars in 000's)

Status: HED Bill

	Base FY 2006-07	Agency FY 2006-07	Governor FY 2006-07	Senate FY 2006-07	Senate SF 1879	Difference Senate vs Governor	Difference Senate vs Base	Difference Senate vs SF 1879
<b>MN STATE COLLEGES &amp; UNIVERSITIES</b>								
Unadjusted Base	1,095,388	1,095,388	1,095,388	1,095,388	1,095,388	0	0	0
Enrollment Adjustment-Recurring	72,000	72,000	72,000	72,000	72,000	0	0	0
Enrollment Adjustment-Nonrecurring	58,800	58,800	58,800	58,800	58,800	0	0	0
Adjusted Base Appropriation	1,226,188	1,226,188	1,226,188	1,226,188	1,226,188	0	0	0
<b>Change Items</b>								
Enrollment Adjustment-Recurring			(72,000)	0		72,000	0	0
Enrollment Adjustment-Nonrecurring			(58,800)	(58,800)		0	(58,800)	(58,800)
Invest Nonrecurring Enrollment Adjustment		(58,800)	0	0		0	0	0
Invest Nonrecurring-Minnesota Online		13,900	0	0		0	0	0
Invest Nonrecurring-Leveraged Equipment		14,100	0	0		0	0	0
Invest Nonrecurring-Technology		20,000	0	0		0	0	0
Invest Nonrecurring- Facilities Repair & Replacement		10,800	0	0		0	0	0
Nursing		10,000	10,000	10,000		0	10,000	10,000
Teacher Education		3,000	0	3,000		3,000	3,000	3,000
Farm & Small Business Management		3,000	3,000	3,000		0	3,000	3,000
Minnesota Online		8,100	14,000	8,000		(6,000)	8,000	8,000
Competitive Salaries		13,900	5,000	13,800		8,800	13,800	13,800
Innovations Fund		5,500	5,500	0		(5,500)	0	0
Repair & Replacement-Facilities		11,000	0	3,760		3,760	3,760	3,760
Serving Underserved Populations		12,000	0	12,000		12,000	12,000	12,000
Allocation Framework		0	50,000	0		(50,000)	0	0
Centers of Excellence		0	20,000	0		(20,000)	0	0
<b>Subtotal Change Items</b>		66,500	(23,300)	(5,240)		18,060	(5,240)	(5,240)
<b>General Fund Appropriation Total MNSCU FY 2006-2007</b>	<b>1,226,188</b>	<b>1,292,688</b>	<b>1,202,888</b>	<b>1,220,948</b>	<b>1,226,188</b>	<b>18,060</b>	<b>(5,240)</b>	<b>(5,240)</b>

Senate Higher Education Budget Division: 2005 Session  
(Dollars in 000's)

atus: HED Bill

	Base FY 2006-07	Agency FY 2006-07	Governor FY 2006-07	Senate FY 2006-07	Senate SF 1879	Difference Senate vs Governor	Difference Senate vs Base	Difference Senate vs SF 1879
<b>UNIVERSITY OF MINNESOTA</b>								
Unadjusted Base	1,100,134	1,100,134	1,100,134	1,100,134	1,100,134	0	0	0
Enrollment Adjustment-Recurring	30,776	30,776	30,776	30,776	30,776	0	0	0
Enrollment Adjustment-Nonrecurring	42,974	42,974	42,974	42,974	42,974	0	0	0
Adjusted Base	1,173,884	1,173,884	1,173,884	1,173,884	1,173,884	0	0	0
Operations and Maintenance Appropriation	1,047,150	1,173,150	1,078,900	1,094,775	1,013,544	15,875	47,625	81,231
Specials Appropriation	126,734	126,734	126,734	126,734	126,734	0	0	0
Total Base Appropriation (O/M+Specials)	1,173,884	1,299,884	1,205,634	1,221,509	1,140,278	15,875	47,625	81,231
<u>Change Items</u>								
Enrollment Adjustment			(73,750)	(42,974)	(33,606)	30,776	(42,974)	(9,368)
Biosciences for a Healthy Society		36,000	36,000	26,235		(9,765)	26,235	26,235
Competitive Compensation		15,000	15,000	10,857		(4,143)	10,857	10,857
Research Support		34,500	35,000	24,426		(10,574)	24,426	24,426
Preparing Students for 21st Century Economy		19,500	19,500	13,569		(5,931)	13,569	13,569
21st Century Technology		21,000	0	15,377		15,377	15,377	15,377
Sustainable Agriculture				135			135	135
<b>Subtotal Change Items</b>		126,000	31,750	47,625	(33,606)	15,875	47,625	81,231
<b>Total U of M General Fund Appropriation</b>	<b>1,173,884</b>	<b>1,299,884</b>	<b>1,205,634</b>	<b>1,221,509</b>	<b>1,140,278</b>	<b>15,875</b>	<b>47,625</b>	<b>81,231</b>
<u>Information Only</u>								
<u>Specials</u>								
Agriculture Base	101,250	101,250	101,250	101,385	101,250	135	135	135
Health Sciences	9,858	9,858	9,858	9,858	9,858	0	0	0
Institute of Technology	2,774	2,774	2,774	2,774	2,774	0	0	0
System Special	12,852	12,852	12,852	12,852	12,852	0	0	0
<b>Total specials</b>	<b>126,734</b>	<b>126,734</b>	<b>126,734</b>	<b>126,869</b>	<b>126,734</b>	<b>135</b>	<b>135</b>	<b>135</b>
<u>Other Appropriations</u>								
Health Care Access Fund (Medical Education)	4,314		4,314	4,314	4,314	0	0	0
Cigarette Tax (Academic Health Center)			41,464	41,464	41,464	0	41,464	0
<b>General Fund and Other Appropriation Total U of M FY 2006-2007</b>	<b>1,178,198</b>	<b>1,299,884</b>	<b>1,251,412</b>	<b>1,267,287</b>	<b>1,186,056</b>	<b>15,875</b>	<b>89,089</b>	<b>81,231</b>
<u>Other General Fund Appropriations</u>								
Department of Health-Nursing Education Loan Repayment Program				250		250	250	250
<b>General Fund Appropriations Total, Higher Education Division</b>	<b>2,752,758</b>	<b>2,943,930</b>	<b>2,758,918</b>	<b>2,792,718</b>	<b>2,712,952</b>	<b>33,800</b>	<b>39,960</b>	<b>79,766</b>
<b>All Funds Impact, All Higher Education Systems (Includes HCAF, Cig Tax &amp; HEFA Fees)</b>	<b>2,755,744</b>	<b>2,943,930</b>	<b>2,804,722</b>	<b>2,838,522</b>	<b>2,758,730</b>	<b>33,800</b>	<b>82,778</b>	<b>79,792</b>



1 Senator ..... moves to amend S.F. No. .... (SC4903-4) as  
2 follows:

3 Page 28, line 36, delete "The"

4 Page 29, delete line 1

1 Senator ..... moves to amend S.F. No. .... (SC4093-4) as  
2 follows:

3 Page 2, delete line 16, and insert:

4 "General (\$ 25,640,000)\$ 106,706,000 \$ 81,066,000"

5 Page 2, delete lines 19 and 20, and insert:

6 "Higher Education  
7 Services Office 3,818,000 1,007,000 4,825,000"

8 Page 2, delete lines 36 and 37, and insert:

9 "Subdivision 1. Total  
10 Appropriation \$ 3,818,000 \$ 1,007,000"

11 Page 3, delete lines 30 and 31, and insert:

12 "Subd. 6. Rochester Higher  
13 Education 2,500,000 -0-"

14 Page 3, line 36, delete "\$1,000,000" and insert "\$2,300,000"

①

# Roll Call Vote

Committee: Finance

Bill/Amendment: <sup>Gerlach's</sup> Oral amendment to the AG amendment to Higher Ed omnibus bill

Date: 4/22/05

Action: Failed

Member	Aye	Nay	Pass
Cohen		X	
Berglin		X	
Chaudhary		X	
Dille			
Fischbach	X		
Frederickson			
Gerlach	X		
Hottinger		X	
Kierlin		X	
Kiscaden	X		
Langseth		X	
Larson	X		
Metzen		X	
Murphy		X	
Neuville			
Nienow	X		
Olson	X		
Ourada	X		
Pappas		X	
Pariseau	X		
Ranum			
Sams			
Stumpf		X	
Wiger		X	
Results:	8	11	

62

## Roll Call Vote

Committee: Finance

Bill/Amendment: A4

Date: 4/22/05

Action: Adopted

Member	Aye	Nay	Pass
Cohen	X		
Berglin	X		
Chaudhary	X		
Dille			
Fischbach	X		
Frederickson			
Gerlach	X		
Hottinger	X		
Kierlin		X	
Kiscaden	X		
Langseth	X		
Larson	X		
Metzen	X		
Murphy	X		
Neuville			
Nienow	X		
Olson	X		
Ourada	X		
Pappas	X		
Pariseau	X		
Ranum			
Sams			
Stumpf	X		
Wiger	X		
Results:	18	1	

1 Senator ..... moves to amend S.F. No. .... (SC4093-4) as  
2 follows:

3 Page 8, line 14, after "person" insert ", who is a resident  
4 student as defined in section 136A.101, subdivision 8,"

5 Page 11, after line 12, insert:

6 "Sec. 8. Minnesota Statutes 2004, section 136A.031,  
7 subdivision 5, is amended to read:

8 Subd. 5. [EXPIRATION.] Notwithstanding section 15.059,  
9 subdivision 5, the advisory groups established in this section  
10 expire on June 30, ~~2005~~ 2007."

11 Renumber the sections in sequence and correct the internal  
12 references

13 Amend the title accordingly

1 Senator ..... moves to amend S.F. No. .... (SC4093-4) as  
2 follows:

3 Page 13, delete lines 28 to 34

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A bill for an act

relating to state government; appropriating money; amending Minnesota Statutes 2004, sections 3.9741, subdivision 1; 10A.01, subdivision 35; 16A.055, subdivision 1; 16A.103, subdivisions 1a, 1b; 16A.11, subdivision 2; 16B.04, subdivision 2; 16B.48, subdivisions 4, 5; 16C.26, subdivisions 3, 4; 16C.28, subdivision 2; 16E.01, subdivisions 1, 3; 16E.02; 16E.03, subdivisions 1, 2, 3, 7; 16E.04; 16E.0465, subdivisions 1, 2; 16E.055; 16E.07, subdivision 8; 37.06; 135A.17, subdivision 2; 197.608, subdivision 5; 201.014, subdivision 2; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivision 1; 201.091, subdivision 4; 201.15; 203B.16, by adding a subdivision; 204B.10, subdivision 6; 204B.24; 204B.27, subdivision 11; 204C.06, subdivision 2; 204C.07, subdivision 4, by adding a subdivision; 204C.08, subdivision 1a; 204C.10; 204C.12, subdivisions 2, 4; 299C.65, subdivisions 1, 2; 349A.10, subdivision 3; 357.18; 363A.28, subdivision 6; 363A.35, subdivision 3; 403.36, subdivision 1; 505.08, subdivision 2; 508.82; 508A.82; 515B.1-116; 524.5-310; Laws 1998, chapter 404, section 15, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 6; 10; 16E; 190; 240; 357; 507; 641; repealing Minnesota Statutes 2004, sections 16B.48, subdivision 3; 16B.52; 16E.0465, subdivision 3; 363A.29, subdivision 2; 386.30.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

STATE GOVERNMENT APPROPRIATIONS

Section 1. [STATE GOVERNMENT APPROPRIATIONS.]

The sums in the columns marked "APPROPRIATIONS" are added to, or, if shown in parentheses, are subtracted from the appropriations to the specified agencies in 2005 S.F. No. 1879, article 5, if enacted. The appropriations are from the general fund, unless another fund is named, and are available for the

1 fiscal year indicated for each purpose. The figures "2006" and  
 2 "2007," where used in this article, mean that the additions to  
 3 or subtractions from the appropriations listed under them are  
 4 for the fiscal year ending June 30, 2006, or June 30, 2007,  
 5 respectively. The "first year" is fiscal year 2006. The  
 6 "second year" is fiscal year 2007. The "biennium" is fiscal  
 7 years 2006 and 2007.

8 SUMMARY BY FUND

9	2006	2007	TOTAL
10 General	\$ 654,000	\$ 325,000	\$ 979,000
11 Special Revenue	1,202,000	2,398,000	3,600,000
12 Workers'			
13 Compensation	203,000	109,000	312,000
14 2005 \$156,000			
15 TOTAL	\$2,059,000	\$2,832,000	\$ 4,891,000

16 APPROPRIATIONS  
 17 Available for the Year  
 18 Ending June 30  
 19 2006 2007

20 Sec. 2. LEGISLATURE

21 Subdivision 1. Total  
 22 Appropriation \$(2,011,000) \$(2,011,000)

23 The amounts that may be spent from this  
 24 appropriation for each program are  
 25 specified in the following subdivisions.

26 Subd. 2. House of Representatives

27 (2,261,000) (2,261,000)

28 The amount of the accumulated house  
 29 carryforward account balance canceled  
 30 to the general fund in 2005 S.F. No.  
 31 1879, article 10, section 2,  
 32 subdivision 4, if enacted, is increased  
 33 to \$2,311,000.

34 Subd. 3. Legislative  
 35 Coordinating Commission

36 250,000 250,000

37 (a) If the Legislative Coordinating  
 38 Commission requires employees under its  
 39 jurisdiction to take temporary leave  
 40 without pay during the biennium ending  
 41 June 30, 2007, the first 80 hours of  
 42 leave without pay in fiscal year 2006  
 43 and the first 80 hours of leave without  
 44 pay in fiscal year 2007 are governed by  
 45 this paragraph. The commission must  
 46 permit employees taking this leave to  
 47 continue accruing vacation and sick  
 48 leave, be eligible for paid holidays



1 and insurance benefits, accrue  
 2 seniority, and accrue service credit  
 3 and credited salary in state retirement  
 4 plans permitting service credits for  
 5 authorized leaves of absence as if the  
 6 employee had actually been employed  
 7 during the time of the leave. The  
 8 commission may make the employer  
 9 contribution to the employee's  
 10 retirement plan if the employee  
 11 participates in a defined contribution  
 12 plan. If the leave without pay is for  
 13 one full pay period or longer, any  
 14 holiday pay must be included in the  
 15 first payroll warrant after return from  
 16 the leave. Managers must attempt to  
 17 schedule leaves to meet the needs of  
 18 employees and the need to continue  
 19 efficient operation of their offices.

20 (b) Notwithstanding Minnesota Statutes,  
 21 section 43A.18, subdivisions 2 and 3,  
 22 the Legislative Coordinating Commission  
 23 may require employees in the Office of  
 24 the Legislative Auditor whose terms and  
 25 conditions of employment are determined  
 26 through the commissioner and managerial  
 27 compensation plans to take leave  
 28 without pay as described in paragraph  
 29 (a).

30 (c) Of the amount appropriated in 2005  
 31 S.F. No. 1879, article 10, section 2,  
 32 subdivision 4, if enacted, \$10,000 the  
 33 first year and \$10,000 the second year  
 34 are for the legislators' forum to allow  
 35 Minnesota legislators to meet with  
 36 counterparts from South Dakota, North  
 37 Dakota, and Manitoba to discuss issues  
 38 of mutual concern. This appropriation  
 39 must be matched by an equivalent  
 40 financial commitment from the other  
 41 jurisdictions before it is available.

42 (d) \$250,000 the first year and  
 43 \$250,000 the second year are for the  
 44 use of the task force established in  
 45 article 3, section 8, for the purposes  
 46 in that section. Of this amount,  
 47 \$32,000 the first year and \$33,000 the  
 48 second year are for a contract with the  
 49 Legislative Coordinating Commission for  
 50 the provision of administrative  
 51 services to the task force, the  
 52 preparation of requests for proposal,  
 53 or the disbursement of funds for the  
 54 payment of vendors, salaries, and other  
 55 expenses of the task force. The  
 56 commission must convene the first  
 57 meeting of the task force. This  
 58 appropriation is available until the  
 59 task force expires.

60	Sec. 3. GOVERNOR AND		
61	LIEUTENANT GOVERNOR	(89,000)	(90,000)
62	Sec. 4. STATE AUDITOR	(50,000)	(50,000)
53	Sec. 5. SECRETARY OF STATE	4,000	(24,000)
64	\$14,000 is added to the base		

1 appropriation in fiscal year 2009 for  
2 challenger training costs.

3	Sec. 6. OFFICE OF ENTERPRISE		
4	TECHNOLOGY	1,803,000	1,803,000

5 This appropriation includes the amounts  
6 appropriated for the division of  
7 technology services in the Department  
8 of Administration in 2005 S.F. No.  
9 1879, article 10, section 9,  
10 subdivision 2, if enacted. The  
11 appropriation is transferred to the  
12 Office of Enterprise Technology.

13	Sec. 7. ADMINISTRATIVE HEARINGS	465,000	371,000
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14 Summary by Fund

15	General	262,000	262,000
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16	Workers'		
17	Compensation	203,000	109,000

18 \$203,000 the first year and \$109,000  
19 the second year are from the workers'  
20 compensation fund for technology  
21 improvements. The base appropriation  
22 for these improvements is \$158,000 in  
23 fiscal year 2008 and \$165,000 in fiscal  
24 year 2009.

25 For fiscal years 2006 and 2007, the  
26 Administrative Law Division of the  
27 Office of Administrative Hearings shall  
28 charge the fees approved by the  
29 commissioner of finance under Minnesota  
30 Statutes, section 16A.126.

31 Sec. 8. ADMINISTRATION

32	Subdivision 1. Total		
33	Appropriation	(1,765,000)	(2,065,000)

34 The amounts that may be spent from this  
35 appropriation for each program are  
36 specified in the following subdivisions.

37 Subd. 2. State Facilities Services

38 \$2,000,000 of the balance in the state  
39 building code account in the state  
40 government special revenue fund is  
41 canceled to the general fund.

42 \$1,950,000 the first year and  
43 \$1,950,000 the second year of the  
44 balance in the facilities repair and  
45 replacement account in the special  
46 revenue fund is canceled to the general  
47 fund.

48 Subd. 3. State and Community Services

49	(262,000)	(262,000)
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50 Subd. 4. Administrative Management Services

51	300,000	-0-
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52 \$300,000 the first year is for a grant

1 to Assistive Technology of Minnesota.  
 2 Of this amount, \$250,000 is for a  
 3 microloan program to support the  
 4 purchase of equipment and devices for  
 5 people with disabilities and their  
 6 families and employers and \$50,000 is  
 7 for the Access to Telework program.  
 8 This appropriation is available until  
 9 June 30, 2007.

10 Subd. 5. Public Broadcasting

11 Of the amounts appropriated for  
 12 community service grants to public  
 13 educational radio stations in 2005 S.F.  
 14 No. 1879, article 10, section 9,  
 15 subdivision 6, if enacted, \$26,000 the  
 16 first year and \$26,000 the second year  
 17 are for equipment grants to Minnesota  
 18 Public Radio, Inc.

19 Sec. 9. FINANCE

20 No later than June 30, 2006, and June  
 21 30, 2007, the commissioner of finance,  
 22 in consultation with the commissioner  
 23 of administration, must determine the  
 24 savings attributable to the "Drive to  
 25 Excellence" in fiscal year 2006 and  
 26 fiscal year 2007, respectively. The  
 27 savings are estimated to be \$500,000  
 28 for the biennium. The commissioner  
 29 must deposit the amount determined for  
 30 each year in the general fund.

31 Sec. 10. REVENUE

32 Subdivision 1. Total  
 33 Appropriation (2,500,000) (2,500,000)

34 The amounts that may be spent from this  
 35 appropriation for each program are  
 36 specified in the following subdivisions.

37 Subd. 2. Tax System Management

38 (2,075,000) (2,075,000)

39 Of the amounts appropriated in 2005  
 40 S.F. No. 1879, article 10, section 13,  
 41 subdivision 2, if enacted, \$30,000 the  
 42 first year and \$30,000 the second year  
 43 are for preparation of the income tax  
 44 sample.

45 Subd. 3. Debt Collection Management

46 (425,000) (425,000)

47 The commissioner, in consultation with  
 48 other state agencies and local units of  
 49 government, shall develop  
 50 recommendations for: (1) consolidating  
 51 and coordinating the collection of debt  
 52 owed to governmental units; (2)  
 53 eliminating the fragmentation of  
 54 contacts from government agencies with  
 55 debtors owing such debts; (3) reducing  
 56 the cost of collecting debt owed to  
 57 governmental units; and (4) the  
 58 collection of substantially larger

1 portions of the debt owed to all  
2 government units.

3 The commissioner shall report the  
4 recommendations to the governor and the  
5 chairs of the legislative committees  
6 with jurisdiction over the department  
7 by February 15, 2006.

8 Sec. 11. MILITARY AFFAIRS

9 Subdivision 1. Total  
10 Appropriation 5,713,000 6,230,000

11 Summary by Fund

12 General 5,375,000 5,375,000  
13 Special Revenue 338,000 855,000

14 The amounts that may be spent from this  
15 appropriation for each program are  
16 specified in the following subdivisions.

17 Subd. 2. General Support

18 25,000 25,000

19 \$25,000 the first year and \$25,000 the  
20 second year are for the operation and  
21 staffing of the Minnesota National  
22 Guard Youth Camp at Camp Ripley. This  
23 appropriation must be matched by  
24 nonstate sources.

25 Subd. 3. Enlistment Incentives

26 5,350,000 5,350,000

27 \$3,850,000 the first year and  
28 \$3,850,000 the second year are for the  
29 additional amount necessary for full  
30 funding of the tuition reimbursement  
31 program in Minnesota Statutes, section  
32 192.501, subdivision 2.

33 \$1,050,000 the first year and  
34 \$1,050,000 the second year are for  
35 reenlistment bonuses under Minnesota  
36 Statutes, section 192.501, subdivision  
37 1b.

38 \$338,000 the first year and \$855,000  
39 the second year are from the account  
40 established in new Minnesota Statutes,  
41 section 190.19, for grants under that  
42 section.

43 If appropriations for either year of  
44 the biennium are insufficient, the  
45 appropriation from the other year is  
46 available. The appropriations for  
47 enlistment incentives are available  
48 until expended.

49 Sec. 12. VETERANS AFFAIRS 425,000 943,000

50 Summary by Fund

51 General 88,000 88,000

1	Special Revenue	337,000	855,000
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2 The appropriations in 2005 S.F. No.  
3 1879, article 10, sections 16, 17, and  
4 18, if enacted, are transferred to the  
5 commissioner of Veterans Affairs.

6 \$103,000 the first year and \$103,000  
7 the second year are from the general  
8 fund, and \$337,000 the first year and  
9 \$855,000 the second year are from the  
10 account established in Minnesota  
11 Statutes, section 190.19, for grants to  
12 the following veterans' organizations  
13 and service organizations for services  
14 to veterans: Veterans of Foreign Wars,  
15 the Military Order of the Purple Heart,  
16 Disabled American Veterans, Vietnam  
17 Veterans of America, Vinland Center,  
18 and Minnesota Assistance Council for  
19 Veterans. The money may also be used  
20 for an outreach and assistance  
21 initiative for underserved veterans.  
22 This appropriation includes the base  
23 budget funding for Vietnam Veterans of  
24 America.

25	Sec. 13. GAMBLING CONTROL	274,000	274,000
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26 The special revenue fund appropriation  
27 is made from the lawful gambling  
28 regulation account.

29 \$274,000 the first year and \$274,000  
30 the second year are from the special  
31 revenue fund for additional gambling  
32 compliance regulators, and for upgrades  
33 to information technology.

34	Sec. 14. RACING COMMISSION	253,000	414,000
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35 The special revenue fund appropriations  
36 are from the racing and card playing  
37 regulation account.

38 \$156,000 in fiscal year 2005 is from  
39 the special revenue fund. \$113,000 of  
40 this amount is from the interim license  
41 fee authorized by Laws 2003, First  
42 Special Session chapter 1, article 2,  
43 section 69, to defray the regulatory  
44 oversight and legal costs associated  
45 with the class A license approved by  
46 the commission on January 19, 2005.  
47 Any unexpended portion of this  
48 appropriation remains available in  
49 fiscal year 2006.

50 \$253,000 the first year and \$414,000  
51 the second year are from the special  
52 revenue fund. The appropriation for  
53 fiscal year 2007 must be reduced by the  
54 amount of money appropriated from the  
55 interim license fee for fiscal year  
56 2005 that remains unobligated at the  
57 end of fiscal year 2006. The Racing  
58 Commission must file monthly  
59 expenditure reports with the  
60 commissioner of finance for money spent  
61 from this appropriation.

1 The Racing Commission may not hire new  
2 employees or enter into new contracts  
3 with this appropriation before  
4 resolution of the petition for judicial  
5 review filed by the Columbus Concerned  
6 Citizens Group.

7 Sec. 15. AMATEUR SPORTS  
8 COMMISSION (375,000) (375,000)

9 Sec. 16. 2005 S.F. No. 1879, article 10, section 33, if  
10 enacted, is amended to read:

11 Sec. 17. [GENERAL REDUCTION.]

12 The commissioner of finance shall reduce general fund  
13 appropriations to the departments and agencies listed in  
14 Minnesota Statutes, section 15.06, subdivision 1, and the Higher  
15 Education Services Office for state agency operations in the  
16 biennium ending June 30, 2007, by ~~\$14,526,000~~ \$9,526,000. This  
17 reduction is intended to reduce each agency's appropriation  
18 base. The commissioner must not reduce appropriations to the  
19 Departments of Agriculture, Corrections, Health, Human Services,  
20 Military Affairs, Public Safety, Revenue, or Veterans Affairs.

21 Sec. 18. [EFFECTIVE DATE.]

22 The appropriations for fiscal year 2005 are available the  
23 day following final enactment.

24 ARTICLE 2

25 STATE GOVERNMENT OPERATIONS

26 Section 1. Minnesota Statutes 2004, section 3.9741,  
27 subdivision 1, is amended to read:

28 Subdivision 1. [METROPOLITAN COMMISSION.] Upon the audit  
29 of the financial accounts and affairs of a commission under  
30 section 473.595, 473.604, or 473.703, the affected Metropolitan  
31 Commission is liable to the state for the total cost and  
32 expenses of the audit, including the salaries paid to the  
33 examiners while actually engaged in making the examination. The  
34 legislative auditor may bill the Metropolitan Commission either  
35 monthly or at the completion of the audit. All collections  
36 received for the audits ~~must-be-deposited-in-the-general~~  
37 fund shall be added to the appropriation for the legislative  
38 auditor.

39 Sec. 2. [6.755] [REPORTS TO THE LEGISLATURE.]

1 Section 3.195 applies to the state auditor. For purposes  
2 of determining whether members or employees of the legislature  
3 wish to receive reports or publications prepared by the state  
4 auditor, the state auditor may send a brief listing of reports  
5 to each member. The state auditor must deliver reports or  
6 publications to the legislature electronically whenever it is  
7 cost effective.

8 [EFFECTIVE DATE.] This section is effective the day  
9 following final enactment.

10 Sec. 3. [6.79] [DUTIES OF STATE AUDITOR; WAIVER OF RULES  
11 AND PROCEDURAL LAWS.]

12 The state auditor shall:

13 (1) accept applications from local government units for  
14 waivers of administrative rules and temporary, limited  
15 exemptions from enforcement of procedural requirements in state  
16 law, and determine whether to approve, modify, or reject the  
17 application; and

18 (2) accept applications for grants to local government  
19 units and related organizations proposing to promote cooperative  
20 efforts in public service delivery and determine whether to  
21 approve, modify, or reject the application.

22 Sec. 4. [6.80] [RULE AND LAW WAIVER REQUESTS.]

23 Subdivision 1. [GENERALLY.] (a) Except as provided in  
24 paragraph (b), a local government unit may request the state  
25 auditor to grant a waiver from one or more administrative rules  
26 or a temporary, limited exemption from enforcement of state  
27 procedural laws governing delivery of services by the local  
28 government unit. Two or more local government units may submit  
29 a joint application for a waiver or exemption under this section  
30 if they propose to cooperate in providing a service or program  
31 that is subject to the rule or law. Before submitting an  
32 application to the state auditor, the governing body of the  
33 local government unit must approve, in concept, the proposed  
34 waiver or exemption at a meeting required to be public under  
35 chapter 13D. A local government unit or two or more units  
36 acting jointly may apply for a waiver or exemption on behalf of

1 a nonprofit organization providing services to clients whose  
2 costs are paid by the unit or units. A waiver or exemption  
3 granted to a nonprofit organization under this section applies  
4 to services provided to all the organization's clients.

5 (b) A school district that is granted a variance from rules  
6 of the commissioner of education under section 122A.163, need  
7 not apply for a waiver of those rules under this section. A  
8 school district may not seek a waiver of rules under this  
9 section if the commissioner of education has authority to grant  
10 a variance to the rules under section 122A.163. This paragraph  
11 does not preclude a school district from being included in a  
12 cooperative effort with another local government unit under this  
13 section.

14 (c) Before petitioning the State Auditor's Office for an  
15 exemption from an administrative rule, the petitioner must have  
16 requested and been denied such an exemption from the appropriate  
17 agency pursuant to sections 14.055 and 14.056.

18 Subd. 2. [APPLICATION.] A local government unit requesting  
19 a waiver of a rule or exemption from enforcement of a law under  
20 this section shall present a written application to the state  
21 auditor. The application must include:

22 (1) the name and address of the entity for whom a waiver of  
23 a rule or exemption from enforcement of a law is being  
24 requested;

25 (2) identification of the service or program at issue;

26 (3) identification of the administrative rule or the law  
27 imposing a procedural requirement with respect to which the  
28 waiver or exemption is sought;

29 (4) a description of the improved service outcome sought,  
30 including an explanation of the effect of the waiver or  
31 exemption in accomplishing that outcome, and why that outcome  
32 cannot be accomplished under established rules or laws;

33 (5) information on the State Auditor's Office treatment on  
34 similar cases;

35 (6) the name, address, and telephone number of any person,  
36 business, or other government unit the petitioner knows would be



1 adversely affected by the grant of the petition; and

2 (7) a signed statement as to the accuracy of the facts  
3 presented.

4 A copy of the application must be provided by the requesting  
5 local government unit to the exclusive representative certified  
6 under section 179A.12 to represent employees who provide the  
7 service or program affected by the requested waiver or exemption.

8 Subd. 3. [REVIEW PROCESS.] (a) Upon receipt of an  
9 application from a local government unit, the state auditor  
10 shall review the application. The state auditor shall dismiss  
11 an application if the application proposes a waiver of rules or  
12 exemption from enforcement of laws that would result in due  
13 process violations, violations of federal law or the state or  
14 federal constitution, or the loss of services to people who are  
15 entitled to them.

16 (b) The state auditor shall determine whether a law from  
17 which an exemption for enforcement is sought is a procedural  
18 law, specifying how a local government unit is to achieve an  
19 outcome, rather than a substantive law prescribing the outcome  
20 or otherwise establishing policy. For the purposes of this  
21 section, "procedural law" does not include a statutory notice  
22 requirement. In making the determination, the state auditor  
23 shall consider whether the law specifies such requirements as:

24 (1) who must deliver a service;

25 (2) where the service must be delivered;

26 (3) to whom and in what form reports regarding the service  
27 must be made; and

28 (4) how long or how often the service must be made  
29 available to a given recipient.

30 (c) If the application is submitted by a local government  
31 unit in the metropolitan area or the unit requests a waiver of a  
32 rule or temporary, limited exemptions from enforcement of a  
33 procedural law over which the Metropolitan Council or a  
34 metropolitan agency has jurisdiction, the state auditor shall  
35 also transmit a copy of the application to the council for  
36 review and comment. The council shall report its comments to

1 the board within 60 days of the date the application was  
2 transmitted to the council. The council may point out any  
3 resources or technical assistance it may be able to provide a  
4 local government submitting a request under this section.

5 (d) Within 15 days after receipt of the application, the  
6 state auditor shall transmit a copy of it to the commissioner of  
7 each agency having jurisdiction over a rule or law from which a  
8 waiver or exemption is sought. The agency may mail a notice  
9 that it has received an application for a waiver or exemption to  
10 all persons who have registered with the agency under section  
11 14.14, subdivision 1a, identifying the rule or law from which a  
12 waiver or exemption is requested. If no agency has jurisdiction  
13 over the rule or law, the state auditor shall transmit a copy of  
14 the application to the attorney general. The agency shall  
15 inform the state auditor of its agreement with or objection to  
16 and grounds for objection to the waiver or exemption request  
17 within 60 days of the date when the application was transmitted  
18 to it. An agency's failure to do so is considered agreement to  
19 the waiver or exemption. The state auditor shall decide whether  
20 to grant a waiver or exemption at the end of the 60-day response  
21 period. Interested persons may submit written comments to the  
22 state auditor on the waiver or exemption request up to the end  
23 of the 60-day response period.

24 (e) If the exclusive representative of the affected  
25 employees of the requesting local government unit objects to the  
26 waiver or exemption request it may inform the state auditor of  
27 the objection to and the grounds for the objection to the waiver  
28 or exemption request within 60 days of the receipt of the  
29 application.

30 Subd. 4. [HEARING.] If a state agency under subdivision 3,  
31 paragraph (d), or the exclusive representative of the affected  
32 employees under subdivision 3, paragraph (e), has objected to a  
33 waiver or exemption request, the State Auditor's Office shall  
34 set a date for a hearing on the applications. The hearing must  
35 be conducted informally at a time and place determined by all  
36 parties. Persons representing the local government unit shall

1 present their case for the waiver or exemption, and persons  
2 representing the agency or the exclusive representative of the  
3 affected employees shall explain their objection to it. The  
4 state auditor may request additional information from the local  
5 government unit or either objecting party. The state auditor  
6 may also request, either before or at the hearing, information  
7 or comments from representatives of business, labor, local  
8 governments, state agencies, consultants, and members of the  
9 public. If necessary, the hearing may be continued for a later  
10 date. The state auditor may modify the terms of the waiver or  
11 exemption request in arriving at the agreement required under  
12 subdivision 5.

13 Subd. 5. [CONDITIONS OF AGREEMENTS.] (a) In determining  
14 whether to grant a petition for a waiver of a rule or exemption  
15 from enforcement of a law, the state auditor should consider the  
16 following factors:

17 (1) whether there is a true and unique impediment under  
18 current law to accomplishing the goal of the local government  
19 unit;

20 (2) granting the waiver of a rule or exemption from  
21 enforcement of law will only change procedural requirements of a  
22 local government unit;

23 (3) the purpose of any rule or law that is waived is still  
24 being met in another manner;

25 (4) granting the proposed waiver of a rule or exemption  
26 from enforcement of a law would result in a more efficient means  
27 of providing government services; and

28 (5) granting the proposed waiver will not have a  
29 significant negative impact on other state government, local  
30 government units, businesses, or citizens.

31 (b) If the state auditor grants a request for a waiver or  
32 exemption, the state auditor and the local government unit shall  
33 enter into an agreement providing for the delivery of the  
34 service or program that is the subject of the application. The  
35 agreement must specify desired outcomes, the reasons why the  
36 desired outcomes cannot be met under current laws or rules, and

1 the means of measurement by which the state auditor will  
2 determine whether the outcomes specified in the agreement have  
3 been met. The agreement must specify the duration of the waiver  
4 or exemption. The duration of a waiver from an administrative  
5 rule may be for no less than two years and no more than four  
6 years, subject to renewal if both parties agree. An exemption  
7 from enforcement of a law terminates ten days after adjournment  
8 of the regular legislative session held during the calendar year  
9 following the year when the exemption is granted, unless the  
10 legislature has acted to extend or make permanent the exemption.

11 (c) The state auditor must report any grants of waivers or  
12 exemptions to the legislature, including the chairs of the  
13 governmental operations and appropriate policy committees in the  
14 house and senate, and the governor within 30 days.

15 (d) The state auditor may reconsider or renegotiate the  
16 agreement if the rule or law affected by the waiver or exemption  
17 is amended or repealed during the term of the original  
18 agreement. A waiver of a rule under this section has the effect  
19 of a variance granted by an agency under section 14.055. A  
20 local unit of government that is granted an exemption from  
21 enforcement of a procedural requirement in state law under this  
22 section is exempt from that law for the duration of the  
23 exemption. The state auditor may require periodic reports from  
24 the local government unit, or conduct investigations of the  
25 service or program.

26 Subd. 6. [ENFORCEMENT.] If the state auditor finds that  
27 the local government unit is failing to comply with the terms of  
28 the agreement under subdivision 5, the state auditor may rescind  
29 the agreement. Upon the rescission, the local unit of  
30 government becomes subject to the rules and laws covered by the  
31 agreement.

32 Subd. 7. [ACCESS TO DATA.] If a local government unit,  
33 through a cooperative program under this section, gains access  
34 to data collected, created, received, or maintained by another  
35 local government that is classified as not public, the unit  
36 gaining access is governed by the same restrictions on access to

1 and use of the data as the unit that collected, created,  
2 received, or maintained the data.

3       Sec. 5. [6.81] [GRANTS PROMOTING COOPERATIVE EFFORTS IN  
4 PUBLIC SERVICE DELIVERY.]

5       Subdivision 1. [BOARD.] A cooperative grants board chaired  
6 by the state auditor, and made up of two members of the  
7 Minnesota house of representatives and two members of the  
8 Minnesota senate shall review applications for cooperative  
9 efforts in public service delivery made by local units of  
10 government for years in which funds have been appropriated for  
11 such a purpose. The state auditor, with the advice of the  
12 board, shall approve the applications.

13       The speaker of the house of representatives and the house  
14 of representatives minority leader shall each appoint a member  
15 to the board. The senate majority leader and the senate  
16 minority leader shall each appoint a member to the board.

17       Subd. 2. [GRANTS.] Two or more local government units; an  
18 association of local governments; a local unit of government  
19 acting in conjunction with the Metropolitan Council, an  
20 organization, or a state agency; or an organization formed by  
21 two or more local units of government under a joint powers  
22 agreement may apply to the board for a grant to be used to  
23 develop a plan for intergovernmental cooperation in providing  
24 services.

25       The purpose of the grants is to promote cooperative efforts  
26 in public service delivery by local units of government and  
27 include, but are not limited to, covering the initial start-up  
28 costs of a cooperative effort and costs associated with planning  
29 and integrating a service or function provided by two or more  
30 local government units. Agreements solely to make joint  
31 purchases are not sufficient to qualify under this section.

32       The application to the board must state what other sources  
33 of funding have been considered by the local units of government  
34 to implement the project and explain why it is not possible to  
35 complete the project without assistance from the board. The  
36 state auditor may not award a grant if it determines that the

1 local units of government could complete the project without  
2 board assistance. A copy of the application must be submitted  
3 by the applicants to the exclusive representatives certified  
4 under section 179A.12 to represent employees who provide the  
5 service or program affected by the application.

6 The state auditor shall award grants on the basis of each  
7 qualified applicant's score under the scoring system in  
8 subdivision 4. The amount of a grant under this section may not  
9 exceed \$50,000.

10 Subd. 3. [REPAYMENT OF GRANTS.] If the state auditor finds  
11 that the grantee has failed to implement the plan according to  
12 the terms of the grant agreement, it may require the grantee to  
13 repay all or a portion of the grant. All grant money repaid to  
14 the state under this section is appropriated to the board for  
15 additional grants.

16 Subd. 4. [COOPERATIVE GRANTS SCORING SYSTEM.] In deciding  
17 whether to award a grant promoting cooperative efforts in public  
18 service delivery, the board shall use the following scoring  
19 system:

20 (1) up to 15 points shall be awarded to reflect the extent  
21 to which the application demonstrates creative thinking, careful  
22 planning, cooperation, involvement of the clients of the  
23 affected service, and commitment to assume risk;

24 (2) up to 20 points shall be awarded to reflect the extent  
25 to which the proposed project is likely to improve the quality  
26 of the service and to have benefits for other local governments;

27 (3) up to 15 points shall be awarded to reflect the extent  
28 to which the application's budget provides sufficient detail,  
29 maximizes the use of state funds, documents the need for  
30 financial assistance, commits to local financial support, and  
31 limits expenditures to essential activities;

32 (4) up to 20 points shall be awarded to reflect the extent  
33 to which the application reflects the statutory goal of the  
34 grant program;

35 (5) up to 15 points shall be awarded to reflect the merit  
36 of the proposed project and the extent to which it warrants the

1 state's financial participation;

2 (6) up to five points shall be awarded to reflect the  
3 cost/benefit ratio projected for the proposed project;

4 (7) up to five points shall be awarded to reflect the  
5 number of government units participating in the proposal; and

6 (8) up to five points shall be awarded to reflect the  
7 minimum length of time the application commits to implementation.

8 Sec. 6. [10.60] [PUBLIC WEB SITES.]

9 Subdivision 1. [APPLICATION.] This section applies to a  
10 Web site that is:

11 (1) maintained on the World Wide Web;

12 (2) available for unrestricted public access; and

13 (3) maintained with public money by an elected or appointed  
14 official of a state agency or political subdivision.

15 Subd. 2. [PURPOSE OF WEB SITE.] The Web site must provide  
16 information about the duties and jurisdiction of a public  
17 official or government organization and facilitate access to  
18 public services. All material on the Web site must be directly  
19 related to the legal functions, duties, and jurisdiction of the  
20 public official or organization.

21 Subd. 3. [PHOTOGRAPHS; BIOGRAPHY.] An elected or appointed  
22 official may include one photograph of the official on the Web  
23 site. The official may not include any other photograph with  
24 the official's image on the Web site. The Web site may also  
25 include biographical information about the official.

26 Subd. 4. [POLICY INFORMATION.] An elected or appointed  
27 official may include on the Web site press releases, proposals,  
28 policy positions, and other information directly related to the  
29 official's legal duties and jurisdiction.

30 Subd. 5. [LINKS.] The Web site must not include electronic  
31 links to or information about Web sites maintained by  
32 individuals or political organizations.

33 Sec. 7. [10.61] [PERMISSIBLE PUBLICATIONS; PICTURE.]

34 An elected or appointed official of a state agency or  
35 political subdivision may use public money to print a  
36 publication for public circulation if the publication is

1 authorized by law or directly related to statutory duties and  
2 jurisdiction of the official. The publication may include one  
3 photograph of the elected or appointed official who is directly  
4 responsible for the duties relevant to the publication, but must  
5 not include any other photograph that includes an image of the  
6 official. The publication must not include the words with "the  
7 compliments of" or "greetings from," or other similar words with  
8 the official's name or photograph.

9       Sec. 8. Minnesota Statutes 2004, section 16A.055,  
10 subdivision 1, is amended to read:

11       Subdivision 1. [LIST.] (a) The commissioner shall:

12       (1) receive and record all money paid into the state  
13 treasury and safely keep it until lawfully paid out;

14       (2) manage the state's financial affairs;

15       (3) keep the state's general account books according to  
16 generally accepted government accounting principles;

17       (4) keep expenditure and revenue accounts according to  
18 generally accepted government accounting principles;

19       (5) develop, provide instructions for, prescribe, and  
20 manage a state uniform accounting system;

21       (6) provide to the state the expertise to ensure that all  
22 state funds are accounted for under generally accepted  
23 government accounting principles; and

24       (7) coordinate the development of, and maintain standards  
25 for, internal auditing in state agencies and, in cooperation  
26 with the commissioner of administration, report to the  
27 legislature and the governor by January 31 of odd-numbered  
28 years, on progress made.

29       (b) As part of the comprehensive annual financial report,  
30 the commissioner shall list any laws that require the state's  
31 general fund budget not to be reported in accordance with  
32 generally accepted government accounting principles.

33       Sec. 9. Minnesota Statutes 2004, section 16A.103,  
34 subdivision 1a, is amended to read:

35       Subd. 1a. [FORECAST PARAMETERS.] The forecast must assume  
36 the continuation of current laws and reasonable estimates of



1 projected growth in the national and state economies and  
2 affected populations. Revenue must be estimated for all sources  
3 provided for in current law. Expenditures must be estimated for  
4 all obligations imposed by law and those projected to occur as a  
5 result of variables outside the control of the  
6 legislature. ~~Expenditure-estimates-must-not-include-an~~  
7 ~~allowance-for-inflation.~~ Expenditures projected to occur as a  
8 result of deflation or inflation must be separately stated as a  
9 note for each forecasted program, but shall not constitute a  
10 forecast adjustment for purposes of section 16A.11, subdivision  
11 3, paragraph (b).

12 Sec. 10. Minnesota Statutes 2004, section 16A.103,  
13 subdivision 1b, is amended to read:

14 Subd. 1b. [FORECAST VARIABLE.] In determining the amount  
15 of state bonding as it affects debt service, the calculation of  
16 investment income, and the other variables to be included in the  
17 expenditure part of the forecast, the commissioner must consult  
18 with the chairs and lead minority members of the senate State  
19 Government Finance Committee and the house Ways and Means  
20 Committee, and legislative fiscal staff. This consultation must  
21 occur at least three weeks before the forecast is to be  
22 released. No later than two weeks prior to the release of the  
23 forecast, the commissioner must inform the chairs and lead  
24 minority members of the senate State-Government Finance  
25 Committee and the house Ways and Means Committee, and  
26 legislative fiscal staff of any changes in these variables from  
27 the previous forecast.

28 Sec. 11. Minnesota Statutes 2004, section 16A.11,  
29 subdivision 2, is amended to read:

30 Subd. 2. [PART ONE: MESSAGE.] Part one of the budget, the  
31 governor's message, shall include the governor's recommendations  
32 on the financial policy of the state for the coming biennium,  
33 describing the important features of the budget plan, embracing  
34 a general budget summary setting forth the aggregate figures of  
35 the budget so as to show the balanced relation between the total  
36 proposed expenditures and the total anticipated income, with the

1 basis and factors on which the estimates are made, the amount to  
2 be borrowed, and other means of financing the budget for the  
3 coming biennium, compared with the corresponding figures for at  
4 least the last two completed fiscal years and the current year.  
5 The budget plan must include recommendations on how to bring the  
6 budget into compliance with generally accepted governmental  
7 accounting principles. The budget plan shall be supported by  
8 explanatory schedules or statements, classifying its  
9 expenditures by agencies and funds, and the income by agencies,  
10 sources, funds, and the proposed amount of new borrowing, as  
11 well as proposed new tax or revenue sources. The budget plan  
12 shall be submitted for all special and dedicated funds, as well  
13 as the general fund, and shall include the estimated amounts of  
14 federal aids, for whatever purpose provided, together with  
15 estimated expenditures from them.

16 [EFFECTIVE DATE.] This section is effective the day  
17 following final enactment.

18 Sec. 12. Minnesota Statutes 2004, section 16C.26,  
19 subdivision 3, is amended to read:

20 Subd. 3. [PUBLICATION OF NOTICE; EXPENDITURES OVER  
21 ~~\$15,000~~ \$25,000.] If the amount of an expenditure is estimated  
22 to exceed ~~\$15,000~~ \$25,000, sealed bids must be solicited by  
23 public notice ~~inserted-at-least-once-in-a-newspaper-or-trade~~  
24 ~~journal-not-less-than-seven-days-before-the-final-date-of~~  
25 ~~submitting-bids~~ in a manner designated by the commissioner. The  
26 ~~commissioner-shall-designate-the-newspaper-or-trade-journal-for~~  
27 ~~that-publication-and-may-designate-different-newspapers-or~~  
28 ~~journals-according-to-the-nature-of-the-purchase-or~~  
29 ~~contract.~~ To the extent practical, this must include posting on  
30 a state Web site. For expenditures over \$50,000, the  
31 commissioner shall ~~also~~ solicit sealed bids by sending providing  
32 notices by-mail to all prospective bidders known to the  
33 commissioner and by posting notice on ~~a-public-bulletin-board-in~~  
34 ~~the-commissioner's-office~~ a state Web site at least ~~five~~ seven  
35 days before the final date of submitting bids. All bids over  
36 \$50,000 must be sealed when they are received and must be opened

1 in public at the hour stated in the notice. All original bids  
2 and all documents pertaining to the award of a contract must be  
3 retained and made a part of a permanent file or record and  
4 remain open to public inspection.

5 Sec. 13. Minnesota Statutes 2004, section 16C.26,  
6 subdivision 4, is amended to read:

7 Subd. 4. [BUILDING AND CONSTRUCTION CONTRACTS;  
8 ~~§15,000~~ \$50,000 OR LESS.] ~~All contracts, the amount of which is~~  
9 ~~estimated to be \$15,000 or less, may be made either upon~~  
10 ~~competitive bids or in the open market, in the discretion of the~~  
11 ~~commissioner. So far as practicable, however, they must be~~  
12 ~~based on at least three competitive bids which must be~~  
13 ~~permanently recorded.~~ An informal bid may be used for building,  
14 construction, and repair contracts that are estimated at less  
15 than \$50,000. Informal bids must be authenticated by the bidder  
16 in a manner specified by the commissioner.

17 Sec. 14. Minnesota Statutes 2004, section 16C.28,  
18 subdivision 2, is amended to read:

19 Subd. 2. [ALTERATIONS AND ERASURES.] A bid containing an  
20 alteration or erasure of any price contained in the bid which is  
21 used in determining the lowest responsible bid must be rejected  
22 unless the alteration or erasure is corrected ~~under this~~  
23 ~~subdivision~~ in a manner that is clear and authenticated by an  
24 authorized representative of the responder. An alteration or  
25 erasure may be crossed out and the correction printed in ink or  
26 typewritten adjacent to it and initialed ~~in ink by the person~~  
27 ~~signing the bid~~ by an authorized representative of the responder.

28 Sec. 15. Minnesota Statutes 2004, section 37.06, is  
29 amended to read:

30 37.06 [SECRETARY; LEGISLATIVE AUDITOR; DUTIES; REPORT.]

31 The secretary shall keep a complete record of the  
32 proceedings of the annual meetings of the State Agricultural  
33 Society and all meetings of the board of managers and any  
34 committee of the board, keep all accounts of the society other  
35 than those kept by the treasurer of the society, and perform  
36 other duties as directed by the board of managers. On or before

1 December 31 each year, the secretary shall report to the  
2 governor for the fiscal year ending October 31 all the  
3 proceedings of the society during the current year and its  
4 financial condition as appears from its books. This report must  
5 contain a full, detailed statement of all receipts and  
6 expenditures during the year.

7 The books and accounts of the society for the fiscal year  
8 must be examined and audited annually by the legislative  
9 auditor. The cost of the examination must be paid by the  
10 society to the state and credited to the ~~general-fund~~  
11 appropriation for the legislative auditor.

12 A summary of this examination, certified by the legislative  
13 auditor, must be appended to the secretary's report, along with  
14 the legislative auditor's recommendations and the proceedings of  
15 the first annual meeting of the society held following the  
16 secretary's report, including addresses made at the meeting as  
17 directed by the board of managers. The summary,  
18 recommendations, and proceedings must be printed in the same  
19 manner as the reports of state officers. Copies of the report  
20 must be printed annually and distributed as follows: to each  
21 society or association entitled to membership in the society, to  
22 each newspaper in the state, and the remaining copies as  
23 directed by the board of managers.

24 Sec. 16. [190.19] [MINNESOTA "SUPPORT OUR TROOPS"  
25 ACCOUNT.]

26 Subdivision 1. [ESTABLISHMENT.] The Minnesota "Support Our  
27 Troops" account is established in the special revenue fund. The  
28 account shall consist of contributions from private sources and  
29 appropriations.

30 Subd. 2. [GRANTS.] (a) The adjutant general may use money  
31 appropriated from the Minnesota "Support Our Troops" account for  
32 grants:

33 (1) directly to eligible individuals; or

34 (2) to one or more eligible foundations for the purpose of  
35 making grants to eligible individuals, as provided in this  
36 section.

1       (b) The term, "eligible individual" includes any person who  
2 is:

3       (1) a member of the Minnesota National Guard or a reserve  
4 unit based in Minnesota who has been called to active service as  
5 defined in section 190.05, subdivision 5;

6       (2) a Minnesota resident who is a member of a military  
7 reserve unit not based in Minnesota, if the member is called to  
8 active service as defined in section 190.05, subdivision 5;

9       (3) any other Minnesota resident performing active service  
10 for any branch of the military of the United States; and

11       (4) members of the immediate family of an individual  
12 identified in clause (1), (2), or (3). For purposes of this  
13 clause, "immediate family" means the individual's spouse and  
14 minor children and, if they are dependents of the member of the  
15 military, the member's parents, grandparents, siblings,  
16 stepchildren, and adult children.

17       (c) The term "eligible foundation" includes any  
18 organization that:

19       (1) is a tax-exempt organization under section 501(c)(3) of  
20 the Internal Revenue Code;

21       (2) has articles of incorporation under chapter 317A  
22 specifying the purpose of the organization as including the  
23 provision of financial assistance to members of the Minnesota  
24 National Guard and other United States armed forces reserves and  
25 their families and survivors; and

26       (3) agrees in writing to distribute any grant money  
27 received from the adjutant general under this section to  
28 eligible individuals as defined in this section and in  
29 accordance with any written policies and rules the adjutant  
30 general may impose as conditions of the grant to the foundation.

31       (d) The maximum grant awarded to an eligible individual in  
32 a calendar year with funds from the Minnesota "Support Our  
33 Troops" account, either through an eligible institution or  
34 directly from the adjutant general, may not exceed \$2,000.

35       Subd. 3. [ANNUAL REPORT.] The adjutant general must report  
36 by February 1, 2007, and each year thereafter, to the chairs and

1 ranking minority members of the legislative committees and  
2 divisions with jurisdiction over military and veterans' affairs  
3 on the number, amounts, and use of grants made by the adjutant  
4 general from the Minnesota "Support Our Troops" account in the  
5 previous year.

6 Sec. 17. Minnesota Statutes 2004, section 197.608,  
7 subdivision 5, is amended to read:

8 Subd. 5. [QUALIFYING USES.] The commissioner shall consult  
9 with the Minnesota Association of County Veterans Service  
10 Officers in developing a list of qualifying uses for grants  
11 awarded under this program. The commissioner is authorized to  
12 use any unexpended funding for this program to provide training  
13 and education for county veterans service officers.

14 [EFFECTIVE DATE.] This section is effective the day  
15 following enactment.

16 Sec. 18. [240.105.] [FRANCHISE FEES.]

17 (a) The franchise fee for a racetrack operated under a  
18 class A license is \$500,000 per year and must be remitted to the  
19 commissioner of finance on July 1 of each year for deposit in  
20 the general fund.

21 (b) The franchise fee for a card club authorized under  
22 sections 240.07, subdivision 3, paragraph (b); and 240.30 is 25  
23 percent on amounts annually received from charges authorized  
24 under section 240.30, subdivision 4, less amounts set aside for  
25 purse payments and the breeders fund, as required by section  
26 240.135. This fee must be remitted to the commissioner of  
27 finance on July 1 of each year for deposit in the general fund.

28 (c) The Racing Commission must prorate the fees charged  
29 under this section for a racetrack or card club beginning  
30 operations in the year the fee is payable.

31 Sec. 19. Minnesota Statutes 2004, section 349A.10,  
32 subdivision 3, is amended to read:

33 Subd. 3. [LOTTERY OPERATIONS.] (a) The director shall  
34 establish a lottery operations account in the lottery fund. The  
35 director shall pay all costs of operating the lottery, including  
36 payroll costs or amounts transferred to the state treasury for

1 payroll costs, but not including lottery prizes, from the  
2 lottery operating account. The director shall credit to the  
3 lottery operations account amounts sufficient to pay the  
4 operating costs of the lottery.

5 (b) Except as provided in paragraph (e), the director may  
6 not credit in any fiscal year thereafter amounts to the lottery  
7 operations account which when totaled exceed ±5 nine percent of  
8 gross revenue to the lottery fund in that fiscal year. In  
9 computing total amounts credited to the lottery operations  
10 account under this paragraph the director shall disregard  
11 amounts transferred to or retained by lottery retailers as sales  
12 commissions or other compensation.

13 (c) The director of the lottery may not expend after July  
14 1, 1991, more than 2-3/4 percent of gross revenues in a fiscal  
15 year for contracts for the preparation, publication, and  
16 placement of advertising.

17 (d) Except as the director determines, the lottery is not  
18 subject to chapter 16A relating to budgeting, payroll, and the  
19 purchase of goods and services.

20 (e) In addition to the amounts credited to the lottery  
21 operations account under paragraph (b), the director is  
22 authorized, if necessary, to meet the current obligations of the  
23 lottery and to credit up to 25 percent of an amount equal to the  
24 average annual amount which was authorized to be credited to the  
25 lottery operations account for the previous three fiscal years  
26 but was not needed to meet the obligations of the lottery.

27 Sec. 20. Minnesota Statutes 2004, section 363A.28,  
28 subdivision 6, is amended to read:

29 Subd. 6. [CHARGE PROCESSING.] ~~{±}~~ (a) Consistent with  
30 ~~clause-~~{7}~~~~ paragraph (g), the commissioner shall promptly  
31 inquire into the truth of the allegations of the charge. The  
32 commissioner shall make an immediate inquiry when a charge  
33 alleges actual or threatened physical violence. The  
34 commissioner shall also make an immediate inquiry when it  
35 appears that a charge is frivolous or without merit and shall  
36 dismiss those charges.

1 The commissioner shall give priority to investigating and  
2 processing those charges, in the order below, which the  
3 commissioner determines have the following characteristics:

4 {a} (1) there is evidence of irreparable harm if immediate  
5 action is not taken;

6 {b} (2) there is evidence that the respondent has  
7 intentionally engaged in a reprisal;

8 {c} (3) a significant number of recent charges have been  
9 filed against the respondent;

10 {d} (4) the respondent is a government entity;

11 {e} (5) there is potential for broadly promoting the  
12 policies of this chapter; or

13 {f} (6) the charge is supported by substantial and credible  
14 documentation, witnesses, or other evidence.

15 The commissioner shall inform charging parties of these  
16 priorities and shall tell each party if their charge is a  
17 priority case or not.

18 On other charges the commissioner shall make a  
19 determination within 12 months after the charge was filed as to  
20 whether or not there is probable cause to credit the allegation  
21 of unfair discriminatory practices,--and. The amount of time  
22 during which another enforcement agency is investigating a case  
23 under a work-sharing agreement is not counted in computing the  
24 12-month period, provided that the commissioner makes a  
25 determination within 24 months after the charge is filed.

26 {2} (b) If the commissioner determines after investigation  
27 that no probable cause exists to credit the allegations of the  
28 unfair discriminatory practice, the commissioner shall, within  
29 ten days of the determination, serve upon the charging party and  
30 respondent written notice of the determination. Within ten days  
31 after receipt of notice, the charging party may request in  
32 writing, on forms prepared by the department, that the  
33 commissioner reconsider the determination. The request shall  
34 contain a brief statement of the reasons for and new evidence in  
35 support of the request for reconsideration. At the time of  
36 submission of the request to the commissioner, the charging



1 party shall deliver or mail to the respondent a copy of the  
2 request for reconsideration. The commissioner shall reaffirm,  
3 reverse, or vacate and remand for further consideration the  
4 determination of no probable cause within 20 days after receipt  
5 of the request for reconsideration, and shall within ten days  
6 notify in writing the charging party and respondent of the  
7 decision to reaffirm, reverse, or vacate and remand for further  
8 consideration.

9 A decision by the commissioner that no probable cause  
10 exists to credit the allegations of an unfair discriminatory  
11 practice shall not be appealed to the Court of Appeals pursuant  
12 to section 363A.36 or sections 14.63 to 14.68.

13 ~~(3)~~ (c) If the commissioner determines after investigation  
14 that probable cause exists to credit the allegations of unfair  
15 discriminatory practices, the commissioner shall serve on the  
16 respondent and the respondent's attorney if the respondent is  
17 represented by counsel, by first class mail, a notice setting  
18 forth a short plain written statement of the alleged facts which  
19 support the finding of probable cause and an enumeration of the  
20 provisions of law allegedly violated. If the commissioner  
21 determines that attempts to eliminate the alleged unfair  
22 practices through conciliation pursuant to subdivision 8 have  
23 been or would be unsuccessful or unproductive, the commissioner  
24 shall issue a complaint and serve on the respondent, by  
25 registered or certified mail, a written notice of hearing  
26 together with a copy of the complaint, requiring the respondent  
27 to answer the allegations of the complaint at a hearing before  
28 an administrative law judge at a time and place specified in the  
29 notice, not less than ten days after service of said complaint.  
30 A copy of the notice shall be furnished to the charging party  
31 and the attorney general.

32 ~~(4)~~ (d) If, at any time after the filing of a charge, the  
33 commissioner has reason to believe that a respondent has engaged  
34 in any unfair discriminatory practice, the commissioner may file  
35 a petition in the district court in a county in which the  
36 subject of the complaint occurs, or in a county in which a

1 respondent resides or transacts business, seeking appropriate  
2 temporary relief against the respondent, pending final  
3 determination of proceedings under this chapter, including an  
4 order or decree restraining the respondent from doing or  
5 procuring an act tending to render ineffectual an order the  
6 commissioner may enter with respect to the complaint. The court  
7 shall have power to grant temporary relief or a restraining  
8 order as it deems just and proper, but no relief or order  
9 extending beyond ten days shall be granted except by consent of  
10 the respondent or after hearing upon notice to the respondent  
11 and a finding by the court that there is reasonable cause to  
12 believe that the respondent has engaged in a discriminatory  
13 practice. Except as modified by subdivisions 1 to 9 and section  
14 363A.06, subdivision 4, the Minnesota Rules of Civil Procedure  
15 shall apply to an application, and the district court shall have  
16 authority to grant or deny the relief sought on conditions as it  
17 deems just and equitable. All hearings under subdivisions 1 to  
18 9 and section 363A.06, subdivision 4, shall be given precedence  
19 as nearly as practicable over all other pending civil actions.

20 ~~(5)~~ (e) If a lessor, after engaging in a discriminatory  
21 practice defined in section 363A.09, subdivision 1, clause (a),  
22 leases or rents a dwelling unit to a person who has no knowledge  
23 of the practice or of the existence of a charge with respect to  
24 the practice, the lessor shall be liable for actual damages  
25 sustained by a person by reason of a final order as provided in  
26 subdivisions 1 to 9 and section 363A.06, subdivision 4,  
27 requiring the person to be evicted from the dwelling unit.

28 ~~(6)~~ (f) In any complaint issued under subdivisions 1 to 9  
29 and section 363A.06, subdivision 4, the commissioner may seek  
30 relief for a class of individuals affected by an unfair  
31 discriminatory practice occurring on or after a date one year  
32 prior to the filing of the charge from which the complaint  
33 originates.

34 ~~(7)~~ (g) The commissioner may adopt policies to determine  
35 which charges are processed and the order in which charges are  
36 processed based on their particular social or legal

1 significance, administrative convenience, difficulty of  
2 resolution, or other standard consistent with the provisions of  
3 this chapter.

4 ~~(g)~~ (h) The chief administrative law judge shall adopt  
5 policies to provide sanctions which may include, but are not  
6 limited to, damages, attorney fees, and costs for intentional  
7 and frivolous delay caused by any charging party or respondent  
8 in an investigation, hearing, or any other aspect of proceedings  
9 before the department under this chapter. The department, as  
10 well as any charging party or respondent, may petition the chief  
11 administrative law judge for an order imposing sanctions.

12 Sec. 21. Minnesota Statutes 2004, section 363A.35,  
13 subdivision 3, is amended to read:

14 Subd. 3. [ACCESS TO CLOSED FILES.] (a) Except as otherwise  
15 provided in this subdivision, human rights investigative data  
16 contained in a closed case file are private data on individuals  
17 or nonpublic data. The name and address of the charging party  
18 and respondent, factual basis of the allegations, the statute  
19 under which the action is brought, the part of the summary of  
20 the investigation that does not contain identifying data on a  
21 person other than the complainant or respondent, and the  
22 commissioner's memorandum determining whether probable cause has  
23 been shown are public data. After a file has been closed, the  
24 commissioner may disclose data about a closed case file to  
25 another governmental entity to assist that entity in processing  
26 a complaint or to eliminate duplication of efforts in the  
27 investigation of the same or similar facts as alleged in the  
28 charge. To the extent that data are disclosed to other  
29 governmental entities, it must be stipulated that section 13.03,  
30 subdivision 4, applies to the classification of the data. The  
31 commissioner must notify those who are the subject of the data  
32 when a disclosure is made under this subdivision.

33 (b) The commissioner may make human rights investigative  
34 data contained in a closed case file inaccessible to the  
35 charging party or the respondent in order to protect medical or  
36 other security interests of the parties or third persons.

1           Sec. 22. Laws 1998, chapter 404, section 15, subdivision  
2 2, as amended by Laws 2005, chapter 20, article 1, section 40,  
3 is amended to read:

4 Subd. 2. National Sports Center 4,800,000

5 \$1,700,000 is to purchase and develop  
6 land adjacent to the National Sports  
7 Center in Blaine for use as athletic  
8 fields.

9 \$3,100,000 is to develop the National  
10 Children's Golf Course. The primary  
11 purpose of the National Children's Golf  
12 Course is to serve youth of 18 years  
13 and younger. Market rates must be  
14 charged for adult golf.

15 The Minnesota Amateur Sports Commission  
16 may lease up to 20 percent of the area  
17 of the land purchased with money from  
18 the general fund appropriations in this  
19 subdivision for a term of up to 30  
20 years to one or more governmental or  
21 private entities for any use by the  
22 lessee, whether public or private, so  
23 long as the use provides some benefit  
24 to amateur sports. ~~Lease-payments~~  
25 ~~received-by-the-commission-are~~  
26 ~~appropriated-to-the-commission-for-the~~  
27 ~~purposes-specified-in-Minnesota~~  
28 ~~Statutes,-chapter-240A.~~ The land  
29 purchased from the general fund  
30 appropriations may be used for any  
31 amateur sport.

32           [EFFECTIVE DATE.] This section is effective retroactively  
33 on the effective date of Laws 2005, chapter 20, article 1,  
34 section 40.

35           Sec. 23. [STATE HEALTH CARE PURCHASING AUTHORITY.]

36           Subdivision 1. [PURCHASING AUTHORITY CREATED.] By December  
37 15, 2005, the commissioner of employee relations, in  
38 consultation with the commissioners of health, human services,  
39 labor and industry, corrections, commerce, and administration  
40 and the Minnesota Comprehensive Health Association board of  
41 directors shall enter into interagency agreements regarding the  
42 formation of the Minnesota Health Care Purchasing Authority for  
43 the purpose of implementing a unified strategy and joint  
44 purchasing of health care services for the state of Minnesota.  
45 The strategy shall include implementing a process that examines  
46 the health care purchasing decisions and coverage in terms of  
47 cost and medical efficacy based on reliable research evidence to  
48 ensure access to appropriate and necessary health care. By

1 December 15, 2006, the commissioners shall submit to the  
2 legislature a report and proposed legislation for the creation  
3 of the purchasing authority as a distinct agency of state  
4 government responsible for all state purchasing of health care.

5 Subd. 2. [PRINCIPLES OF STATE PURCHASING.] The purchasing  
6 authority shall prepare and submit to the governor and  
7 legislature an annual report and plan for the unified purchasing  
8 of health care services. The plan must:

9 (1) promote personal choice and responsibility;

10 (2) encourage and promote better health of patients and  
11 residents of the state;

12 (3) provide incentives to privately based health plans and  
13 health care delivery systems to improve efficiency and quality;

14 (4) use community standards and measurement methods for  
15 determining the value of specific health care services based on  
16 quality and performance; and

17 (5) separate the health care purchasing functions of state  
18 government from those activities relating to regulation and  
19 delivery of services, but require consistent use of uniform  
20 quality and performance standards and methods for purchasing,  
21 regulation, and delivery of health care services.

22 Subd. 3. [PURCHASING AND COVERAGE GUIDELINES.] The  
23 purchasing authority shall convene a panel of health care policy  
24 experts and health care providers to establish a process to  
25 select evidence-based guidelines based on sound research  
26 evidence and implement an integrated approach using these  
27 guidelines for purchasing decisions and coverage design.

28 Subd. 4. [PUBLIC AND PRIVATE PURCHASERS.] (a) The  
29 purchasing authority shall prepare and submit to the governor  
30 and legislature by December 15, 2005, a plan for permitting  
31 public employers, including school districts, cities, counties,  
32 and other governmental entities to purchase a secure benefit set  
33 through the state purchasing authority. The secure benefit set  
34 must include the services described under subdivision 6.

35 (b) Notwithstanding any laws to the contrary, the  
36 commissioner of employee relations may expand the range of

1 health coverage options available to purchase under the public  
2 employees insurance program established under Minnesota  
3 Statutes, section 43A.316, including the option to purchase the  
4 secure benefit set as defined under subdivision 6. Under this  
5 option, public employers may purchase health coverage for their  
6 employees through the public employees insurance program  
7 beginning July 1, 2006.

8 (c) The purchasing authority shall include in the plan  
9 described in paragraph (a) recommendations for:

10 (1) a process for permitting nursing homes and other  
11 long-term care providers to purchase the secure benefit set  
12 through the state health care purchasing authority as part of a  
13 separate risk pool; and

14 (2) a process for permitting private employers with 49 or  
15 fewer employees and individuals to purchase the secure benefit  
16 set as part of a separate risk pool through the state health  
17 care purchasing authority beginning January 1, 2009.

18 Subd. 5. [COORDINATION AND COMMON STANDARDS FOR STATE  
19 PURCHASING AND REGULATION.] The purchasing authority, in  
20 consultation with all state agencies, boards, and commissioners  
21 that have responsibility for purchasing or for regulating  
22 individuals and organizations that provide health coverage or  
23 deliver health care services, shall prepare and submit to the  
24 governor and legislature by December 15, 2006, a report and  
25 proposed legislation that will:

26 (1) require all state purchasing and regulatory  
27 requirements to use common standards and measurement methods for  
28 quality and performance; and

29 (2) provide for the coordination of health care purchasing  
30 strategies and activities administered by the state, including,  
31 but not limited to, the state employees group insurance plan,  
32 the public employees insurance program, purchasing activities  
33 for public and private employers and individuals established  
34 under subdivision 4, and health care programs administered by  
35 the commissioner of human services or the commissioner of health.

36 Subd. 6. [SECURE BENEFIT SET DEVELOPMENT.] The purchasing

1 authority, in consultation with a panel of health care policy  
2 experts, shall define a secure benefit set that includes  
3 coverage for preventive health services, as specified in  
4 preventive services guidelines for children and adults developed  
5 by the Institute for Clinical Systems Improvement, prescription  
6 drug coverage, and catastrophic coverage. Nothing in this  
7 section authorizes the purchasing authority to change the  
8 benefits covered by the medical assistance, MinnesotaCare, or  
9 general assistance medical care programs to the extent these  
10 benefits are specified in state or federal law.

11 Subd. 7. [SPECIAL POPULATIONS.] In developing a plan for  
12 the unified purchasing of health care services and a secure  
13 benefit set, the purchasing authority must take into account the  
14 needs of special populations, including, but not limited to,  
15 persons who are elderly or disabled and persons with chronic  
16 conditions.

17 Subd. 8. [COST AND QUALITY DISCLOSURE.] The purchasing  
18 authority, in cooperation with organizations representing  
19 consumers, employers, physicians and other health professionals,  
20 hospitals, long-term care facilities, health plan companies,  
21 quality improvement organizations, research and education  
22 institutions, and other appropriate constituencies, shall  
23 identify and contract with a private, nonprofit organization to  
24 serve as a statewide source of comparative information on health  
25 care costs and quality.

26 Sec. 24. [LABOR AGREEMENTS AND COMPENSATION PLANS.]

27 Subdivision 1. [AMERICAN FEDERATION OF STATE, COUNTY, AND  
28 MUNICIPAL EMPLOYEES.] The arbitration award and labor agreement  
29 between the state of Minnesota and the American Federation of  
30 State, County, and Municipal Employees, unit 8, approved by the  
31 Legislative Coordinating Commission Subcommittee on Employee  
32 Relations on June 14, 2004, is ratified.

33 Subd. 2. [MINNESOTA LAW ENFORCEMENT ASSOCIATION;  
34 ARBITRATION AWARD.] The arbitration award between the state of  
35 Minnesota and the Minnesota Law Enforcement Association,  
36 approved by the Legislative Coordinating Commission Subcommittee

1 on Employee Relations on June 14, 2004, is ratified.

2 Subd. 3. [HIGHER EDUCATION SERVICES OFFICE; COMPENSATION  
3 PLAN.] The compensation plan for unrepresented employees of the  
4 Higher Education Services Office, approved by the Legislative  
5 Coordinating Commission Subcommittee on Employee Relations on  
6 June 14, 2004, is ratified.

7 Subd. 4. [MINNESOTA LAW ENFORCEMENT ASSOCIATION;  
8 BARGAINING AGREEMENT.] The collective bargaining agreement  
9 between the state of Minnesota and the Minnesota Law Enforcement  
10 Association, submitted to the Legislative Coordinating  
11 Commission Subcommittee on Employee Relations on September 29,  
12 2004, and implemented after 30 days on October 30, 2004, is  
13 ratified.

14 Subd. 5. [INTER FACULTY ORGANIZATION.] The collective  
15 bargaining agreement between the state of Minnesota and the  
16 Inter Faculty Organization, submitted to the Legislative  
17 Coordinating Commission Subcommittee on Employee Relations on  
18 September 29, 2004, and implemented after 30 days on October 29,  
19 2004, is ratified.

20 Subd. 6. [MINNESOTA NURSES ASSOCIATION.] The arbitration  
21 award and the collective bargaining agreement between the state  
22 of Minnesota and the Minnesota Nurses Association, approved by  
23 the Legislative Coordinating Commission Subcommittee on Employee  
24 Relations on December 20, 2004, is ratified.

25 Subd. 7. [TEACHERS RETIREMENT ASSOCIATION.] The proposal  
26 to increase the salary of the executive director of the Teachers  
27 Retirement Association, as modified and approved by the  
28 Legislative Coordinating Commission Subcommittee on Employee  
29 Relations on December 20, 2004, is ratified.

30 Subd. 8. [MINNESOTA STATE RETIREMENT SYSTEM.] The proposal  
31 to increase the salary of the executive director of the  
32 Minnesota State Retirement System, as modified and approved by  
33 the Legislative Coordinating Commission Subcommittee on Employee  
34 Relations on December 20, 2004, is ratified.

35 Subd. 9. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION.] The  
36 proposal to increase the salary of the executive director of the



1 Public Employees Retirement Association, as modified and  
2 approved by the Legislative Coordinating Commission Subcommittee  
3 on Employee Relations on December 20, 2004, is ratified.

4 [EFFECTIVE DATE.] This section is effective the day  
5 following final enactment.

6 Sec. 25. [TRAINING SERVICES.]

7 During the biennium ending June 30, 2007, state executive  
8 branch agencies must consider using services provided by  
9 Government Training Services before contracting with other  
10 outside vendors for similar services.

11 Sec. 26. [PORTRAITS IN CAPITOL.]

12 The Capitol Area Architectural and Planning Board, in  
13 consultation with the Minnesota Historical Society, must request  
14 the Smithsonian Institute to extend the period during which the  
15 portraits of Julie Finch Gilbert and Cass Gilbert are displayed  
16 in the Capitol building. In negotiating an extension of the  
17 loan period, the board must request that the portraits remain on  
18 display in the Capitol when they are not being publicly  
19 displayed elsewhere, but must recognize that it is desirable for  
20 the portraits to be displayed in other buildings designed by  
21 Cass Gilbert, in conjunction with centennial celebrations for  
22 those buildings.

23 Sec. 27. [REPEALER.]

24 Minnesota Statutes 2004, sections 16B.52; and 363A.29,  
25 subdivision 2, are repealed.

26 ARTICLE 3

27 REAL ESTATE RECORDING FEES AND STANDARDS

28 Section 1. Minnesota Statutes 2004, section 357.18, is  
29 amended to read:

30 357.18 [COUNTY RECORDER.]

31 Subdivision 1. [COUNTY RECORDER FEES.] The fees to be  
32 charged by the county recorder shall be as-fellows and not  
33 exceed the following:

34 (1) for indexing and recording any deed or other instrument  
35 \$1-for-each-page-of-an-instrument,-with-a-minimum-fee-of-\$15 a  
36 fee of \$40; \$4.50 shall be paid to the state treasury and

1 credited to the general fund; \$10 shall be deposited in the  
2 technology fund pursuant to subdivision 3; and \$25.50 to the  
3 county general fund;

4 (2) for documents containing multiple assignments, partial  
5 releases or satisfactions ~~\$10-for-each-document-number-or-book~~  
6 ~~and-page-cited~~ a fee of \$40; if the document cites more than  
7 four recorded instruments, an additional fee of \$10 for each  
8 additional instrument cited over the first four citations;

9 (3) for certified copies of any records or papers, ~~\$1-fer~~  
10 ~~each-page-of-an-instrument-with-a-minimum-fee-of-\$5~~ \$10;

11 (4) for a noncertified copy of any instrument or writing on  
12 file or recorded in the office of the county recorder, or any  
13 specified page or part of it, an amount as determined by the  
14 county board for each page or fraction of a page specified. If  
15 computer or microfilm printers are used to reproduce the  
16 instrument or writing, a like amount per image;

17 (5) for an abstract of title, the fees shall be determined  
18 by resolution of the county board duly adopted upon the  
19 recommendation of the county recorder, and the fees shall not  
20 exceed \$5 \$10 for every entry, ~~\$50~~ \$100 for abstract  
21 certificate, \$1 per page for each exhibit included within an  
22 abstract as a part of an abstract entry, and ~~\$2~~ \$5 per name for  
23 each required name search certification;

24 ~~{5}~~ (6) for a copy of an official plat filed pursuant to  
25 section 505.08, the fee shall be ~~\$9-50~~ \$10 and an additional 50  
26 cents \$5 shall be charged for the certification of each plat;

27 ~~{6}~~ (7) for filing an amended floor plan in accordance with  
28 chapter 515, an amended condominium plat in accordance with  
29 chapter 515A, or a common interest community plat or amendment  
30 complying with section 515B.2-110, subsection (c), the fee shall  
31 be 50 cents per apartment or unit with a minimum fee of ~~\$30~~ \$50;

32 ~~{7}~~ (8) for a copy of a floor plan filed pursuant to  
33 chapter 515, a copy of a condominium plat filed in accordance  
34 with chapter 515A, or a copy of a common interest community plat  
35 complying with section 515B.2-110, subsection (c), the fee shall  
36 be \$1 for each page of the floor plan, condominium plat or

1 common interest community plat with a minimum fee of \$10;  
 2 (9) for recording any plat, a fee of \$50, of which \$4.50  
 3 must be paid to the state treasury and credited to the general  
 4 fund, \$10 must be deposited in the technology fund pursuant to  
 5 subdivision 3, and \$35.50 must be deposited in the county  
 6 general fund; and

7 (10) for a noncertified copy of any document submitted for  
 8 recording, if the original document is accompanied by a copy or  
 9 duplicate original, \$2. Upon receipt of the copy or duplicate  
 10 original and payment of the fee, a county recorder shall return  
 11 it marked "copy" or "duplicate," showing the recording date and,  
 12 if available, the document number assigned to the original.

13 Subd. 1a. [ABSTRACTING SERVICE FEES.] Fees fixed by or  
 14 established pursuant to subdivision 1 shall be the maximum fee  
 15 charged in all counties where the county recorder performs  
 16 abstracting services and shall be charged by persons authorized  
 17 to perform abstracting services in county buildings pursuant to  
 18 section 386.18.

19 Subd. 2. [FEES FOR RECORDING INSTRUMENTS IN COUNTY  
 20 RECORDER OFFICE.] Notwithstanding the provisions of any general  
 21 or special law to the contrary, the established fees pursuant to  
 22 subdivision 1 shall be the fee charged in fees-prescribed-by  
 23 this-section-shall-govern all counties for the specified  
 24 service, the-filing-or-recording-of-all-instruments-in-the  
 25 office-of-the-county-recorder other than Uniform Commercial Code  
 26 documents, and documents filed or recorded pursuant to sections  
 27 270.69, subdivision 2, paragraph (c), 272.481 to 272.488,  
 28 277.20, and 386.77.

29 Subd. 3. ~~{SURCHARGE-} In addition to the fees imposed in~~  
 30 ~~subdivision 1, a \$4.50 surcharge shall be collected on each~~  
 31 ~~fee charged under subdivision 1, clauses (1) and (6), and for~~  
 32 ~~each abstract certificate under subdivision 1, clause (4).~~  
 33 ~~Fifty cents of each surcharge shall be retained by the county to~~  
 34 ~~cover its administrative costs and \$4 shall be paid to the state~~  
 35 ~~treasury and credited to the general fund.~~

36 Subd. 4. [EQUIPMENT TECHNOLOGY FUND.] ~~\$1 of each~~ The \$10

1 fee collected under subdivision 1, clause (1), shall be  
2 deposited in an ~~equipment~~ a technology fund to for obtaining,  
3 maintaining, and updating current technology and equipment to  
4 provide services from the record system. The fund shall be  
5 disbursed at the county recorder's discretion to provide modern  
6 information services from the records system. The fund is a  
7 supplemental fund and shall not be construed to diminish the  
8 duty of the county governing body to furnish funding for  
9 expenses and personnel necessary in the performance of the  
10 duties of said office pursuant to section 386.015, subdivision  
11 6, paragraph (a), clause (2), and to comply with the  
12 requirements of section 357.182.

13 Subd. 5 4. [VARIANCE FROM STANDARDS.] A document ~~that does~~  
14 ~~not~~ should conform to the standards in section 507.093,  
15 paragraph (a), ~~shall not be recorded except upon payment of an~~  
16 ~~additional fee of \$10 per document~~ but should not be rejected  
17 unless the document is not legible or cannot be archived. This  
18 subdivision applies only to documents dated after July 31, 1997,  
19 and does not apply to Minnesota uniform conveyancing  
20 ~~blanks contained in the book of forms~~ on file in the office of  
21 the commissioner of commerce provided for under section 507.09,  
22 certified copies, or any other form provided for under Minnesota  
23 Statutes.

24 Subd. 5. [REGISTRAR OF TITLES' FEES.] The fees to be  
25 charged by the registrar of titles are in sections 508.82 and  
26 508A.82.

27 Sec. 2. [357.182] [COUNTY FEES AND RECORDING STANDARDS FOR  
28 THE RECORDING OF REAL ESTATE DOCUMENTS.]

29 Subdivision 1. [APPLICATION.] Unless otherwise specified  
30 in this section and notwithstanding any other law to the  
31 contrary, effective August 1, 2005, this section applies to each  
32 county in Minnesota. Documents presented for recording within  
33 60 days after the effective date of this section and that are  
34 acknowledged, sworn to before a notary, or certified before to  
35 the effective date of this section must not be rejected for  
36 failure to include the new filing fee.

1        Subd. 2. [FEE RESTRICTIONS.] Notwithstanding any local law  
2 or ordinance to the contrary, no county may charge or collect  
3 any fee, special or otherwise, or however described, other than  
4 a fee denominated or prescribed by state law, for any service,  
5 task, or step performed by any county officer or employee in  
6 connection with the receipt, recording, and return of any  
7 recordable instrument by the county recorder or registrar of  
8 titles, whether received by mail, in person, or by electronic  
9 delivery, including, but not limited to, opening mail; handling,  
10 transferring, or transporting the instrument; certifying no  
11 delinquent property taxes; payment of state deed tax, mortgage  
12 registry tax, or conservation fee; recording of approved plats,  
13 subdivision splits, or combinations; or any other prerequisites  
14 to recording, and returning the instrument by regular mail or in  
15 person to the person identified in the instrument for that  
16 purpose.

17        Subd. 3. [RECORDING REQUIREMENTS.] Each county recorder  
18 and registrar of titles shall, within 15 business days after any  
19 instrument in recordable form accompanied by payment of  
20 applicable fees by customary means is delivered to the county  
21 for recording or is otherwise received by the county recorder or  
22 registrar of titles for that purpose, record and index the  
23 instrument in the manner provided by law and return it by  
24 regular mail or in person to the person identified in the  
25 instrument for that purpose, if the instrument does not require  
26 certification of no-delinquent taxes, payment of state deed tax,  
27 mortgage registry tax, or conservation fee. Each county must  
28 establish a policy for the timely handling of instruments that  
29 require certification of no-delinquent taxes, payment of state  
30 deed tax, mortgage registry tax, or conservation fee and that  
31 policy may allow up to an additional five business days at the  
32 request of the office or offices responsible to complete the  
33 payment and certification process.

34        For calendar years 2009 and 2010, the maximum time allowed  
35 for completion of the recording process for documents presented  
36 in recordable form will be 15 business days.

1 For calendar year 2011 and thereafter, the maximum time  
2 allowed for completion of the recording process for documents  
3 presented in recordable form will be ten business days.

4 Instruments recorded electronically are to be returned no  
5 later than five business days after receipt by the county in a  
6 recordable format.

7 Subd. 4. [COMPLIANCE WITH RECORDING REQUIREMENTS.] For  
8 calendar year 2007, a county shall be deemed to be in compliance  
9 with the recording requirements prescribed by subdivision 3 if  
10 at least 60 percent of all recordable instruments described in  
11 subdivision 3 and received by the county in that year are  
12 recorded and returned within the time limits prescribed in  
13 subdivision 3. In calendar year 2008, at least 70 percent of  
14 all recordable instruments must be recorded and returned in  
15 compliance with the recording requirements; for calendar year  
16 2009, at least 80 percent of all recordable instruments must be  
17 recorded and returned in compliance with the recording  
18 requirements; and for calendar year 2010 and later years, at  
19 least 90 percent of all recordable instruments must be recorded  
20 and returned in compliance with the recording requirements.

21 Subd. 5. [TEMPORARY SUSPENSION OF COMPLIANCE WITH  
22 RECORDING REQUIREMENTS.] Compliance with the requirements of  
23 subdivision 4 may be suspended for up to six months when a  
24 county undertakes material enhancements to its systems for  
25 receipt, handling, paying of deed and mortgage tax and  
26 conservation fees, recording, indexing, certification, and  
27 return of instruments. The six-month suspension may be extended  
28 for up to an additional six months if a county board finds by  
29 resolution that the additional time is necessary because of the  
30 difficulties of implementing the enhancement.

31 Subd. 6. [CERTIFICATION OF COMPLIANCE WITH RECORDING  
32 REQUIREMENTS.] Effective beginning in 2007 for the 2008 county  
33 budget and in each year thereafter, the county recorder and  
34 registrar of titles for each county shall file with the county  
35 commissioners, as part of their budget request, a report that  
36 establishes the status for the previous year of their compliance

1 with the requirements established in subdivision 3. If the  
2 office has not achieved compliance with the recording  
3 requirements, the report must include an explanation of the  
4 failure to comply, recommendations by the recorder or registrar  
5 to cure the noncompliance and to prevent a reoccurrence and a  
6 proposal identifying actions, deadlines, and funding necessary  
7 to bring the county into compliance.

8       Subd. 7. [RESTRICTION ON USE OF RECORDING  
9 FEES.] Notwithstanding any law to the contrary, for county  
10 budgets adopted after January 1, 2006, each county shall  
11 segregate the additional unallocated fee authorized by sections  
12 357.18, 508.82, and 508A.82 from the application of the  
13 provisions of chapters 386, 507, 508, and 508A, in an  
14 appropriate account. These funds are available as authorized by  
15 the Board of County Commissioners for supporting enhancements to  
16 the recording process, including electronic recording, to fund  
17 compliance efforts specified in subdivision 5 and for use in  
18 undertaking data integration and aggregation projects. Money  
19 remains in the account until expended for any of the authorized  
20 purposes set forth in this subdivision. This money must not be  
21 used to supplant the normal operating expenses for the office of  
22 county recorder or registrar of titles.

23       Sec. 3. Minnesota Statutes 2004, section 505.08,  
24 subdivision 2, is amended to read:

25       Subd. 2. [PUBLIC CERTIFIED COPIES.] The copies of the  
26 official plat or of the exact reproducible copy shall be  
27 compared and certified to by the county recorder in the manner  
28 in which certified copies of records are issued in the  
29 recorder's office, and the copy thereof shall be bound in a  
30 proper volume for the use of the general public and anyone shall  
31 have access to and may inspect such certified copy at their  
32 pleasure. When the plat includes both registered and  
33 nonregistered land two copies thereof shall be so certified and  
34 bound, one for such general public use in each of the offices of  
35 the county recorder and registrar of titles; provided, however,  
36 that only one such copy so certified and bound shall be provided

1 for general public use in those counties wherein the office  
2 quarters of the county recorder and registrar of titles are one  
3 and the same. When the copy, or any part thereof, shall become  
4 unintelligible from use or wear or otherwise, at the request of  
5 the county recorder it shall be the duty of the county surveyor  
6 to make a reproduction copy of the official plat, or the exact  
7 transparent reproducible copy under the direct supervision of  
8 the county recorder, who shall compare the copy, certify that it  
9 is a correct copy thereof, by proper certificate as above set  
10 forth, and it shall be bound in the volume, and under the page,  
11 and in the place of the discarded copy. In counties not having  
12 a county surveyor the county recorder shall employ a licensed  
13 land surveyor to make such reproduction copy, at the expense of  
14 the county. The county recorder shall receive as a fee for  
15 filing these plats, as aforesaid described, ~~50-cents-per-let,~~  
16 ~~but-shall-receive-not-less-than-\$30-for-any-plat-filed-in-the~~  
17 ~~recorder's-office~~ pursuant to section 357.18, subdivision 1.  
18 Reproductions from the exact transparent reproducible copy shall  
19 be available to any person upon request and the cost of such  
20 reproductions shall be paid by the person making such request.  
21 If a copy of the official plat is requested the county recorder  
22 shall prepare it and duly certify that it is a copy of the  
23 official plat and the cost of such copy shall be paid by the  
24 person making such request.

25 Sec. 4. [507.094] [ELECTRONIC RECORDING.]

26 A county that participated in the pilot project referred to  
27 by section 507.24, subdivision 2, for the electronic filing of  
28 real estate documents under the task force originally created in  
29 Laws 2000, chapter 391, may continue to record or file documents  
30 electronically, provided:

31 (1) the county complies with standards adopted by the task  
32 force; and

33 (2) the county uses software that was validated by the task  
34 force.

35 For purposes of this section, the term "record or file"  
36 means record in the office of the county recorder or file in the



1 office of the registrar of titles.

2 [EFFECTIVE DATE.] This section is effective the day  
3 following final enactment.

4 Sec. 5. Minnesota Statutes 2004, section 508.82, is  
5 amended to read:

6 508.82 [REGISTRAR'S REGISTRAR OF TITLES' FEES.]

7 Subdivision 1. [STANDARD DOCUMENTS.] The fees to be paid  
8 to charged by the registrar of titles shall be as follows and  
9 not exceed the following:

10 (1) of the fees provided herein, five-percent \$1.50 of the  
11 fees collected under clauses (3), ~~(5), (11), (13)~~, (4), (10),  
12 (12), (14), (16), and (17), for filing or memorializing shall be  
13 paid to the ~~commissioner-of-finance~~ state treasury pursuant to  
14 section 508.75 and credited to the general fund; ~~plus a \$4.50~~  
15 ~~surcharge shall be charged and collected in addition to the~~  
16 ~~total fees charged for each transaction under clauses (2), (3),~~  
17 ~~(5), (11), (13), (14), (16), and (17), with 50 cents of this~~  
18 ~~surcharge to be retained by the county to cover its~~  
19 ~~administrative costs, and \$4 to be paid to the state treasury~~  
20 ~~and credited to the general fund;~~

21 (2) for registering a first certificate of title, including  
22 issuing a copy of it, ~~\$30~~ \$40. Pursuant to clause (1),  
23 distribution of this fee is as follows:

24 (i) \$4.50 shall be paid to the state treasury and credited  
25 to the general fund;

26 (ii) \$10 shall be deposited in the technology fund pursuant  
27 to section 357.18, subdivision 3; and

28 (iii) \$25.50 shall be deposited to the county general fund;

29 (3) for registering each instrument transferring the fee  
30 simple title for which a new certificate of title is issued and  
31 for the registration of the new certificate of title, including  
32 a copy of it, ~~\$30~~ \$40. Pursuant to clause (1), distribution of  
33 this fee is as follows:

34 (i) \$1.50 shall be paid to the state treasury and credited  
35 to the general fund;

36 (ii) \$4.50 shall be paid to the state treasury and credited

1 to the general fund;

2 (iii) \$10 shall be deposited in the technology fund

3 pursuant to section 357.18, subdivision 3; and

4 (iv) \$24 shall be deposited to the county general fund;

5 ~~(4) for-issuance-of-a-CERT-pursuant-to-section-508-3517~~  
6 ~~\$157~~

7 ~~(5) for the entry of each memorial on a~~

8 certificate, ~~\$15~~ \$40. For multiple certificate entries, \$20

9 thereafter. Pursuant to clause (1), distribution of this fee is

10 as follows:

11 (i) \$1.50 shall be paid to the state treasury and credited  
12 to the general fund;

13 (ii) \$4.50 shall be paid to the state treasury and credited  
14 to the general fund;

15 (iii) \$10 shall be deposited in the technology fund

16 pursuant to section 357.18, subdivision 3;

17 (iv) \$24 shall be deposited to the county general fund; and

18 (v) \$20 shall be deposited to the county general fund for  
19 each multiple entry used;

20 ~~(6)~~ (5) for issuing each residue certificate, \$20 \$40;

21 ~~(7)~~ (6) for exchange certificates, \$10 \$20 for each  
22 certificate canceled and \$10 \$20 for each new certificate  
23 issued;

24 ~~(8)~~ (7) for each certificate showing condition of the  
25 register, \$10 \$50;

26 ~~(9)~~ (8) for any certified copy of any instrument or writing  
27 on file or recorded in the registrar's registrar of titles'  
28 office, the-same-fees-allowed-by-law-to-county-recorders-for \$10  
29 like-services;

30 ~~(10)~~ (9) for a noncertified copy of any certificate of  
31 title, other than the copies issued under clauses (2) and (3),  
32 any instrument or writing on file or recorded in the office of  
33 the registrar of titles, or any specified page or part of it, an  
34 amount as determined by the county board for each page or  
35 fraction of a page specified. If computer or microfilm printers  
36 are used to reproduce the instrument or writing, a like amount

1 per image;

2 ~~(11)~~ (10) for a noncertified copy of any document submitted  
3 for recording, if the original document is accompanied by a copy  
4 or duplicate original, \$2. Upon receipt of the copy or duplicate  
5 original and payment of the fee, a registrar of titles shall  
6 return it marked "copy" or "duplicate," showing the recording  
7 date and, if available, the document number assigned to the  
8 original;

9 (11) for filing two copies of any plat in the office of the  
10 registrar, ~~\$30~~ \$50. Pursuant to clause (1), distribution of  
11 this fee is as follows:

12 (i) \$1.50 shall be paid to the state treasury and credited  
13 to the general fund;

14 (ii) \$4.50 shall be paid to the state treasury and credited  
15 to the general fund;

16 (iii) \$10 shall be deposited in the technology fund  
17 pursuant to section 357.18, subdivision 3; and

18 (iv) \$34 shall be deposited to the county general fund;

19 (12) for any other service under this chapter, such fee as  
20 the court shall determine;

21 (13) for filing an amendment to a declaration in  
22 accordance with chapter 515, ~~\$40~~ \$40 for each certificate upon  
23 which the document is registered and ~~\$30~~ for multiple  
24 certificate entries, \$20 thereafter; \$50 for an amended floor  
25 plan filed in accordance with chapter 515. Pursuant to clause  
26 (1), distribution of this fee is as follows:

27 (i) \$1.50 shall be paid to the state treasury and credited  
28 to the general fund;

29 (ii) \$4.50 shall be paid to the state treasury and credited  
30 to the general fund;

31 (iii) \$10 shall be deposited in the technology fund  
32 pursuant to section 357.18, subdivision 3;

33 (iv) \$24 shall be deposited to the county general fund for  
34 amendment to a declaration;

35 (v) \$20 shall be deposited to the county general fund for  
36 each multiple entry used; and

1 (vi) \$34 shall be deposited to the county general fund for  
2 an amended floor plan;

3 (14) for issuance of a CECT pursuant to section 508.351,  
4 \$40;

5 ~~(14)~~ (15) for filing an amendment to a common interest  
6 community declaration and plat or amendment complying with  
7 section 515B.2-110, subsection (c), ~~\$10~~ \$40 for each certificate  
8 upon which the document is registered and ~~\$30~~ for multiple  
9 certificate entries, \$20 thereafter and \$50 for the filing of  
10 the condominium or common interest community plat or amendment.  
11 Pursuant to clause (1), distribution of this fee is as follows:

12 (i) \$1.50 shall be paid to the state treasury and credited  
13 to the general fund;

14 (ii) \$4.50 shall be paid to the state treasury and credited  
15 to the general fund; administrative costs;

16 (iii) \$10 shall be deposited in the technology fund  
17 pursuant to section 357.18, subdivision 3;

18 (iv) \$24 shall be deposited to the county general fund for  
19 the filing of an amendment complying with section 515B.2-110,  
20 subsection (c);

21 (v) \$20 shall be deposited to the county general fund for  
22 each multiple entry used; and

23 (vi) \$34 shall be deposited to the county general fund for  
24 the filing of a condominium or CIC plat or amendment;

25 ~~(15)~~ (16) for a copy of a condominium floor plan filed in  
26 accordance with chapter 515, or a copy of a common interest  
27 community plat complying with section 515B.2-110, subsection  
28 (c), the fee shall be \$1 for each page of the floor plan or  
29 common interest community plat with a minimum fee of \$10;

30 ~~(16)~~ (17) for the filing of a certified copy of a plat of  
31 the survey pursuant to section 508.23 or 508.671, ~~\$10~~ \$40.

32 Pursuant to clause (1), distribution of this fee is as follows:

33 (i) \$1.50 shall be paid to the state treasury and credited  
34 to the general fund;

35 (ii) \$4.50 shall be paid to the state treasury and credited  
36 to the general fund;

1        (iii) \$10 shall be deposited in the technology fund  
2 pursuant to section 357.18, subdivision 3; and  
3        (iv) \$24 shall be deposited to the county general fund;  
4        ~~(17)~~ (18) for filing a registered land survey in triplicate  
5 in accordance with section 508.47, subdivision 4, ~~\$30~~ \$50.  
6 Pursuant to clause (1), distribution of this fee is as follows:  
7        (i) \$1.50 shall be paid to the state treasury and credited  
8 to the general fund;  
9        (ii) \$4.50 shall be paid to the state treasury and credited  
10 to the general fund;  
11        (iii) \$10 shall be deposited in the technology fund  
12 pursuant to section 357.18, subdivision 3; and  
13        (iv) \$34 shall be deposited to the county general fund; and  
14        ~~(18)~~ (19) for furnishing a certified copy of a registered  
15 land survey in accordance with section 508.47, subdivision  
16 4, ~~\$10~~ \$15.

17        Subd. 1a. [FEES FOR RECORDING INSTRUMENTS WITH REGISTRAR  
18 OF TITLES' OFFICE.] Notwithstanding the provisions of any  
19 general or special law to the contrary, and pursuant to section  
20 357.182, the established fees pursuant to subdivision 1 shall be  
21 the fee charged in all counties for the specified service, other  
22 than Uniform Commercial Code documents and documents filed or  
23 recorded pursuant to sections 270.69, subdivision 2, paragraph  
24 (c); 272.481 to 272.488; 277.20; and 386.77.

25        Subd. 2. [VARIANCE FROM STANDARDS.] A document that does  
26 not should conform to the standards in section 507.093,  
27 paragraph (a), shall-not-be-filed-except-upon-payment-of-an  
28 additional-fee-of-\$10-per-document but should not be rejected  
29 unless the document is not legible or cannot be archived. This  
30 subdivision applies only to documents dated after July 31, 1997,  
31 and does not apply to Minnesota uniform conveyancing  
32 blanks contained-in-the-book-of-forms on file in the office of  
33 the commissioner of commerce provided for under section 507.09,  
34 certified copies, or any other form provided for under Minnesota  
35 Statutes.

36        Sec. 6. Minnesota Statutes 2004, section 508A.82, is

1 amended to read:

2 508A.82 [~~REGISTRAR'S~~ REGISTRAR OF TITLES' FEES.]

3 Subdivision 1. [STANDARD DOCUMENTS.] The fees to be paid  
4 to be charged by the registrar of titles shall be as follows and  
5 not exceed the following:

6 (1) of the fees provided herein, ~~five-percent~~ \$1.50 of the  
7 fees collected under clauses (3), (5), (11), (13), ~~(14)~~ (15),  
8 and ~~(17)~~, (18) for filing or memorializing shall be paid to the  
9 ~~commissioner-of-finance~~ state treasury pursuant to section  
10 508.75 and credited to the general fund; ~~plus-a-\$4.50-surcharge~~  
11 ~~shall-be-charged-and-collected-in-addition-to-the-total-fees~~  
12 ~~charged-for-each-transaction-under-clauses-(2)-(3)-(5)-(11)-~~  
13 ~~(13)-(14)-and-(17)-with-50-cents-of-this-surcharge-to-be~~  
14 ~~retained-by-the-county-to-cover-its-administrative-costs,-and-\$4~~  
15 ~~to-be-paid-to-the-state-treasury-and-credited-to-the-general~~  
16 ~~fund;~~

17 (2) for registering a first CPT, including issuing a copy  
18 of it, ~~\$30~~, \$40. Pursuant to clause (1), distribution of the  
19 fee is as follows:

20 (i) \$4.50 shall be paid to the state treasury and credited  
21 to the general fund;

22 (ii) \$10 shall be deposited in the technology fund pursuant  
23 to section 357.18, subdivision 3; and

24 (iii) \$25.50 shall be deposited to the county general fund;

25 (3) for registering each instrument transferring the fee  
26 simple title for which a new CPT is issued and for the  
27 registration of the new CPT, including a copy of it, ~~\$30~~, \$40.  
28 Pursuant to clause (1), distribution of the fee is as follows:

29 (i) \$1.50 shall be paid to the state treasury and credited  
30 to the general fund;

31 (ii) \$4.50 shall be paid to the state treasury and credited  
32 to the general fund;

33 (iii) \$10 shall be deposited in the technology fund  
34 pursuant to section 357.18, subdivision 3; and

35 (iv) \$24 shall be deposited to the county general fund;

36 (4) for issuance of a CECT pursuant to section 508A.351,

1 \$15;

2 (5) for the entry of each memorial on a CPT, ~~\$15~~ \$40; for  
3 multiple certificate entries, \$20 thereafter. Pursuant to  
4 clause (1) distribution of the fee is as follows:

5 (i) \$1.50 shall be paid to the state treasury and credited  
6 to the general fund;

7 (ii) \$4.50 shall be paid to the state treasury and credited  
8 to the general fund;

9 (iii) \$10 shall be deposited in the technology fund  
10 pursuant to section 357.18, subdivision 3;

11 (iv) \$24 shall be deposited to the county general fund; and

12 (v) \$20 shall be deposited to the county general fund for  
13 each multiple entry used;

14 (6) for issuing each residue CPT, ~~\$20~~ \$40;

15 (7) for exchange CPTs or combined certificates of title,  
16 ~~\$10~~ \$20 for each CPT and certificate of title canceled and  
17 ~~\$10~~ \$20 for each new CPT or combined certificate of title  
18 issued;

19 (8) for each CPT showing condition of the  
20 register, ~~\$10~~ \$50;

21 (9) for any certified copy of any instrument or writing on  
22 file or recorded in the ~~registrar's~~ registrar of titles' office,  
23 ~~the-same-fees-allowed-by-law-to-county-recorders-for-like~~  
24 ~~services~~ \$10;

25 (10) for a noncertified copy of any CPT, other than the  
26 copies issued under clauses (2) and (3), any instrument or  
27 writing on file or recorded in the office of the registrar of  
28 titles, or any specified page or part of it, an amount as  
29 determined by the county board for each page or fraction of a  
30 page specified. If computer or microfilm printers are used to  
31 reproduce the instrument or writing, a like amount per image;

32 (11) for a noncertified copy of any document submitted for  
33 recording, if the original document is accompanied by a copy or  
34 duplicate original, \$2. Upon receipt of the copy or duplicate  
35 original and payment of the fee, a registrar of titles shall  
36 return it marked "copy" or "duplicate," showing the recording

1 date and, if available, the document number assigned to the  
2 original;

3 (12) for filing two copies of any plat in the office of the  
4 registrar, ~~30~~ \$50. Pursuant to clause (1), distribution of  
5 the fee is as follows:

6 (i) \$1.50 shall be paid to the state treasury and credited  
7 to the general fund;

8 (ii) \$4.50 shall be paid to the state treasury and credited  
9 to the general fund;

10 (iii) \$10 shall be deposited in the technology fund  
11 pursuant to section 357.18, subdivision 3; and

12 (iv) \$34 shall be deposited to the county general fund;

13 ~~(12)~~ (13) for any other service under sections 508A.01 to  
14 508A.85, the fee the court shall determine;

15 ~~(13)~~ (14) for filing an amendment to a declaration in  
16 accordance with chapter 515, ~~10~~ \$40 for each certificate upon  
17 which the document is registered and ~~30~~ for multiple  
18 certificate entries, \$20 thereafter; \$50 for an amended floor  
19 plan filed in accordance with chapter 515~~7~~. Pursuant to clause  
20 (1), distribution of the fee is as follows:

21 (i) \$1.50 shall be paid to the state treasury and credited  
22 to the general fund;

23 (ii) \$4.50 shall be paid to the state treasury and credited  
24 to the general fund;

25 (iii) \$10 shall be deposited in the technology fund  
26 pursuant to section 357.18, subdivision 3;

27 (iv) \$24 shall be deposited to the county general fund for  
28 amendment to a declaration;

29 (v) \$20 shall be deposited to the county general fund for  
30 each multiple entry used; and

31 (vi) \$34 shall be deposited to the county general fund for  
32 an amended floor plan;

33 ~~(14)~~ (15) for issuance of a CECT pursuant to section  
34 508.351, \$40;

35 (16) for filing an amendment to a common interest community  
36 declaration and plat or amendment complying with section



1 515B.2-110, subsection (c), and issuing a CECT if  
2 required, ~~the~~ \$40 for each certificate upon which the document  
3 is registered and ~~\$30~~ for multiple certificate entries, \$20  
4 thereafter; \$50 for the filing of the condominium or common  
5 interest community plat or amendment~~†~~. Pursuant to clause (1),  
6 distribution of the fee is as follows:

7 (i) \$1.50 shall be paid to the state treasury and credited  
8 to the general fund;

9 (ii) \$4.50 shall be paid to the state treasury and credited  
10 to the general fund;

11 (iii) \$10 shall be deposited in the technology fund  
12 pursuant to section 357.18, subdivision 3;

13 (iv) \$24 shall be deposited to the county general fund for  
14 the filing of an amendment complying with section 515B.2-110,  
15 subsection (c);

16 (v) \$20 shall be deposited to the county general fund for  
17 each multiple entry used; and

18 (vi) \$34 shall be deposited to the county general fund for  
19 the filing of a condominium or CIC plat or amendment;

20 ~~(15)~~ (17) for a copy of a condominium floor plan filed in  
21 accordance with chapter 515, or a copy of a common interest  
22 community plat complying with section 515B.2-110, subsection  
23 (c), the fee shall be \$1 for each page of the floor plan, or  
24 common interest community plat with a minimum fee of \$10;

25 ~~(16)~~ (18) in counties in which the compensation of the  
26 examiner of titles is paid in the same manner as the  
27 compensation of other county employees, for each parcel of land  
28 contained in the application for a CPT, as the number of parcels  
29 is determined by the examiner, a fee which is reasonable and  
30 which reflects the actual cost to the county, established by the  
31 board of county commissioners of the county in which the land is  
32 located;

33 ~~(17)~~ (19) for filing a registered land survey in triplicate  
34 in accordance with section 508A.47, subdivision 4, ~~\$30†~~ and \$50.  
35 Pursuant to clause (1), distribution of the fee is as follows:

36 (i) \$1.50 shall be paid to the state treasury and credited

1 to the general fund;

2 (ii) \$4.50 shall be paid to the state treasury and credited

3 to the general fund;

4 (iii) \$10 shall be deposited in the technology fund

5 pursuant to section 357.18, subdivision 3; and

6 (iv) \$34 shall be deposited to the county general fund; and

7 ~~(10)~~ (20) for furnishing a certified copy of a registered

8 land survey in accordance with section 508A.47, subdivision

9 4, ~~\$10~~ \$15.

10 Subd. 1a. [FEES TO RECORD INSTRUMENTS WITH REGISTRAR OF  
11 TITLES.] Notwithstanding any special law to the contrary, and  
12 pursuant to section 357.182, the established fees pursuant to  
13 subdivision 1 shall be the fee charged in all counties for the  
14 specified service, other than Uniform Commercial Code documents,  
15 and documents filed or recorded pursuant to sections 270.69,  
16 subdivision 2, paragraph (c); 272.481 to 272.488; 277.20; and  
17 386.77.

18 Subd. 2. [VARIANCE FROM STANDARDS.] A document that does  
19 not should conform to the standards in section 507.093,  
20 paragraph (a), ~~shall not be filed except upon payment of an~~  
21 ~~additional fee of \$10 per document~~ but should not be rejected  
22 unless the document is not legible or cannot be archived. This  
23 subdivision applies only to documents dated after July 31, 1997,  
24 and does not apply to Minnesota uniform conveyancing  
25 blanks ~~contained in the book of forms~~ on file in the office of  
26 the commissioner of commerce provided for under section 507.09,  
27 certified copies, or any other form provided for under Minnesota  
28 Statutes.

29 Sec. 7. Minnesota Statutes 2004, section 515B.1-116, is  
30 amended to read:

31 515B.1-116 [RECORDING.]

32 (a) A declaration, bylaws, any amendment to a declaration  
33 or bylaws, and any other instrument affecting a common interest  
34 community shall be entitled to be recorded. In those counties  
35 which have a tract index, the county recorder shall enter the  
36 declaration in the tract index for each unit affected. The

1 registrar of titles shall file the declaration in accordance  
2 with section 508.351 or 508A.351.

3 (b) The recording officer shall upon request promptly  
4 assign a number (CIC number) to a common interest community to  
5 be formed or to a common interest community resulting from the  
6 merger of two or more common interest communities.

7 (c) Documents recorded pursuant to this chapter shall in  
8 the case of registered land be filed, and references to the  
9 recording of documents shall mean filed in the case of  
10 registered land.

11 (d) Subject to any specific requirements of this chapter,  
12 if a recorded document relating to a common interest community  
13 purports to require a certain vote or signatures approving any  
14 restatement or amendment of the document by a certain number or  
15 percentage of unit owners or secured parties, and if the  
16 amendment or restatement is to be recorded pursuant to this  
17 chapter, an affidavit of the president or secretary of the  
18 association stating that the required vote or signatures have  
19 been obtained shall be attached to the document to be recorded  
20 and shall constitute prima facie evidence of the representations  
21 contained therein.

22 (e) If a common interest community is located on registered  
23 land, the recording fee for any document affecting two or more  
24 units shall be ~~the then current fee for registering the document~~  
25 ~~on the certificates of title for the first ten affected~~  
26 ~~certificates and one third of the then current fee for each~~  
27 ~~additional affected certificate~~ \$40 for the first ten affected  
28 certificates and \$10 for each additional affected certificate.  
29 This provision shall not apply to recording fees for deeds of  
30 conveyance, with the exception of deeds given pursuant to  
31 sections 515B.2-119 and 515B.3-112.

32 (f) Except as permitted under this subsection, a recording  
33 officer shall not file or record a declaration creating a new  
34 common interest community, unless the county treasurer has  
35 certified that the property taxes payable in the current year  
36 for the real estate included in the proposed common interest

1 community have been paid. This certification is in addition to  
2 the certification for delinquent taxes required by section  
3 272.12. In the case of preexisting common interest communities,  
4 the recording officer shall accept, file, and record the  
5 following instruments, without requiring a certification as to  
6 the current or delinquent taxes on any of the units in the  
7 common interest community: (i) a declaration subjecting the  
8 common interest community to this chapter; (ii) a declaration  
9 changing the form of a common interest community pursuant to  
10 section 515B.2-123; or (iii) an amendment to or restatement of  
11 the declaration, bylaws, or CIC plat. In order for an  
12 instrument to be accepted and recorded under the preceding  
13 sentence, the instrument must not create or change unit or  
14 common area boundaries.

15 Sec. 8. [ELECTRONIC REAL ESTATE RECORDING TASK FORCE.]

16 Subdivision 1. [MEMBERSHIP.] (a) A task force of 14  
17 members shall study and make recommendations for the  
18 establishment of a system for the electronic filing and  
19 recording of real estate documents. Members who are appointed  
20 under this section shall serve for a term of two years  
21 commencing on June 30, 2005. The task force shall select its  
22 chair. The task force must include:

23 (1) three county government officials appointed by the  
24 Association of County Officers, including one county recorder,  
25 one county auditor, and one county treasurer;

26 (2) two county board members appointed by the Association  
27 of Minnesota Counties, including one board member from within  
28 the seven-county metropolitan area, and one board member from  
29 outside the seven-county metropolitan area;

30 (3) seven members from the private sector appointed by the  
31 governor, including representatives of:

32 (i) real estate attorneys, real estate agents, and public  
33 and private land surveyors;

34 (ii) title companies, mortgage companies, and other real  
35 estate lenders; and

36 (iii) technical and industry experts in electronic commerce

1 and electronic records management and preservation;

2 (4) a representative selected by the Minnesota Historical  
3 Society; and

4 (5) the secretary of state.

5 (b) The task force may refer items to subcommittees. The  
6 chair shall appoint the membership of a subcommittee. An  
7 individual may be appointed to serve on a subcommittee without  
8 serving on the task force.

9 Subd. 2. [STUDY AND RECOMMENDATIONS.] The task force shall  
10 study and make recommendations regarding implementation of a  
11 system for electronic filing and recording of real estate  
12 documents and shall consider:

13 (1) technology and computer needs;

14 (2) legal issues such as authenticity, security, timing and  
15 priority of recordings, and the relationship between electronic  
16 and paper recording systems;

17 (3) the cost-effectiveness of electronic recording systems;

18 (4) a timetable and plan for implementing an electronic  
19 recording system, considering types of documents and entities  
20 using the system and volume of recordings;

21 (5) the respective benefits and disadvantages of permissive  
22 versus mandatory systems; and

23 (6) other relevant issues identified by the task force.

24 The task force shall submit a report to the legislature by  
25 January 15, 2006, outlining a proposed work plan and budget for  
26 consideration by the legislature. The task force expires June  
27 30, 2007.

28 Subd. 3. [DONATIONS.] The real estate task force  
29 established under this act may accept donations of money or  
30 resources, including loaned employees or other services. The  
31 donations must be under the exclusive control of the task force.

32 [EFFECTIVE DATE.] This section is effective the day  
33 following final enactment and expires June 30, 2007.

34 Sec. 9. [REPEALER.]

35 Minnesota Statutes 2004, section 386.30, is repealed.

36

ARTICLE 4

## 1 OFFICE OF ENTERPRISE TECHNOLOGY

2 Section 1. Minnesota Statutes 2004, section 10A.01,  
3 subdivision 35, is amended to read:

4 Subd. 35. [PUBLIC OFFICIAL.] "Public official" means any:

5 (1) member of the legislature;

6 (2) individual employed by the legislature as secretary of  
7 the senate, legislative auditor, chief clerk of the house,  
8 revisor of statutes, or researcher, legislative analyst, or  
9 attorney in the Office of Senate Counsel and Research or House  
10 Research;

11 (3) constitutional officer in the executive branch and the  
12 officer's chief administrative deputy;

13 (4) solicitor general or deputy, assistant, or special  
14 assistant attorney general;

15 (5) commissioner, deputy commissioner, or assistant  
16 commissioner of any state department or agency as listed in  
17 section 15.01 or 15.06, or the state chief information officer;

18 (6) member, chief administrative officer, or deputy chief  
19 administrative officer of a state board or commission that has  
20 either the power to adopt, amend, or repeal rules under chapter  
21 14, or the power to adjudicate contested cases or appeals under  
22 chapter 14;

23 (7) individual employed in the executive branch who is  
24 authorized to adopt, amend, or repeal rules under chapter 14 or  
25 adjudicate contested cases under chapter 14;

26 (8) executive director of the State Board of Investment;

27 (9) deputy of any official listed in clauses (7) and (8);

28 (10) judge of the Workers' Compensation Court of Appeals;

29 (11) administrative law judge or compensation judge in the  
30 State Office of Administrative Hearings or referee in the  
31 Department of Employment and Economic Development;

32 (12) member, regional administrator, division director,  
33 general counsel, or operations manager of the metropolitan  
34 council;

35 (13) member or chief administrator of a metropolitan  
36 agency;

1 (14) director of the Division of Alcohol and Gambling  
2 Enforcement in the Department of Public Safety;

3 (15) member or executive director of the Higher Education  
4 Facilities Authority;

5 (16) member of the board of directors or president of  
6 Minnesota Technology, Inc.; or

7 (17) member of the board of directors or executive director  
8 of the Minnesota State High School League.

9 Sec. 2. Minnesota Statutes 2004, section 16B.04,  
10 subdivision 2, is amended to read:

11 Subd. 2. [POWERS AND DUTIES, GENERAL.] Subject to other  
12 provisions of this chapter, the commissioner is authorized to:

13 (1) supervise, control, review, and approve all state  
14 contracts and purchasing;

15 (2) provide agencies with supplies and equipment and  
16 operate all central store or supply rooms serving more than one  
17 agency;

18 ~~(3) approve all computer plans and contracts, and oversee~~  
19 ~~the state's data processing system;~~

20 ~~(4)~~ investigate and study the management and organization  
21 of agencies, and reorganize them when necessary to ensure their  
22 effective and efficient operation;

23 ~~(5)~~ (4) manage and control state property, real and  
24 personal;

25 ~~(6)~~ (5) maintain and operate all state buildings, as  
26 described in section 16B.24, subdivision 1;

27 ~~(7)~~ (6) supervise, control, review, and approve all capital  
28 improvements to state buildings and the capitol building and  
29 grounds;

30 ~~(8)~~ (7) provide central duplicating, printing, and mail  
31 facilities;

32 ~~(9)~~ (8) oversee publication of official documents and  
33 provide for their sale;

34 ~~(10)~~ (9) manage and operate parking facilities for state  
35 employees and a central motor pool for travel on state business;

36 ~~(11)~~ (10) establish and administer a State Building Code;

1 and

2 ~~(12)~~ (11) provide rental space within the capitol complex  
3 for a private day care center for children of state employees.  
4 The commissioner shall contract for services as provided in this  
5 chapter. The commissioner shall report back to the legislature  
6 by October 1, 1984, with the recommendation to implement the  
7 private day care operation.

8 Sec. 3. Minnesota Statutes 2004, section 16B.48,  
9 subdivision 4, is amended to read:

10 Subd. 4. [REIMBURSEMENTS.] Except as specifically provided  
11 otherwise by law, each agency shall reimburse ~~interteehnologies~~  
12 and the general services revolving funds for the cost of all  
13 services, supplies, materials, labor, and depreciation of  
14 equipment, including reasonable overhead costs, which the  
15 commissioner is authorized and directed to furnish an agency.  
16 The cost of all publications or other materials produced by the  
17 commissioner and financed from the general services revolving  
18 fund must include reasonable overhead costs. The commissioner  
19 of administration shall report the rates to be charged for each  
20 the general services revolving fund funds no later than July 1  
21 each year to the chair of the committee or division in the  
22 senate and house of representatives with primary jurisdiction  
23 over the budget of the Department of Administration. The  
24 commissioner of finance shall make appropriate transfers to the  
25 revolving funds described in this section when requested by the  
26 commissioner of administration. The commissioner of  
27 administration may make allotments, encumbrances, and, with the  
28 approval of the commissioner of finance, disbursements in  
29 anticipation of such transfers. In addition, the commissioner  
30 of administration, with the approval of the commissioner of  
31 finance, may require an agency to make advance payments to the  
32 revolving funds in this section sufficient to cover the agency's  
33 estimated obligation for a period of at least 60 days. All  
34 reimbursements and other money received by the commissioner of  
35 administration under this section must be deposited in the  
36 appropriate revolving fund. Any earnings remaining in the fund



1 established to account for the documents service prescribed by  
2 section 16B.51 at the end of each fiscal year not otherwise  
3 needed for present or future operations, as determined by the  
4 commissioners of administration and finance, must be transferred  
5 to the general fund.

6 Sec. 4. Minnesota Statutes 2004, section 16B.48,  
7 subdivision 5, is amended to read:

8 Subd. 5. [LIQUIDATION.] If the ~~intertechnologies-or~~  
9 general services revolving ~~fund-is~~ funds are abolished or  
10 liquidated, the total net profit from the operation of each fund  
11 must be distributed to the various funds from which purchases  
12 were made. The amount to be distributed to each fund must bear  
13 to the net profit the same ratio as the total purchases from  
14 each fund bears to the total purchases from all the funds during  
15 the same period of time.

16 Sec. 5. Minnesota Statutes 2004, section 16E.01,  
17 subdivision 1, is amended to read:

18 Subdivision 1. [PURPOSE CREATION; CHIEF INFORMATION  
19 OFFICER.] The Office of Enterprise Technology, referred to in  
20 this chapter as the "office," is ~~under-the-supervision-of-the~~  
21 ~~commissioner-of-administration~~ an agency in the executive branch  
22 headed by the state chief information officer. The appointment  
23 of the chief information officer is subject to the advice and  
24 consent of the senate under section 15.066.

25 Subd. 1a. [RESPONSIBILITIES.] The office shall  
26 provide oversight, leadership, and direction for information and  
27 communications telecommunications technology policy and the  
28 management and delivery of information and telecommunications  
29 technology systems and services in Minnesota. The office  
30 shall coordinate manage strategic investments in information and  
31 communications telecommunications technology systems and  
32 services to encourage the development of a technically literate  
33 society and, to ensure sufficient access to and efficient  
34 delivery of government services, and to maximize benefits for  
35 the state government as an enterprise.

36 Sec. 6. Minnesota Statutes 2004, section 16E.01,

1 subdivision 3, is amended to read:

2 Subd. 3. [DUTIES.] (a) The office shall:

3 (1) ~~coordinate~~ manage the efficient and effective use of  
4 available federal, state, local, and ~~private~~ public-private  
5 resources to develop statewide information and ~~communications~~  
6 telecommunications technology systems and services and its  
7 infrastructure;

8 (2) ~~review~~ approve state agency and intergovernmental  
9 information and ~~communications~~ telecommunications technology  
10 systems and services development efforts involving state or  
11 intergovernmental funding, including federal funding, provide  
12 information to the legislature regarding projects reviewed, and  
13 recommend projects for inclusion in the governor's budget under  
14 section 16A.11;

15 (3) ~~encourage~~ ensure cooperation and collaboration among  
16 state and local governments in developing intergovernmental  
17 ~~communication-and~~ information and telecommunications technology  
18 systems and services, and define the structure and  
19 responsibilities of ~~the-Information-Policy-Council~~ a  
20 representative governance structure;

21 (4) cooperate and collaborate with the legislative and  
22 judicial branches in the development of information and  
23 communications systems in those branches;

24 (5) continue the development of North Star, the state's  
25 official comprehensive on-line service and information  
26 initiative;

27 (6) promote and collaborate with the state's agencies in  
28 the state's transition to an effectively competitive  
29 telecommunications market;

30 (7) collaborate with entities carrying out education and  
31 lifelong learning initiatives to assist Minnesotans in  
32 developing technical literacy and obtaining access to ongoing  
33 learning resources;

34 (8) promote and coordinate public information access and  
35 network initiatives, consistent with chapter 13, to connect  
36 Minnesota's citizens and communities to each other, to their

1 governments, and to the world;

2 (9) promote and coordinate electronic commerce initiatives  
3 to ensure that Minnesota businesses and citizens can  
4 successfully compete in the global economy;

5 (10) manage and promote and-coordinate the regular and  
6 periodic reinvestment in the ~~core~~ information ~~communications~~ and  
7 telecommunications technology systems and services  
8 infrastructure so that state and local government agencies can  
9 effectively and efficiently serve their customers;

10 (11) facilitate the cooperative development of and ensure  
11 compliance with standards and policies for information and  
12 telecommunications technology systems and services, electronic  
13 data practices and privacy, and electronic commerce among  
14 international, national, state, and local public and private  
15 organizations; and

16 (12) ~~work-with-others-to-avoid~~ eliminate unnecessary  
17 duplication of existing information and telecommunications  
18 technology systems and services provided by other public and  
19 private organizations while building on the existing  
20 governmental, educational, business, health care, and economic  
21 development infrastructures; and

22 (13) identify, sponsor, develop, and execute shared  
23 information and telecommunications technology projects and  
24 ongoing operations.

25 (b) The ~~commissioner-of-administration~~ chief information  
26 officer in consultation with the commissioner of finance may  
27 must determine ~~that~~ when it is cost-effective for agencies to  
28 develop and use shared information and ~~communications~~  
29 telecommunications technology systems and services for the  
30 delivery of electronic government services. ~~This-determination~~  
31 ~~may-be-made-if-an-agency-proposes-a-new-system-that-duplicates~~  
32 ~~an-existing-system,-a-system-in-development,-or-a-system-being~~  
33 ~~proposed-by-another-agency.~~ The ~~commissioner-of~~  
34 administration chief information officer may require agencies to  
35 use shared information and telecommunications technology systems  
36 and services. The chief information officer shall establish

1 reimbursement rates in cooperation with the commissioner of  
2 finance to be billed to agencies and other governmental entities  
3 sufficient to cover the actual development, operating,  
4 maintenance, and administrative costs of the shared systems.  
5 The methodology for billing may include the use of interagency  
6 agreements, or other means as allowed by law.

7 (c) With the consent of the subgroup created in section  
8 16E.02, subdivision 1a, the commissioner of administration  
9 shall, under section 16B.37, transfer from state agencies to the  
10 Office of Enterprise Technology employees, powers, and functions  
11 the commissioner deems necessary to the Office of Enterprise  
12 Technology.

13 Sec. 7. Minnesota Statutes 2004, section 16E.02, is  
14 amended to read:

15 16E.02 [OFFICE OF ENTERPRISE TECHNOLOGY; STRUCTURE AND  
16 PERSONNEL.]

17 Subdivision 1. [OFFICE MANAGEMENT AND STRUCTURE.] (a) The  
18 commissioner-of-administration chief information officer is  
19 appointed by the governor. The chief information officer serves  
20 in the unclassified service at the pleasure of the governor.  
21 The chief information officer must have experience leading  
22 enterprise-level information technology organizations. The  
23 chief information officer is the state's chief information  
24 officer and information and telecommunications technology  
25 advisor to the governor.

26 (b) The chief information officer may appoint other  
27 employees of the office. The staff of the office must include  
28 individuals knowledgeable in information and communications  
29 telecommunications technology systems and services.

30 Subd. 1a. [ACCOUNTABILITY.] The chief information officer  
31 reports to a subgroup of the governor's cabinet consisting of  
32 the commissioners of administration, finance, human services,  
33 revenue, and other commissioners as designated by the governor  
34 and is accountable to this subgroup for compliance with all  
35 provisions of this chapter.

36 Subd. 2. [INTERGOVERNMENTAL PARTICIPATION.] The

1 ~~commissioner-of-administration~~ chief information officer or the  
 2 ~~commissioner's~~ chief information officer's designee shall serve  
 3 as a member of the ~~Minnesota-Education-Telecommunications~~  
 4 ~~Council~~, the Geographic Information Systems Council, and the  
 5 Library Planning Task Force, or their respective successor  
 6 organizations, and as a nonvoting member of Minnesota  
 7 ~~Technology, Inc.~~ and the Minnesota Health Data Institute as a  
 8 nonvoting member.

9 Subd. 3. [ADMINISTRATIVE SUPPORT.] The commissioner of  
 10 administration must provide office space and administrative  
 11 support services to the office. The office must reimburse the  
 12 commissioner for these services.

13 Sec. 8. Minnesota Statutes 2004, section 16E.03,  
 14 subdivision 1, is amended to read:

15 Subdivision 1. [DEFINITIONS.] For the purposes of sections  
 16 ~~16E.03 to 16E.05~~ chapter 16E, the following terms have the  
 17 meanings given them.

18 (a) "Information and telecommunications technology systems  
 19 and services" means all computing and telecommunications  
 20 hardware and software and the activities undertaken to acquire,  
 21 transport, process, analyze, store, and disseminate information  
 22 electronically. "Information and telecommunications technology  
 23 systems and services" includes all proposed expenditures for  
 24 computing and telecommunications hardware and software, and  
 25 related consulting or other professional services.

26 (a) (b) "Information and communications telecommunications  
 27 technology project" means the development or acquisition of  
 28 information and communications technology devices and systems,  
 29 but does not include the state information infrastructure or its  
 30 contractors.

31 (b) "Data processing device or system" means equipment or  
 32 computer programs, including computer hardware, firmware,  
 33 software, and communication protocols, used in connection with  
 34 the processing of information through electronic data processing  
 35 means, and includes data communication devices used in  
 36 connection with computer facilities for the transmission of data.

1 an effort to acquire or produce information and  
2 telecommunications technology systems and services.

3 (c) "Telecommunications" means voice, video and data  
4 electronic transmissions transported by wire, wireless,  
5 fiber-optic, radio or other available transport technology.

6 (d) "Cyber security" means the protection of data and  
7 systems in networks connected to the Internet.

8 ~~(e)~~ (e) "State agency" means an agency in the executive  
9 branch of state government and includes the Minnesota Higher  
10 Education Services Office, but does not include the Minnesota  
11 State Colleges and Universities unless specifically provided  
12 elsewhere in this chapter.

13 Sec. 9. Minnesota Statutes 2004, section 16E.03,  
14 subdivision 2, is amended to read:

15 Subd. 2. [~~COMMISSIONER'S~~ CHIEF INFORMATION OFFICER  
16 RESPONSIBILITY.] The ~~commissioner~~ chief information officer  
17 shall coordinate the state's information and ~~communications~~  
18 telecommunications technology systems and services to serve the  
19 needs of the state government. The ~~commissioner~~ chief  
20 information officer shall:

21 (1) ~~coordinate-the~~ design of a master plan for information  
22 and ~~communications~~ telecommunications technology systems and  
23 services in the state and its political subdivisions and shall  
24 report on the plan to the governor and legislature at the  
25 beginning of each regular session;

26 (2) coordinate, review, and approve all information and  
27 ~~communications~~ telecommunications technology plans-and-contracts  
28 projects and oversee the state's information and ~~communications~~  
29 telecommunications technology systems and services;

30 (3) establish and enforce compliance with standards for  
31 information and ~~communications~~ telecommunications technology  
32 systems and services that ~~encourage-competition~~ are cost  
33 effective and support open systems environments and that are  
34 compatible with state, national, and international  
35 standards; and

36 (4) maintain a library of systems and programs developed by

1 the state and its political subdivisions for use by agencies of  
2 government; and

3 (5) direct and manage the shared operations of the state's  
4 information and telecommunications technology systems and  
5 services.

6 Sec. 10. Minnesota Statutes 2004, section 16E.03,  
7 subdivision 3, is amended to read:

8 Subd. 3. [EVALUATION AND APPROVAL.] A state agency may not  
9 undertake an information and ~~communications~~ telecommunications  
10 technology project until it has been evaluated according to the  
11 procedures developed under subdivision 4. The ~~governor-or~~  
12 ~~governor's-designee~~ chief information officer shall give written  
13 approval of the proposed project. ~~If-the-proposed-project-is~~  
14 ~~not-approved~~ When notified by the chief information officer that  
15 a project has not been approved, the commissioner of finance  
16 shall cancel the unencumbered balance of any appropriation  
17 allotted for the project. ~~This-subdivision-does-not-apply-to~~  
18 ~~acquisitions-or-development-of-information-and-communications~~  
19 ~~systems-that-have-anticipated-total-cost-of-less-than-\$100,000-~~  
20 ~~The-Minnesota-State-Colleges-and-Universities-shall-submit-for~~  
21 ~~approval-any-project-related-to-acquisitions-or-development-of~~  
22 ~~information-and-communications-systems-that-has-a-total~~  
23 ~~anticipated-cost-of-more-than-\$250,000-~~

24 Sec. 11. Minnesota Statutes 2004, section 16E.03,  
25 subdivision 7, is amended to read:

26 Subd. 7. [DATA CYBER SECURITY SYSTEMS.] In consultation  
27 with the attorney general and appropriate agency heads, the  
28 ~~commissioner~~ chief information officer shall develop data cyber  
29 security policies, guidelines, and standards, and the  
30 ~~commissioner-of-administration~~ shall install and administer  
31 state data security systems on the state's ~~centralized~~ computer  
32 ~~facility~~ facilities consistent with these policies, guidelines,  
33 standards, and state law to ensure the integrity of  
34 computer-based and other data and to ensure applicable  
35 limitations on access to data, consistent with the public's  
36 right to know as defined in chapter 13. Each department or

1 agency head is responsible for the security of the department's  
2 or agency's data within the guidelines of established enterprise  
3 policy.

4 Sec. 12. Minnesota Statutes 2004, section 16E.04, is  
5 amended to read:

6 16E.04 [INFORMATION AND ~~COMMUNICATIONS~~ TELECOMMUNICATIONS  
7 TECHNOLOGY POLICY.]

8 Subdivision 1. [DEVELOPMENT.] The office shall ~~coordinate~~  
9 ~~with-state-agencies-in-developing-and-establishing~~ develop,  
10 establish, and enforce policies and standards for state agencies  
11 to follow in developing and purchasing information and  
12 ~~communications~~ telecommunications technology systems and  
13 services and training appropriate persons in their use. The  
14 office shall develop, promote, and ~~coordinate~~ manage state  
15 technology, architecture, standards and guidelines, information  
16 needs analysis techniques, contracts for the purchase of  
17 equipment and services, and training of state agency personnel  
18 on these issues.

19 Subd. 2. [RESPONSIBILITIES.] (a) In addition to other  
20 activities prescribed by law, the office shall carry out the  
21 duties set out in this subdivision.

22 (b) The office shall develop and establish a state  
23 information architecture to ensure that ~~further~~ state agency  
24 development and purchase of information and communications  
25 systems, equipment, and services is designed to ensure that  
26 individual agency information systems complement and do not  
27 needlessly duplicate or conflict with the systems of other  
28 agencies. When state agencies have need for the same or similar  
29 public data, the ~~commissioner~~ chief information officer, in  
30 coordination with the affected agencies, shall ~~promote~~ manage  
31 the most efficient and cost-effective method of producing and  
32 storing data for or sharing data between those agencies. The  
33 development of this information architecture must include the  
34 establishment of standards and guidelines to be followed by  
35 state agencies. The office shall ensure compliance with the  
36 architecture.



1 (c) The office shall assist state agencies in the planning  
2 and management of information systems so that an individual  
3 information system reflects and supports the state agency's  
4 mission and the state's requirements and functions. The office  
5 shall review and approve agency technology plans to ensure  
6 consistency with enterprise information and telecommunications  
7 technology strategy.

8 (d) The office shall review and approve agency requests for  
9 legislative-appropriations funding for the development or  
10 purchase of information systems equipment or software before the  
11 requests may be included in the governor's budget.

12 (e) The office shall review major purchases of information  
13 systems equipment to:

14 (1) ensure that the equipment follows the standards and  
15 guidelines of the state information architecture;

16 (2) ~~ensure that the equipment is consistent with the~~  
17 ~~information management principles adopted by the Information~~  
18 ~~Policy Council;~~

19 ~~(3) evaluate whether~~ the agency's proposed purchase  
20 reflects a cost-effective policy regarding volume purchasing;  
21 and

22 ~~(4)~~ (3) ensure that the equipment is consistent with other  
23 systems in other state agencies so that data can be shared among  
24 agencies, unless the office determines that the agency  
25 purchasing the equipment has special needs justifying the  
26 inconsistency.

27 (f) The office shall review the operation of information  
28 systems by state agencies and ~~provide advice and assistance to~~  
29 ensure that these systems are operated efficiently and  
30 continually meet the standards and guidelines established by the  
31 office. The standards and guidelines must emphasize  
32 uniformity that is cost-effective for the enterprise, that  
33 encourages information interchange, open systems environments,  
34 and portability of information whenever practicable and  
35 consistent with an agency's authority and chapter 13.

36 (g) The office shall conduct a comprehensive review at

1 least every three years of the information systems investments  
2 that have been made by state agencies and higher education  
3 institutions. The review must include recommendations on any  
4 information systems applications that could be provided in a  
5 more cost-beneficial manner by an outside source. The office  
6 must report the results of its review to the legislature and the  
7 governor.

8 Subd. 3. [RISK ASSESSMENT AND MITIGATION.] (a) A risk  
9 assessment and risk mitigation plan are required for an all  
10 information systems development ~~project-estimated-to-cost-more~~  
11 ~~than-\$1,000,000-that-is~~ projects undertaken by a state agency in  
12 the executive or judicial branch or by a constitutional officer.  
13 ~~The commissioner-of-administration~~ chief information officer  
14 must contract with an entity outside of state government to  
15 conduct the initial assessment and prepare the mitigation plan  
16 for a project estimated to cost more than \$5,000,000. The  
17 outside entity conducting the risk assessment and preparing the  
18 mitigation plan must not have any other direct or indirect  
19 financial interest in the project. The risk assessment and risk  
20 mitigation plan must provide for periodic monitoring by the  
21 commissioner until the project is completed.

22 (b) The risk assessment and risk mitigation plan must be  
23 paid for with money appropriated for the information systems  
24 development and telecommunications technology project. The  
25 chief information officer must notify the commissioner of  
26 finance when work has begun on a project and must identify the  
27 proposed budget for the project. The commissioner of finance  
28 shall ensure that no more than ten percent of the amount  
29 ~~anticipated-to~~ proposed budget be spent on the project, other  
30 than the money spent on the risk assessment and risk mitigation  
31 plan, ~~may-be~~ is spent until the risk assessment and mitigation  
32 plan are reported to the ~~commissioner-of-administration~~ chief  
33 information officer and the ~~commissioner~~ chief information  
34 officer has approved the risk mitigation plan.

35 Sec. 13. Minnesota Statutes 2004, section 16E.0465,  
36 subdivision 1, is amended to read:

1 Subdivision 1. [APPLICATION.] This section applies to an  
2 appropriation of more than \$1,000,000 of state or federal funds  
3 to a state agency for any information and ~~communications~~  
4 telecommunications technology project ~~or-data-processing-device~~  
5 ~~or-system~~ or for any phase of such a project, device, or  
6 system. For purposes of this section, an appropriation of state  
7 or federal funds to a state agency includes an appropriation:

8 ~~(1)-to-the-Minnesota-State-Colleges-and-Universities;~~

9 ~~(2)-to-a-constitutional-officer;~~

10 ~~(3)~~ (1) for a project that includes both a state agency and  
11 units of local government; and

12 ~~(4)~~ (2) to a state agency for grants to be made to other  
13 entities.

14 Sec. 14. Minnesota Statutes 2004, section 16E.0465,  
15 subdivision 2, is amended to read:

16 Subd. 2. [REQUIRED REVIEW AND APPROVAL.] (a) A state  
17 agency receiving an appropriation for an information and  
18 ~~communications~~ telecommunications technology project ~~or-data~~  
19 ~~processing-device-or-system~~ subject to this section must divide  
20 the project into phases.

21 (b) The commissioner of finance may not authorize the  
22 encumbrance or expenditure of an appropriation of state funds to  
23 a state agency for any phase of a project, device, or system  
24 subject to this section unless the Office of Enterprise  
25 Technology has reviewed each phase of the project, device, or  
26 system, and based on this review, the ~~commissioner-of~~  
27 ~~administration~~ chief information officer has determined for each  
28 phase that:

29 (1) the project is compatible with the state information  
30 architecture and other policies and standards established by the  
31 ~~commissioner-of-administration~~ chief information officer; and

32 (2) the agency is able to accomplish the goals of the phase  
33 of the project with the funds appropriated; and

34 (3) the project supports the enterprise information  
35 technology strategy.

36 Sec. 15. Minnesota Statutes 2004, section 16E.055, is

1 amended to read:

2 16E.055 [~~COMMON-WEB-FORMAT~~ ELECTRONIC GOVERNMENT SERVICES.]

3 A state agency that implements electronic government  
4 services for fees, licenses, sales, or other purposes must use a  
5 ~~common-Web-page-format-approved-by-the-commissioner-of~~  
6 ~~administration-for-these-electronic-government-services---~~The  
7 ~~commissioner-may-create-a~~ the single entry site created by the  
8 chief information officer for all agencies to use for electronic  
9 government services.

10 Sec. 16. Minnesota Statutes 2004, section 16E.07,  
11 subdivision 8, is amended to read:

12 Subd. 8. [SECURE TRANSACTION SYSTEM.] The office shall  
13 plan and develop a secure transaction system to support delivery  
14 of government services electronically. A state agency that  
15 implements electronic government services for fees, licenses,  
16 sales, or other purposes must use the secure transaction system  
17 developed in accordance with this section.

18 Sec. 17. [16E.14] [ENTERPRISE TECHNOLOGY REVOLVING FUND.]

19 Subdivision 1. [CREATION.] The enterprise technology  
20 revolving fund is created in the state treasury.

21 Subd. 2. [APPROPRIATION AND USES OF FUND.] Money in the  
22 enterprise technology revolving fund is appropriated annually to  
23 the chief information officer to operate information and  
24 telecommunications services, including management, consultation,  
25 and design services.

26 Subd. 3. [REIMBURSEMENTS.] Except as specifically provided  
27 otherwise by law, each agency shall reimburse the enterprise  
28 technology revolving fund for the cost of all services,  
29 supplies, materials, labor, and depreciation of equipment,  
30 including reasonable overhead costs, which the chief information  
31 officer is authorized and directed to furnish an agency. The  
32 chief information officer shall report the rates to be charged  
33 for the revolving fund no later than July 1 each year to the  
34 chair of the committee or division in the senate and house of  
35 representatives with primary jurisdiction over the budget of the  
36 Office of Enterprise Technology.

1        Subd. 4. [CASH FLOW.] The commissioner of finance shall  
2 make appropriate transfers to the revolving fund when requested  
3 by the chief information officer. The chief information officer  
4 may make allotments and encumbrances in anticipation of such  
5 transfers. In addition, the chief information officer, with the  
6 approval of the commissioner of finance, may require an agency  
7 to make advance payments to the revolving fund sufficient to  
8 cover the office's estimated obligation for a period of at least  
9 60 days. All reimbursements and other money received by the  
10 chief information officer under this section must be deposited  
11 in the enterprise technology revolving fund.

12        Subd. 5. [LIQUIDATION.] If the enterprise technology  
13 revolving fund is abolished or liquidated, the total net profit  
14 from the operation of the fund must be distributed to the  
15 various funds from which purchases were made. The amount to be  
16 distributed to each fund must bear to the net profit the same  
17 ratio as the total purchases from each fund bears to the total  
18 purchases from all the funds during the same period of time.

19        Sec. 18. Minnesota Statutes 2004, section 299C.65,  
20 subdivision 1, is amended to read:

21        Subdivision 1. [MEMBERSHIP, DUTIES.] (a) The Criminal and  
22 Juvenile Justice Information Policy Group consists of the  
23 commissioner of corrections, the commissioner of public safety,  
24 ~~the commissioner-of-administration~~ state chief information  
25 officer, the commissioner of finance, and four members of the  
26 judicial branch appointed by the chief justice of the Supreme  
27 Court. The policy group may appoint additional, nonvoting  
28 members as necessary from time to time.

29        (b) The commissioner of public safety is designated as the  
30 chair of the policy group. The commissioner and the policy  
31 group have overall responsibility for the successful completion  
32 of statewide criminal justice information system integration  
33 (CrimNet). The policy group may hire a program manager to  
34 manage the CrimNet projects and to be responsible for the  
35 day-to-day operations of CrimNet. The policy group must ensure  
36 that generally accepted project management techniques are

1 utilized for each CrimNet project, including:

- 2 (1) clear sponsorship;
- 3 (2) scope management;
- 4 (3) project planning, control, and execution;
- 5 (4) continuous risk assessment and mitigation;
- 6 (5) cost management;
- 7 (6) quality management reviews;
- 8 (7) communications management; and
- 9 (8) proven methodology.

10 (c) Products and services for CrimNet project management,  
11 system design, implementation, and application hosting must be  
12 acquired using an appropriate procurement process, which  
13 includes:

- 14 (1) a determination of required products and services;
  - 15 (2) a request for proposal development and identification  
16 of potential sources;
  - 17 (3) competitive bid solicitation, evaluation, and  
18 selection; and
  - 19 (4) contract administration and close-out.
- 20 (d) The policy group shall study and make recommendations  
21 to the governor, the Supreme Court, and the legislature on:
- 22 (1) a framework for integrated criminal justice information  
23 systems, including the development and maintenance of a  
24 community data model for state, county, and local criminal  
25 justice information;
  - 26 (2) the responsibilities of each entity within the criminal  
27 and juvenile justice systems concerning the collection,  
28 maintenance, dissemination, and sharing of criminal justice  
29 information with one another;
  - 30 (3) actions necessary to ensure that information maintained  
31 in the criminal justice information systems is accurate and  
32 up-to-date;
  - 33 (4) the development of an information system containing  
34 criminal justice information on gross misdemeanor-level and  
35 felony-level juvenile offenders that is part of the integrated  
36 criminal justice information system framework;

1 (5) the development of an information system containing  
2 criminal justice information on misdemeanor arrests,  
3 prosecutions, and convictions that is part of the integrated  
4 criminal justice information system framework;

5 (6) comprehensive training programs and requirements for  
6 all individuals in criminal justice agencies to ensure the  
7 quality and accuracy of information in those systems;

8 (7) continuing education requirements for individuals in  
9 criminal justice agencies who are responsible for the  
10 collection, maintenance, dissemination, and sharing of criminal  
11 justice data;

12 (8) a periodic audit process to ensure the quality and  
13 accuracy of information contained in the criminal justice  
14 information systems;

15 (9) the equipment, training, and funding needs of the state  
16 and local agencies that participate in the criminal justice  
17 information systems;

18 (10) the impact of integrated criminal justice information  
19 systems on individual privacy rights;

20 (11) the impact of proposed legislation on the criminal  
21 justice system, including any fiscal impact, need for training,  
22 changes in information systems, and changes in processes;

23 (12) the collection of data on race and ethnicity in  
24 criminal justice information systems;

25 (13) the development of a tracking system for domestic  
26 abuse orders for protection;

27 (14) processes for expungement, correction of inaccurate  
28 records, destruction of records, and other matters relating to  
29 the privacy interests of individuals; and

30 (15) the development of a database for extended  
31 jurisdiction juvenile records and whether the records should be  
32 public or private and how long they should be retained.

33 Sec. 19. Minnesota Statutes 2004, section 299C.65,  
34 subdivision 2, is amended to read:

35 Subd. 2. [REPORT, TASK FORCE.] (a) The policy group shall  
36 file an annual report with the governor, Supreme Court, and

1 chairs and ranking minority members of the senate and house  
2 committees and divisions with jurisdiction over criminal justice  
3 funding and policy by December 1 of each year.

4 (b) The report must make recommendations concerning any  
5 legislative changes or appropriations that are needed to ensure  
6 that the criminal justice information systems operate accurately  
7 and efficiently. To assist them in developing their  
8 recommendations, the policy group shall appoint a task force  
9 consisting of its members or their designees and the following  
10 additional members:

11 (1) the director of the Office of Strategic and Long-Range  
12 Planning;

13 (2) two sheriffs recommended by the Minnesota Sheriffs  
14 Association;

15 (3) two police chiefs recommended by the Minnesota Chiefs  
16 of Police Association;

17 (4) two county attorneys recommended by the Minnesota  
18 County Attorneys Association;

19 (5) two city attorneys recommended by the Minnesota League  
20 of Cities;

21 (6) two public defenders appointed by the Board of Public  
22 Defense;

23 (7) two district judges appointed by the Conference of  
24 Chief Judges, one of whom is currently assigned to the juvenile  
25 court;

26 (8) two community corrections administrators recommended by  
27 the Minnesota Association of Counties, one of whom represents a  
28 community corrections act county;

29 (9) two probation officers;

30 (10) four public members, one of whom has been a victim of  
31 crime, and two who are representatives of the private business  
32 community who have expertise in integrated information systems;

33 (11) two court administrators;

34 (12) one member of the house of representatives appointed  
35 by the speaker of the house;

36 (13) one member of the senate appointed by the majority



1 leader;

2 (14) the attorney general or a designee;

3 (15) the ~~commissioner-of-administration~~ state chief  
4 information officer or a designee;

5 (16) an individual recommended by the Minnesota League of  
6 Cities; and

7 (17) an individual recommended by the Minnesota Association  
8 of Counties.

9 In making these appointments, the appointing authority shall  
10 select members with expertise in integrated data systems or best  
11 practices.

12 (c) The commissioner of public safety may appoint  
13 additional, nonvoting members to the task force as necessary  
14 from time to time.

15 Sec. 20. Minnesota Statutes 2004, section 403.36,  
16 subdivision 1, is amended to read:

17 Subdivision 1. [MEMBERSHIP.] (a) The commissioner of  
18 public safety shall convene and chair the Statewide Radio Board  
19 to develop a project plan for a statewide, shared, trunked  
20 public safety radio communication system. The system may be  
21 referred to as "Allied Radio Matrix for Emergency Response," or  
22 "ARMER."

23 (b) The board consists of the following members or their  
24 designees:

25 (1) the commissioner of public safety;

26 (2) the commissioner of transportation;

27 (3) the ~~commissioner-of-administration~~ state chief  
28 information officer;

29 (4) the commissioner of natural resources;

30 (5) the chief of the Minnesota State Patrol;

31 (6) the commissioner of health;

32 (7) the commissioner of finance;

33 (8) two elected city officials, one from the nine-county  
34 metropolitan area and one from Greater Minnesota, appointed by  
35 the governing body of the League of Minnesota Cities;

36 (9) two elected county officials, one from the nine-county

1 metropolitan area and one from Greater Minnesota, appointed by  
2 the governing body of the Association of Minnesota Counties;

3 (10) two sheriffs, one from the nine-county metropolitan  
4 area and one from Greater Minnesota, appointed by the governing  
5 body of the Minnesota Sheriffs' Association;

6 (11) two chiefs of police, one from the nine-county  
7 metropolitan area and one from Greater Minnesota, appointed by  
8 the governor after considering recommendations made by the  
9 Minnesota Chiefs' of Police Association;

10 (12) two fire chiefs, one from the nine-county metropolitan  
11 area and one from Greater Minnesota, appointed by the governor  
12 after considering recommendations made by the Minnesota Fire  
13 Chiefs' Association;

14 (13) two representatives of emergency medical service  
15 providers, one from the nine-county metropolitan area and one  
16 from Greater Minnesota, appointed by the governor after  
17 considering recommendations made by the Minnesota Ambulance  
18 Association;

19 (14) the chair of the Metropolitan Radio Board; and

20 (15) a representative of Greater Minnesota elected by those  
21 units of government in phase three and any subsequent phase of  
22 development as defined in the statewide, shared radio and  
23 communication plan, who have submitted a plan to the Statewide  
24 Radio Board and where development has been initiated.

25 (c) The Statewide Radio Board shall coordinate the  
26 appointment of board members representing Greater Minnesota with  
27 the appointing authorities and may designate the geographic  
28 region or regions from which an appointed board member is  
29 selected where necessary to provide representation from  
30 throughout the state.

31 Sec. 21. [TRANSFER OF DUTIES.]

32 Responsibilities of the commissioner of administration for  
33 state telecommunications systems, state information  
34 infrastructure, and electronic conduct of state business under  
35 Minnesota Statutes, sections 16B.405; 16B.44; 16B.46; 16B.465;  
36 16B.466; and 16B.467, are transferred to the Office of

1 Enterprise Technology. All positions in the Office of  
 2 Technology and the Intertechnologies Group are transferred to  
 3 the Office of Enterprise Technology. Minnesota Statutes,  
 4 section 15.039, applies to the transfer of responsibilities in  
 5 this section.

6 Sec. 22. [REVISOR INSTRUCTION.]

7 In the next and subsequent editions of Minnesota Statutes,  
 8 the revisor of statutes shall:

9 (1) substitute the term "chief information officer" for  
 10 "commissioner" and "commissioner of administration" in the  
 11 following sections of Minnesota Statutes: 16B.405; 16B.44;  
 12 16B.46; 16B.465; 16B.466; 16B.467; 16E.03, subdivisions 4, 5, 6,  
 13 and 8; 16E.035; and 16E.07, subdivision 4;

14 (2) substitute the term "Office of Enterprise Technology"  
 15 for the term "Office of Technology" in Minnesota Statutes; and

16 (3) recodify the following sections of Minnesota Statutes  
 17 into Minnesota Statutes, chapter 16E: 16B.405; 16B.44; 16B.46;  
 18 16B.465; 16B.466; and 16B.467.

19 Sec. 23. [REPEALER.]

20 Minnesota Statutes 2004, sections 16B.48, subdivision 3;  
 21 and 16E.0465, subdivision 3, are repealed.

22 ARTICLE 5

23 ELECTIONS

24 Section 1. Minnesota Statutes 2004, section 135A.17,  
 25 subdivision 2, is amended to read:

26 Subd. 2. [RESIDENTIAL HOUSING LIST.] All postsecondary  
 27 institutions that enroll students accepting state or federal  
 28 financial aid ~~may~~ shall prepare a current list of ~~students~~ the  
 29 name and address of each student enrolled in the institution and  
 30 residing in the institution's housing or in other housing within  
 31 ~~ten-miles-of~~ the county, or a county contiguous to the county,  
 32 where the institution's campus is located. Institutions that do  
 33 not consider student addresses to be public information under  
 34 applicable federal and state privacy laws shall make release  
 35 forms available to all students authorizing the institution to  
 36 provide the addresses to the county auditor. The list

1 shall ~~include each student's current~~ be based on the most recent  
 2 residence address the student has provided to the institution.  
 3 If the student gives the institution, before the list is sent to  
 4 the county auditor or auditors, a written request that the  
 5 student's name and residence address be omitted from the list,  
 6 the institution must honor the request. The list shall be  
 7 certified and sent to the appropriate county auditor or auditors  
 8 for use in election day registration as provided under section  
 9 201.061, subdivision 3.

10 Sec. 2. Minnesota Statutes 2004, section 201.014,  
 11 subdivision 2, is amended to read:

12 Subd. 2. [NOT ELIGIBLE.] The following individuals are not  
 13 eligible to vote. Any individual:

14 (a) Convicted of treason or any felony whose civil rights  
 15 have not been restored;

16 (b) Under a guardianship ~~of the person~~ in which the court  
 17 order ~~provides that the ward does not retain~~ revokes the ward's  
 18 right to vote; or

19 (c) Found by a court of law to be legally incompetent.

20 Sec. 3. Minnesota Statutes 2004, section 201.061,  
 21 subdivision 1, is amended to read:

22 Subdivision 1. [PRIOR TO ELECTION DAY.] At any time except  
 23 during the 20 days immediately preceding any election, an  
 24 eligible voter or any individual who will be an eligible voter  
 25 at the time of the next election may register to vote in the  
 26 precinct in which the voter maintains residence by completing a  
 27 voter registration application as described in section 201.071,  
 28 subdivision 1, and submitting it in person or by mail to the  
 29 county auditor of that county or to the Secretary of State's  
 30 Office. A registration that is received no later than 5:00 p.m.  
 31 on the 21st day preceding any election shall be accepted. An  
 32 improperly addressed or delivered registration application shall  
 33 be forwarded within two working days after receipt to the county  
 34 auditor of the county where the voter maintains residence. A  
 35 state or local agency or an individual that accepts from anyone  
 36 a completed voter registration applications from application

1 signed and dated by a voter must submit the completed  
2 ~~applicatiens~~ application to the secretary of state or the  
3 appropriate county auditor within ~~ten~~ 15 business days after the  
4 ~~applicatiens-are~~ application was dated by the voter.

5 For purposes of this section, mail registration is defined  
6 as a voter registration application delivered to the secretary  
7 of state, county auditor, or municipal clerk by the United  
8 States Postal Service or a commercial carrier.

9 Sec. 4. Minnesota Statutes 2004, section 201.061,  
10 subdivision 3, is amended to read:

11 Subd. 3. [ELECTION DAY REGISTRATION.] (a) An individual  
12 who is eligible to vote may register on election day by  
13 appearing in person at the polling place for the precinct in  
14 which the individual maintains residence, by completing a  
15 registration application, making an oath in the form prescribed  
16 by the secretary of state and providing proof of residence. An  
17 individual may prove residence for purposes of registering by:

18 (1) presenting a driver's license or Minnesota  
19 identification card issued pursuant to section 171.07;

20 (2) presenting a current and valid photo identification  
21 that shows the name and valid residential address of the voter;

22 (3) presenting a copy of a current utility bill, signed  
23 residential lease, bank statement, government check, paycheck,  
24 or other government document that shows the name and valid  
25 residential address of the voter;

26 (4) presenting any document approved by the secretary of  
27 state as proper identification;

28 ~~(3)~~ (5) presenting one of the following:

29 (i) a current valid student identification card from a  
30 postsecondary educational institution in Minnesota, if a list of  
31 students from that institution has been prepared under section  
32 135A.17 and certified to the county auditor in the manner  
33 provided in rules of the secretary of state; ~~or~~

34 (ii) a current student fee statement that contains the  
35 student's valid residential address in the precinct ~~together~~  
36 ~~with-a-picture-identification-card;~~

1        (iii) a copy of a current student registration card that  
2 contains the student's valid residential address in the  
3 precinct; or

4        (iv) a current student monthly rental statement that  
5 contains the student's valid residential address in the  
6 precinct; or

7        ~~(4)~~ (6) having a voter who is registered to vote in the  
8 precinct, or who is an employee employed by and working in a  
9 residential facility in the precinct, sign an oath in the  
10 presence of the election judge vouching that the voter or  
11 employee personally knows that the individual is a resident of  
12 the precinct. A voter who has been vouched for on election day  
13 may not sign a proof of residence oath vouching for any other  
14 individual on that election day.

15        (b) The operator of a residential facility shall prepare a  
16 list of the names of its employees currently working in the  
17 residential facility and the address of the residential  
18 facility. The operator shall certify the list and provide it to  
19 the appropriate county auditor no less than 20 days before each  
20 election for use in election day registration.

21        (c) For tribal band members ~~living-on-an-Indian~~  
22 reservation, an individual may prove residence for purposes of  
23 registering by presenting an identification card issued by the  
24 tribal government of a tribe recognized by the Bureau of Indian  
25 Affairs, United States Department of the Interior, that contains  
26 the name, ~~street~~ address, signature, and picture of the  
27 individual. ~~The-county-auditor-of-each-county-having-territory~~  
28 ~~within-the-reservation-shall-maintain-a-record-of-the-number-of~~  
29 ~~election-day-registrations-accepted-under-this-section.~~

30        (d) A county, school district, or municipality may require  
31 that an election judge responsible for election day registration  
32 initial each completed registration application.

33        Sec. 5. Minnesota Statutes 2004, section 201.061, is  
34 amended by adding a subdivision to read:

35        Subd. 3a. [DEFINITIONS.] (a) The definitions in this  
36 subdivision apply to subdivision 3.

1       (b) "Bank statement" includes a bank statement, investment  
2 account statement, brokerage statement, pension fund statement,  
3 dividend check, or any other notice or letter from a financial  
4 institution relating to an account or investment held by the  
5 voter at the financial institution.

6       (c) "Government check" includes a Social Security  
7 Administration check statement or a check stub or electronic  
8 deposit receipt from a public assistance payment or tax refund  
9 or credit.

10       (d) "Other government document" includes military  
11 identification; a document issued by a governmental entity that  
12 qualifies for use as identification for purposes of acquiring a  
13 driver's license in this state; a Metro Mobility card; a  
14 property tax statement; a public housing lease or rent statement  
15 or agreement, or a rent statement or agreement provided under a  
16 subsidized housing program; a document or statement provided to  
17 a voter as evidence of income or eligibility for a tax deduction  
18 or tax credit; a periodic notice from a federal, state, or local  
19 agency for a public assistance program, such as the Minnesota  
20 family investment program, food stamps, general assistance,  
21 medical assistance, general assistance medical care,  
22 MinnesotaCare, unemployment benefits, or Social Security; an  
23 insurance card for a government administered or subsidized  
24 health insurance program; or a discharge certificate, pardon, or  
25 other official document issued to the voter in connection with  
26 the resolution of a criminal case, indictment, sentence, or  
27 other matter, in accordance with state law.

28       (e) "Paycheck" includes a check stub or electronic deposit  
29 receipt.

30       (f) "Residential facility" means transitional housing as  
31 defined in section 119A.43, subdivision 1; a supervised living  
32 facility licensed by the commissioner of health under section  
33 144.50, subdivision 6; a nursing home as defined in section  
34 144A.01, subdivision 5; a residence registered with the  
35 commissioner of health as a housing with services establishment  
36 as defined in section 144D.01, subdivision 4; a veterans home

1 operated by the board of directors of the Minnesota Veterans  
2 Homes under chapter 198; a residence licensed by the  
3 commissioner of human services to provide a residential program  
4 as defined in section 245A.02, subdivision 14; a residential  
5 facility for persons with a developmental disability licensed by  
6 the commissioner of human services under section 252.28; group  
7 residential housing as defined in section 256I.03, subdivision  
8 3; a shelter for battered women as defined in section 611A.37,  
9 subdivision 4; or a supervised publicly or privately operated  
10 shelter or dwelling designed to provide temporary living  
11 accommodations for the homeless.

12 (g) "Utility bill" includes a bill for gas, electricity,  
13 telephone, wireless telephone, cable television, solid waste,  
14 water, or sewer services.

15 Sec. 6. Minnesota Statutes 2004, section 201.071,  
16 subdivision 1, is amended to read:

17 Subdivision 1. [FORM.] A voter registration application  
18 must be of suitable size and weight for mailing and contain  
19 spaces for the following required information: voter's first  
20 name, middle name, and last name; voter's previous name, if any;  
21 voter's current address; voter's previous address, if any;  
22 voter's date of birth; voter's municipality and county of  
23 residence; voter's telephone number, if provided by the voter;  
24 date of registration; current and valid Minnesota driver's  
25 license number or Minnesota state identification number, or if  
26 the voter has no current and valid Minnesota driver's license or  
27 Minnesota state identification, the last four digits of the  
28 voter's Social Security number; and voter's signature. The  
29 registration application may include the voter's e-mail address,  
30 if provided by the voter, and the voter's interest in serving as  
31 an election judge, if indicated by the voter. The application  
32 must also contain the following certification of voter  
33 eligibility:

34 "I certify that I:

35 (1) will be at least 18 years old on election day;

36 (2) am a citizen of the United States;



1 (3) will have resided in Minnesota for 20 days immediately  
2 preceding election day;

3 (4) maintain residence at the address given on the  
4 registration form;

5 (5) am not under court-ordered guardianship ~~of-the-person~~  
6 ~~where-I-have-not-retained-the~~ in which the court order revokes  
7 my right to vote;

8 (6) have not been found by a court to be legally  
9 incompetent to vote;

10 (7) have ~~not~~ the right to vote because, if I have been  
11 convicted of a felony without-having-my-civil-rights-restored,  
12 my felony sentence has expired (been completed) or I have been  
13 discharged; and

14 (8) have read and understand the following statement: that  
15 giving false information is a felony punishable by not more than  
16 five years imprisonment or a fine of not more than \$10,000, or  
17 both."

18 The certification must include boxes for the voter to  
19 respond to the following questions:

20 "(1) Are you a citizen of the United States?" and

21 "(2) Will you be 18 years old on or before election day?"

22 And the instruction:

23 "If you checked 'no' to either of these questions, do not  
24 complete this form."

25 The voter registration application must set forth the  
26 deadline under section 201.061, subdivision 1, for returning a  
27 voter registration application after it is dated by the voter.

28 Text on the voter registration application must be printed  
29 in black ink.

30 The form of the voter registration application and the  
31 certification of voter eligibility must be as provided in this  
32 subdivision ~~and-approved-by-the-secretary-of-state.~~ Voter  
33 registration forms authorized by the National Voter Registration  
34 Act may also be accepted as valid.

35 An individual may use a voter registration application to  
36 apply to register to vote in Minnesota or to change information

1 on an existing registration.

2 Sec. 7. Minnesota Statutes 2004, section 201.091,  
3 subdivision 4, is amended to read:

4 Subd. 4. [PUBLIC INFORMATION LISTS.] The county auditor  
5 shall make available for inspection a public information list  
6 which must contain the name, address, year of birth, and voting  
7 history of each registered voter in the county. The telephone  
8 number must be included on the list if provided by the voter.  
9 The public information list may also include information on  
10 voting districts. The county auditor may adopt reasonable rules  
11 governing access to the list. No individual inspecting the  
12 public information list shall tamper with or alter it in any  
13 manner. No individual who inspects the public information list  
14 or who acquires a list of registered voters prepared from the  
15 public information list may use any information contained in the  
16 list for purposes unrelated to elections, political activities,  
17 or law enforcement. The secretary of state may provide copies  
18 of the public information lists and other information from the  
19 statewide registration system for uses related to elections,  
20 political activities, or in response to a law enforcement  
21 inquiry from a public official concerning a failure to comply  
22 with any criminal statute or any state or local tax statute.

23 Before inspecting the public information list or obtaining  
24 a list of voters or other information from the list, the  
25 individual shall provide identification to the public official  
26 having custody of the public information list and shall state in  
27 writing that any information obtained from the list will not be  
28 used for purposes unrelated to elections, political activities,  
29 or law enforcement. Requests to examine or obtain information  
30 from the public information lists or the statewide registration  
31 system must be made and processed in the manner provided in the  
32 rules of the secretary of state.

33 Upon receipt of a ~~written request and a copy of the court~~  
34 order statement signed by the voter that withholding the voter's  
35 name from the public information list is required for the safety  
36 of the voter or the voter's family, the secretary of state and

1 county auditor must withhold from the public information list  
2 the name of any a registered voter ~~placed-under-court-ordered~~  
3 ~~protection~~.

4 Sec. 8. Minnesota Statutes 2004, section 201.15, is  
5 amended to read:

6 201.15 [DISTRICT JUDGE, REPORT GUARDIANSHIPS AND  
7 COMMITMENTS.]

8 Subdivision 1. [GUARDIANSHIPS AND INCOMPETENTS.] Pursuant  
9 to the Help America Vote Act of 2002, Public Law 107-252, the  
10 state court administrator shall report monthly by electronic  
11 means to the secretary of state the name, address, and date of  
12 birth of each individual 18 years of age or over, who during the  
13 month preceding the date of the report:

14 (a) was placed under a guardianship ~~of-the-person~~ in which  
15 the court order ~~provides-that-the-ward-does-not-retain~~ revokes  
16 the ward's right to vote; or

17 (b) was adjudged legally incompetent.

18 The court administrator shall also report the same  
19 information for each individual transferred to the jurisdiction  
20 of the court who meets a condition specified in clause (a) or  
21 (b). The secretary of state shall determine if any of the  
22 persons in the report is registered to vote and shall prepare a  
23 list of those registrants for the county auditor. The county  
24 auditor shall change the status on the record in the statewide  
25 registration system of any individual named in the report to  
26 indicate that the individual is not eligible to reregister or  
27 vote.

28 Subd. 2. [~~RESTORATION-TO-CAPACITY~~ GUARDIANSHIP TERMINATION  
29 OR MODIFICATION.] Pursuant to the Help America Vote Act of 2002,  
30 Public Law 107-252, the state court administrator shall report  
31 monthly by electronic means to the secretary of state the name,  
32 address, and date of birth of each individual ~~transferred-from~~  
33 whose guardianship ~~to-conservatorship-or-who-is-restored-to~~  
34 capacity-by-the-court was modified to restore the ward's right  
35 to vote or whose guardianship was terminated by order of the  
36 court under section 524.5-317 after being ineligible to vote for

1 any of the reasons specified in subdivision 1. The secretary of  
 2 state shall determine if any of the persons in the report is  
 3 registered to vote and shall prepare a list of those registrants  
 4 for the county auditor. The county auditor shall change the  
 5 status on the voter's record in the statewide registration  
 6 system to "active."

7 Sec. 9. Minnesota Statutes 2004, section 203B.16, is  
 8 amended by adding a subdivision to read:

9 Subd. 5. [DUTIES OF COUNTY AUDITOR.] Each county auditor  
 10 shall mail absentee ballot applications to the study-abroad  
 11 office of each college or university whose principal  
 12 administrative offices are located within the county.

13 Sec. 10. Minnesota Statutes 2004, section 204B.10,  
 14 subdivision 6, is amended to read:

15 Subd. 6. [INELIGIBLE VOTER.] Upon receipt of a certified  
 16 copy of a final judgment or order of a court of competent  
 17 jurisdiction that a person who has filed an affidavit of  
 18 candidacy or who has been nominated by petition:

19 (1) has been convicted of treason or a felony and the  
 20 person's civil rights have not been restored;

21 (2) is under guardianship ~~of-the-person~~ in which the court  
 22 order revokes the ward's right to vote; or

23 (3) has been found by a court of law to be legally  
 24 incompetent;

25 the filing officer shall notify the person by certified mail at  
 26 the address shown on the affidavit or petition, and shall not  
 27 certify the person's name to be placed on the ballot. The  
 28 actions of a filing officer under this subdivision are subject  
 29 to judicial review under section 204B.44.

30 Sec. 11. Minnesota Statutes 2004, section 204B.24, is  
 31 amended to read:

32 204B.24 [ELECTION JUDGES; OATH.]

33 Each election judge shall sign the following oath before  
 34 assuming the duties of the office:

35 "I ..... solemnly swear that I will perform the duties  
 36 of election judge according to law and the best of my ability

1 and will diligently endeavor to prevent fraud, deceit and abuse  
2 in conducting this election. I will perform my duties in a fair  
3 and impartial manner and not attempt to create an advantage for  
4 my party or for any candidate."

5 The oath shall be attached to the summary statement of the  
6 election returns of that precinct. If there is no individual  
7 present who is authorized to administer oaths, the election  
8 judges may administer the oath to each other.

9 Sec. 12. Minnesota Statutes 2004, section 204B.27,  
10 subdivision 11, is amended to read:

11 Subd. 11. [TRANSLATION OF VOTING INSTRUCTIONS MATERIALS.]  
12 The secretary of state may shall develop voter registration  
13 applications, absentee ballot applications, ballot instructions,  
14 absentee ballot instructions, and voting instructions in  
15 languages other than English~~7-to-be-posted-and-made-available-in~~  
16 polling-places-during-elections. The state demographer shall  
17 determine and report to the secretary of state the languages  
18 that are so common in this state that there is a need for  
19 translated voting instructions materials. The secretary of  
20 state shall develop the materials for those languages  
21 recommended by the state demographer. The secretary of state  
22 shall publish the materials and provide paper copies on request  
23 of any voter at no charge to the voter. The voting instructions  
24 must include a pictorial representation of a voter completing  
25 the voting process; the pictorial representation must be posted  
26 in each polling place. In those precincts where the state  
27 demographer has determined it is likely that at least five  
28 percent of the eligible voters speak one of the languages other  
29 than English for which translated voting materials have been  
30 published by the secretary of state, the translated materials  
31 for that language must be posted or otherwise made available in  
32 the polling place.

33 Sec. 13. Minnesota Statutes 2004, section 204C.06,  
34 subdivision 2, is amended to read:

35 Subd. 2. [INDIVIDUALS ALLOWED IN POLLING PLACE;  
36 IDENTIFICATION.] (a) Representatives of the secretary of state's

1 office, the county auditor's office, and the municipal or school  
2 district clerk's office may be present at the polling place to  
3 observe election procedures. Except for these representatives,  
4 election judges, sergeants-at-arms, and challengers, an  
5 individual may remain inside the polling place during voting  
6 hours only while voting or registering to vote, providing proof  
7 of residence for an individual who is registering to vote, or  
8 assisting a handicapped voter or a voter who is unable to read  
9 English. During voting hours no one except individuals  
10 receiving, marking, or depositing ballots shall approach within  
11 six feet of a voting booth, unless lawfully authorized to do so  
12 by an election judge.

13 (b) Teachers and elementary or secondary school students  
14 participating in an educational activity authorized by section  
15 204B.27, subdivision 7, may be present at the polling place  
16 during voting hours.

17 (c) Each official on duty in the polling place must wear an  
18 identification badge that shows their role in the election  
19 process. The badge must not show their party affiliation.

20 Sec. 14. Minnesota Statutes 2004, section 204C.07,  
21 subdivision 4, is amended to read:

22 Subd. 4. [RESTRICTIONS ON CONDUCT.] An election judge may  
23 not be appointed as a challenger. The election judges shall  
24 permit challengers appointed pursuant to this section to be  
25 present in the polling place during the hours of voting and to  
26 remain there until the votes are counted and the results  
27 declared. No challenger shall handle or inspect registration  
28 cards, files, or lists. Challengers shall not prepare in any  
29 manner any list of individuals who have or have not voted. They  
30 shall not attempt to influence voting in any manner. They shall  
31 not converse with a voter except to determine, in the presence  
32 of an election judge, whether the voter is eligible to vote in  
33 the precinct.

34 Sec. 15. Minnesota Statutes 2004, section 204C.07, is  
35 amended by adding a subdivision to read:

36 Subd. 5. [CHALLENGER TRAINING.] (a) At least once every

1 two years, the secretary of state shall provide training for all  
2 challengers who are appointed to serve at any election to be  
3 held in this state. The secretary of state may delegate to a  
4 county or municipal election official the duty to provide  
5 training of challengers in that county, municipality, or school  
6 district.

7 (b) No individual may serve as a challenger who is not a  
8 registered voter in this state and who has not received at least  
9 two hours of training within the last two years as required by  
10 this subdivision.

11 (c) Each major political party must reimburse the secretary  
12 of state, county auditor, or municipal clerk for the cost of  
13 training challengers appointed by that major political party.

14 (d) A training authority must issue a certification of  
15 challenger training to a person who successfully completes a  
16 training course. The training course must be conducted not more  
17 than 60 days before the state primary nor fewer than three days  
18 before the general election. The challenger training course  
19 must include information on the following topics:

20 (1) eligibility requirements for voting;

21 (2) forms of identification acceptable for purposes of  
22 election day registration;

23 (3) the challenge process; and

24 (4) restrictions on challenger behavior.

25 Sec. 16. Minnesota Statutes 2004, section 204C.08,  
26 subdivision 1a, is amended to read:

27 Subd. 1a. [VOTER'S BILL OF RIGHTS.] The county auditor  
28 shall prepare and provide to each polling place sufficient  
29 copies of a poster setting forth the Voter's Bill of Rights as  
30 set forth in this section. Before the hours of voting are  
31 scheduled to begin, the election judges shall post it in a  
32 conspicuous location or locations in the polling place. The  
33 Voter's Bill of Rights is as follows:

34 "VOTER'S BILL OF RIGHTS

35 For all persons residing in this state who meet federal  
36 voting eligibility requirements:

1 (1) You have the right to be absent from work for the  
2 purpose of voting during the morning of election day.

3 (2) If you are in line at your polling place any time  
4 between 7:00 a.m. and 8:00 p.m., you have the right to vote.

5 (3) If you can provide the required proof of residence, you  
6 have the right to register to vote and to vote on election day.

7 (4) If you are unable to sign your name, you have the right  
8 to orally confirm your identity with an election judge and to  
9 direct another person to sign your name for you.

10 (5) You have the right to request special assistance when  
11 voting.

12 (6) If you need assistance, you may be accompanied into the  
13 voting booth by a person of your choice, except by an agent of  
14 your employer or union or a candidate.

15 (7) You have the right to bring your minor children into  
16 the polling place and into the voting booth with you.

17 (8) If you have been convicted of a felony but ~~your-civil~~  
18 ~~rights-have-been-restored~~ your felony sentence has expired (been  
19 completed) or you have been discharged, you have the right to  
20 vote.

21 (9) If you are under a guardianship, you have the right to  
22 vote, unless the court order revokes your right to vote.

23 (10) You have the right to vote without anyone in the  
24 polling place trying to influence your vote.

25 ~~(11)~~ (11) If you make a mistake or spoil your ballot before  
26 it is submitted, you have the right to receive a replacement  
27 ballot and vote.

28 ~~(12)~~ (12) You have the right to file a written complaint at  
29 your polling place if you are dissatisfied with the way an  
30 election is being run.

31 ~~(13)~~ (13) You have the right to take a sample ballot into  
32 the voting booth with you.

33 ~~(14)~~ (14) You have the right to take a copy of this Voter's  
34 Bill of Rights into the voting booth with you."

35 Sec. 17. Minnesota Statutes 2004, section 204C.10, is  
36 amended to read:



1           204C.10 [PERMANENT REGISTRATION; VERIFICATION OF  
2 REGISTRATION.]

3           (a) An individual seeking to vote shall sign a polling  
4 place roster which states that the individual is at least 18  
5 years of age, a citizen of the United States, has resided in  
6 Minnesota for 20 days immediately preceding the election,  
7 maintains residence at the address shown, is not under a  
8 guardianship in which the ~~individual-has-not-retained~~ court  
9 order revokes the individual's right to vote, has not been found  
10 by a court of law to be legally incompetent to vote or convicted  
11 of a felony without having civil rights restored, is registered  
12 and has not already voted in the election. The roster must also  
13 state: "I understand that deliberately providing false  
14 information is a felony punishable by not more than five years  
15 imprisonment and a fine of not more than \$10,000, or both."

16           (b) A judge may, before the applicant signs the roster,  
17 confirm the applicant's name, address, and date of birth.

18           (c) After the applicant signs the roster, the judge shall  
19 give the applicant a voter's receipt. The voter shall deliver  
20 the voter's receipt to the judge in charge of ballots as proof  
21 of the voter's right to vote, and thereupon the judge shall hand  
22 to the voter the ballot. The voters' receipts must be  
23 maintained during the time for notice of filing an election  
24 contest.

25           Sec. 18. Minnesota Statutes 2004, section 204C.12,  
26 subdivision 2, is amended to read:

27           Subd. 2. [STATEMENT OF GROUNDS; OATH.] The challenger  
28 shall state the ground for the challenge, ~~and~~ in writing, under  
29 oath, and based on the challenger's personal knowledge. An  
30 election judge shall administer to the challenged individual the  
31 following oath:

32           "Do you solemnly swear that you will fully and truly answer  
33 all questions put to you concerning your eligibility to vote at  
34 this election?"

35           The election judge shall then ask the challenged individual  
36 sufficient questions to test that individual's residence and

1 right to vote.

2 Sec. 19. Minnesota Statutes 2004, section 204C.12,  
3 subdivision 4, is amended to read:

4 Subd. 4. [REFUSAL TO ANSWER QUESTIONS OR SIGN A POLLING  
5 PLACE ROSTER.] A challenged individual who refuses to answer  
6 questions or sign a polling place roster as required by this  
7 section must not be allowed to vote. A challenged individual  
8 who leaves the polling place and returns later willing to answer  
9 questions or sign a polling place roster must not be allowed to  
10 vote, except an individual challenged because of a prior  
11 conviction of a felony.

12 Sec. 20. Minnesota Statutes 2004, section 524.5-310, is  
13 amended to read:

14 524.5-310 [FINDINGS; ORDER OF APPOINTMENT.]

15 (a) The court may appoint a limited or unlimited guardian  
16 for a respondent only if it finds by clear and convincing  
17 evidence that:

18 (1) the respondent is an incapacitated person; and  
19 (2) the respondent's identified needs cannot be met by less  
20 restrictive means, including use of appropriate technological  
21 assistance.

22 (b) Alternatively, the court, with appropriate findings,  
23 may treat the petition as one for a protective order under  
24 section 524.5-401, enter any other appropriate order, or dismiss  
25 the proceeding.

26 (c) The court shall grant to a guardian only those powers  
27 necessitated by the ward's limitations and demonstrated needs  
28 and, whenever feasible, make appointive and other orders that  
29 will encourage the development of the ward's maximum  
30 self-reliance and independence. Any power not specifically  
31 granted to the guardian, following a written finding by the  
32 court of a demonstrated need for that power, is retained by the  
33 ward.

34 (d) Within 14 days after an appointment, a guardian shall  
35 send or deliver to the ward, and counsel if represented at the  
36 hearing, a copy of the order of appointment accompanied by a

1 notice which advises the ward of the right to appeal the  
2 guardianship appointment in the time and manner provided by the  
3 Rules of Appellate Procedure.

4 (e) Each year, within 30 days after the anniversary date of  
5 an appointment, a guardian shall send or deliver to the ward a  
6 notice of the right to request termination or modification of  
7 the guardianship and notice of the status of the ward's right to  
8 vote.

9 Sec. 21. [641.45] [VOTING ASSISTANCE TO INMATES.]

10 Upon an inmate's admission to a county jail, workhouse, or  
11 other correctional facility under the control of the county, in  
12 addition to other information required to be provided by law or  
13 rule, the county sheriff or jailer shall provide to the inmate  
14 information on how to vote. When requested by an inmate, the  
15 county sheriff or jailer, in consultation with the county  
16 auditor, shall determine the inmate's eligibility to vote at a  
17 municipal, county, state, or federal election and obtain from  
18 the appropriate county auditor an absentee ballot application  
19 and provide it to the inmate requesting it.

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill) FY 2006	FY 2007	FY 06-07	\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / S1879
1	<b>LEGISLATURE</b>												
2													
3	<b>Senate</b>												
4	General Fund base	GEN	38,638	38,638		38,638	19,319	19,319	38,638				
5	<b>Change Items:</b>												
6	Gov. Change item: 2.5% Operating Budget Reduction	GEN	0	(966)		0			0				
7	<b>total change items</b>	GEN	0	(966)		0	0	0	0				
8													
9	<b>Summary - Senate</b>												
10	<b>General Fund</b>	GEN	38,638	37,672	(966)	38,638	19,319	19,319	38,638	0	0.0%	966	0
11													
12	Carryforward Account												
13	Gov. Change item: Carryforward Reduction	GF-C		(3,829)	(3,829)	(1,250)	(1,250)		(1,250)	(1,250)		2,579	0
14													
15													
16	<b>House of Representatives</b>												
17	General Fund base	GEN	51,986	51,986		51,986	25,993	25,993	51,986				
18	<b>Change Items:</b>												
19	Gov. Change item: 2.5% Operating Budget Reduction	GEN	0	(1,300)		0							
20	8.7% Operating Budget Reduction	GEN					(2,261)	(2,261)	(4,522)				
21	<b>total change items</b>	GEN	0	(1,300)		0	(2,261)	(2,261)	(4,522)				
22													
23	<b>Summary - House</b>												
24	<b>General Fund</b>	GEN	51,986	50,686	(1,300)	51,986	23,732	23,732	47,464	(4,522)	-8.7%	(3,222)	(4,522)
25													
26	Carryforward Account												
27	Gov. Change item: Carryforward Reduction			(4,061)	(4,061)	(1,250)	(3,561)		(3,561)	(3,561)		500	(2,311)
28													
29													
30													
31	<b>Legislative Coordinating Commission</b>												
32													
33	Legislative Audit Commission base	GEN	0	0		0	0	0	0				
34	<b>total Legislative Audit Commission</b>	GEN	0	0		0	0	0	0				
35													
36	Legislative Auditor base	GEN	9,736	9,736		9,736	4,868	4,868	9,736				
37	<b>total Legislative Auditor</b>	GEN	9,736	9,736		9,736	4,868	4,868	9,736		0.0%		
38													
39	Legislative Reference Library	GEN	2,170	2,170		2,170	1,085	1,085	2,170				
40	<b>total Legislative Reference Library</b>	GEN	2,170	2,170		2,170	1,085	1,085	2,170		0.0%		
41													
42	Revisors Office base	GEN	9,788	9,788		9,788	4,894	4,894	9,788				
43	<b>total Revisors Office</b>	GEN	9,788	9,788		9,788	4,894	4,894	9,788		0.0%		
44													
45	LCC-Other base	GEN	586	586		586	293	293	586				
46	<b>total Fiscal Agents</b>	GEN	586	586		586	293	293	586		0.0%		
47													

**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / S1879
48	Legislative Television	GEN	720	720		720	360	360	720				
49	<b>total Legislative Television</b>	GEN	<b>720</b>	<b>720</b>		<b>720</b>	<b>360</b>	<b>360</b>	<b>720</b>		0.0%		
50													
51	Pensions & Retirements base	GEN	626	626		626	313	313	626				
52	<b>total Pensions &amp; Retirements</b>	GEN	<b>626</b>	<b>626</b>		<b>626</b>	<b>313</b>	<b>313</b>	<b>626</b>		0.0%		
53													
54	Great Lakes Commission base	GEN	104	104		104	52	52	104				
55	<b>total Great Lakes Commission</b>	GEN	<b>104</b>	<b>104</b>		<b>104</b>	<b>52</b>	<b>52</b>	<b>104</b>		0.0%		
56													
57	Mississippi River Parkway Commission base	GEN	62	62		62	31	31	62				
58	<b>total Mississippi River Parkway</b>	GEN	<b>62</b>	<b>62</b>		<b>62</b>	<b>31</b>	<b>31</b>	<b>62</b>		0.0%		
59													
60	Employee Relations base	GEN	160	160		160	80	80	160				
61	<b>total Employee Relations</b>	GEN	<b>160</b>	<b>160</b>		<b>160</b>	<b>80</b>	<b>80</b>	<b>160</b>		0.0%		
62													
63	Commission Operations base	GEN	1,106	1,106		1,106	553	553	1,106				
64	<b>total general fund - Operations</b>	GEN	<b>1,106</b>	<b>1,106</b>		<b>1,106</b>	<b>553</b>	<b>553</b>	<b>1,106</b>		0.0%		
65													
66	Economic Status of Women base	GEN	414	414		414	207	207	414				
67	<b>total Economic Status of Women</b>	GEN	<b>414</b>	<b>414</b>		<b>414</b>	<b>207</b>	<b>207</b>	<b>414</b>		0.0%		
68													
69	Health Care Access Commission	HCA	256	256		256	128	128	256				
70	<b>total health care access - Operations</b>	HCA	<b>256</b>	<b>256</b>		<b>256</b>	<b>128</b>	<b>128</b>	<b>256</b>		0.0%		
71													
72	<b>total LCC :</b>		<b>25,728</b>	<b>25,728</b>	<b>0</b>	<b>25,728</b>	<b>12,864</b>	<b>12,864</b>	<b>25,728</b>		0.0%		
73													
74	<b>LCC Change Items:</b>												
75	Gov. Change item: 2.5% Operating Budget Reduction	GEN	0	(636)	(636)	0			0				
76	Electronic Real Estate Recording Task Force	GEN					250	250					
77	LCC Admin costs of amount above: FY 06: 32, FY 07: 33)												
78		HCA	0	0		0	0	0	0				
79													
80	<b>Summary - LCC</b>												
81	<b>General Fund</b>	GEN	<b>25,472</b>	<b>24,836</b>	<b>(636)</b>	<b>25,472</b>	<b>12,986</b>	<b>12,986</b>	<b>25,972</b>	<b>500</b>	<b>2.0%</b>	<b>1,136</b>	<b>500</b>
82	<b>Health Care Access</b>	HCA	<b>256</b>	<b>256</b>	<b>0</b>	<b>256</b>	<b>128</b>	<b>128</b>	<b>256</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
83	<b>total direct</b>		<b>25,728</b>	<b>25,092</b>	<b>(636)</b>	<b>25,728</b>	<b>13,114</b>	<b>13,114</b>	<b>26,228</b>	<b>500</b>	<b>1.9%</b>	<b>1,136</b>	<b>500</b>
84													
85	<b>Carryforward Accounts:</b>												
86	Revisor of Statutes	GF-C	0										
87	LCC Operations	GF-C											
88	Gov. Change item: Carryforward Reduction	GF-C		(766)	(766)	0			0	0		766	0
89	<b>total carryforward:</b>	GF-C	<b>0</b>	<b>(766)</b>	<b>(766)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>766</b>	<b>0</b>
90													
91	<b>GRAND TOTALS-LEGISLATURE</b>												
92	Direct Appropriations:												
93													
94	<b>General Fund operating</b>	GEN	<b>116,096</b>	<b>113,194</b>	<b>(2,902)</b>	<b>116,096</b>	<b>56,037</b>	<b>56,037</b>	<b>112,074</b>	<b>(4,022)</b>	<b>-3.5%</b>	<b>(1,120)</b>	<b>(4,022)</b>

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
95	Health Care Access	HCA	256	256	0	256	128	128	256	0	0.0%	0	0
96	total direct		116,352	113,450	(2,902)	116,352	56,165	56,165	112,330	(4,022)	-3.5%	(1,120)	(4,022)
97													
98	Carryforward Accounts:	GEN	0	(8,656)	(8,656)	(2,500)	(4,811)	0	(4,811)	(4,811)		3,845	(2,311)
99													
100	<b>GOVERNOR'S OFFICE</b>												
101	General Fund Base	GEN	7,172	7,172		7,172	3,586	3,586	7,172				
102													
103	Change Items:												
104	2.5% Operating Budget Reduction	GEN	0	(179)		0	(89)	(90)	(179)				
105	total change items	GEN	0	(179)	(179)	0	(89)	(90)	(179)	(179)		0	(179)
106													
107	<b>GRAND TOTALS - GOVERNOR</b>												
108	Direct Appropriations:												
109	General Fund	GEN	7,172	6,993	(179)	7,172	3,497	3,496	6,993	(179)	-2.5%	0	(179)
110													
111	<b>STATE AUDITOR</b>												
112	Audit Practice												
113	General Fund Base	GEN	12,604	12,604		12,604	6,302	6,302	12,604				
114	Change Item: reduction	GEN											
115	total	GEN											
116													
117	Special Investigations												
118	General Fund	GEN	925	925		925	462	463	925				
119	Change Item: reduction	GEN											
120	total	GEN											
121													
122	Government Information Division												
123	General Fund	GEN	1,397	1,397		1,397	699	698	1,397				
124	Change Item: reduction	GEN											
125	total	GEN											
126													
127	Pension Oversight												
128	General Fund	GEN	1,070	1,070		1,070	535	535	1,070				
129	Change Item: reduction	GEN											
130	total	GEN											
131													
132	Constitutional Office												
133	General Fund	GEN	616	616		616	308	308	616				
134	Change Item: reduction	GEN											
135	total	GEN											
136													
137	Tax Increment Financing												
138	Statutory Appropriations:												
139	General Fund	GEN	1,982	1,982		1,982	973	1,009	1,982				
140	Special Revenue	SR	0	0		0	0	0	0				
141	Summary - Tax Increment Financing												
142	total all funds		1,982	1,982		1,982	973	1,009	1,982				



**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / SF1879
143	<b>Operations Management</b>												
144	General Fund	GEN	0	0		0	0	0	0				
145													
146	<b>Governor's Change Items:</b>												
147	Governor: 2.5% Operating Budget Reduction	GEN	0	(100)		0	(50)	(50)	(100)				
148	Auditor: Restoration of Audit Practice Staff	GEN											
149		GEN											
150	<b>total change items</b>	GEN	0	(100)	(100)	0	(50)	(50)	(100)	(100)		0	(100)
151													
152													
153	<b>GRAND TOTALS - STATE AUDITOR</b>												
154	Direct Appropriations:												
155	General Fund	GEN	16,612	16,512	(100)	16,612	8,256	8,256	16,512	(100)	-0.6%	0	(100)
156													
157	<b>SECRETARY OF STATE</b>												
158	<b>Administration</b>												
159	General Fund base	GEN	2,812	2,812		2,812	1,353	1,459	2,812				
160													
161	<b>Operations</b>												
162	General Fund base	GEN	5,615	5,615		5,615	2,814	2,801	5,615				
163													
164	<b>Elections</b>												
165	General Fund base	GEN	3,553	3,553		3,553	1,737	1,816	3,553				
166													
167	<b>Governor's Change Items:</b>												
168	Governor: 2.5% Operating Budget Reduction	GEN	0	(75)		0	(37)	(38)	(75)				
169	SOS: AAMVA	GEN											
170	SOS: Implementation of SVRS Statewide	GEN											
171	SF 1551 Voter Rights Modifications	GEN					41	14	55				
172	<b>total change items</b>	GEN	0	(75)		0	4	(24)	(20)	(20)		55	(20)
173													
174	<b>GRAND TOTALS - SECRETARY OF STATE</b>												
175	General Fund	GEN	11,980	11,905	(75)	11,980	5,908	6,052	11,960	(20)	-0.2%	55	(20)
176													
177													
178	<b>CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BD</b>												
179	General Fund Base	GEN	1,424	1,424		1,424	712	712	1,424				
180													
181	<b>Change Items:</b>												
182	Gov. Change Item: Budget Reduction	GEN	0	(36)		(36)	(18)	(18)	(36)				
183	<b>Total Direct General Fund</b>	GEN	1,424	1,388	(36)	1,388	694	694	1,388	(36)	-2.5%	0	0
184													
185	<b>Open Appropriations:</b>												
186	Campaign Finance: Public subsidy program base			3,860		3,860	160	3,700	3,860				
187	Gov. Change Item: Eliminate Public Subsidy funding			(3,860)		0			0				
188	<b>total Campaign Finance: Public Subsidy</b>	OGF	3,860	0	(3,860)	3,860	160	3,700	3,860	0	0.0%	3,860	0
189	Revenue Gov. Change Item: Eliminate Public Subsidy funding	SR		2,030		0			0	0		(2,030)	0
190	Impact												
191													

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
192	<b>INVESTMENT BOARD</b>												
193	<b>Investment of Funds</b>												
194	<i>General Fund base</i>												
195		GEN	4,334	4,334		4,334	2,167	2,167	4,334				
196	<b>Change Items</b>												
198	Revenue	Gov. Change Item: Funding Source Restructuring	GEN	0	(3,900)	(3,900)				0		3,900	0
199	Impact	<i>total direct change items</i>	GEN	0	(3,900)	(3,900)							
200					0								
201	Revenue	Gov. Change Item: Funding Source Restructuring - statutory	SR		3,900	3,900							
202	Impact												
215	<b>GRAND TOTALS - INVESTMENT BOARD</b>												
216	<b>Direct Appropriations:</b>												
217	<b>General Fund</b>												
218		GEN	4,334	434	(3,900)	4,334	2,167	2,167	4,334	0	0.0%	3,900	0
219	<b>Statutory Appropriations:</b>												
220	<b>Special Revenue</b>												
221		SR		3,900	3,900	0	0	0	0	0		(3,900)	0
226	<b>ADMINISTRATIVE HEARINGS</b>												
227	<b>Administrative Hearings</b>												
228	<i>Gov. Change Item: Info Technology Infrastructure - statutory</i>												
229	Revenue	AH		35	35	35	23	12	35	35		0	0
230	Impact												
231	<b>Workers' Compensation</b>												
232	<i>Workers Compensation Special Payment base</i>												
233		WCS	14,498	14,498		14,498	7,249	7,249	14,498		0.0%		
234		WCS	0	312		0	203	109	312			0	312
235		WCS	0	312		0	203	109	312	312		0	312
236													
237		WCS	14,498	14,810	312	14,498	7,452	7,358	14,810	312	2.2%	0	312
238	<b>General Fund</b>												
239	<i>Change Item: Municipal Boundary Adjustment from Admin</i>												
240		GEN		524		0	262	262	524	524		0	524
241	<b>GRAND TOTALS - ADMINISTRATIVE HEARINGS</b>												
242	<b>Direct Appropriations:</b>												
243	<b>General Fund</b>												
244		GEN		524	524	0	262	262	524	524		0	524
245		WCS	14,498	14,810	312	14,498	7,452	7,358	14,810	312	2.2%	0	312
246													
247				15,334		14,498	7,714	7,620	15,334				
248	<b>OFFICE OF ENTERPRISE TECHNOLOGY</b>												
249	<b>Change Item:</b>												
250	<i>Office of Technology base transfer from Administration</i>												
251		GEN					1,803	1,803	3,606				
252	<b>Statutory Change Items:</b>												
253	<i>Intertechnologies transfer from Administration to Enterprise</i>												
254													



**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All /S1879
255	Technology Revolving Fund	ET					79,000	79,000	158,000				
256													
257	<b>GRAND TOTALS - ENTERPRISE TECHNOLOGY</b>												
258	<b>Direct Appropriations:</b>												
259	<b>General Fund</b>	GEN					1,803	1,803	3,606	<b>3,606</b>		<b>3,606</b>	<b>3,606</b>
260													
261	<b>Statutory Appropriations:</b>												
262	<i>Enterprise Technology Revolving Fund</i>	ET					79,000	79,000	158,000	<b>158,000</b>		<b>158,000</b>	<b>158,000</b>
263													
264	<b>DEPARTMENT OF ADMINISTRATION</b>												
265													
266	<b>Technology Services</b>												
271													
272	<b>Office of Technology</b>												
273	General Fund Base	GEN	4,958	4,958		4,958	2,479	2,479	4,958				
274	Gov. Change Item: Operational Reductions	GEN		(148)		(148)	(74)	(74)	(148)				
275	Gov. Change item: Office restructuring	GEN		(1,204)		(1,204)	(602)	(602)	(1,204)				
276	Base transfer to Office of Enterprise Technology	GEN					(1,803)	(1,803)	(3,606)				
277	<b>Total Technology Services: General Fund</b>	GEN	<b>4,958</b>	<b>3,606</b>	<b>(1,352)</b>	<b>3,606</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(4,958)</b>	<b>-100.0%</b>	<b>(3,606)</b>	<b>(3,606)</b>
278													
279	Statutory Change Items:												
280	Intertechnologies transfer to Enterprise												
281	Technology Revolving Fund	ITG					(79,000)	(79,000)	(158,000)				
282	<b>State Facilities Services</b>												
283													
284	<b>Building Codes and Standards</b>												
285	Special Revenue Fund base - statutory	SR	13,897	13,897		13,897	6,859	7,038	13,897				
286	<b>total Building Codes &amp; Stds - statutory</b>	SR	<b>13,897</b>	<b>13,897</b>		<b>13,897</b>	<b>6,859</b>	<b>7,038</b>	<b>13,897</b>				
287													
288	<b>State Architect's Office</b>												
289	General Fund base	GEN	3,802	3,802		3,802	1,901	1,901	3,802				
290	Gov. Change Item: Operational Reductions			(114)		(114)	(57)	(57)	(114)				
291	<b>total State Architect</b>		<b>3,802</b>	<b>3,688</b>	<b>(114)</b>	<b>3,688</b>	<b>1,844</b>	<b>1,844</b>	<b>3,688</b>	<b>(114)</b>	<b>-3.0%</b>	<b>0</b>	<b>0</b>
292													
293	<b>Plant Management</b>												
294	In Lieu of Rent base	GEN	15,776	15,776		15,776	7,888	7,888	15,776				
295	Operations base	GEN	1,730	1,730		1,730	865	865	1,730				
296	Gov. Change Item: Operational Reductions			(52)		(52)	(26)	(26)	(52)				
297	<b>total Plant Management</b>	GEN	<b>17,506</b>	<b>17,454</b>	<b>(52)</b>	<b>17,454</b>	<b>8,727</b>	<b>8,727</b>	<b>17,454</b>	<b>(52)</b>	<b>-0.3%</b>	<b>0</b>	<b>0</b>
298													
299	<b>Real Estate Management</b>												
300	General Fund base	GEN	774	774		774	387	387	774				
301	Gov. Change Item: Operational Reductions			(24)		(24)	(12)	(12)	(24)				
302	<b>total Real Estate Management</b>	GEN	<b>774</b>	<b>750</b>	<b>(24)</b>	<b>750</b>	<b>375</b>	<b>375</b>	<b>750</b>	<b>(24)</b>	<b>-3.1%</b>	<b>0</b>	<b>0</b>
303													
304	<b>Summary - State Facilities Services</b>												
305	<b>Stat Appropriations:</b>												

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
306	<b>General Fund</b>	GEN	22,082	21,892	(190)	21,892	10,946	10,946	21,892	(190)	-0.9%	0	0
307	<b>State and Community Services</b>												
308													
309	<b>Information Policy Analysis</b>												
310	General Fund Base	GEN	850	850		850	425	425	850				
311	<b>total Information Policy Analysis:</b>	GEN	850	850	0	850	425	425	850	0	0.0%	0	0
312													
313	<b>Risk Management</b>												
314	Statutory Appropriation		0	0		0	0	0	0				
315	<b>total Risk Management</b>		0	0	0	0	0	0	0	0		0	0
316													
317	<b>Communications.Media</b>												
318	General Fund Base	GEN	886	886		886	443	443	886				
319	<b>total Communications.Media</b>	GEN	886	886	0	886	443	443	886	0	0.0%	0	0
320													
321	<b>Travel Management</b>												
322	Statutory Appropriation		0	0		0	0	0	0				
323	<b>total Travel Management</b>		0	0	0	0	0	0	0	0		0	0
324													
325	<b>State Demographer</b>												
326	General Fund Base	GEN	950	950		950	475	475	950				
327	Gov. Change Item: Operational Reductions			(42)		(42)	(21)	(21)	(42)				
328	<b>total State Demographer:</b>	GEN	950	908	(42)	908	454	454	908	(42)	-4.4%	0	0
329													
330	<b>Land Management Information (LMIC)</b>												
331	General Fund Base	GEN	2,232	2,232		2,232	1,116	1,116	2,232				
332	Gov. Change Item: Operational Reductions			(42)		(42)	(21)	(21)	(42)				
333	Gov. Change Item: eliminate GIS coordination			(1,674)		0			0				
334	<b>total direct LMIC:</b>	GEN	2,232	516	(1,716)	2,190	1,095	1,095	2,190	(42)	-1.9%	1,674	0
335													
336	<b>Environmental Quality Board (EQB)</b>												
337	General Fund Base	GEN	1,434	1,434		1,434	717	717	1,434				
338	Gov. Change Item: Operational Reductions			(56)		(56)	(28)	(28)	(56)				
339	<b>total direct EQB:</b>	GEN	1,434	1,378	(56)	1,378	689	689	1,378	(56)	-3.9%	0	0
340													
341	<b>Municipal Boundaries</b>												
342	General Fund base	GEN	596	596		596	298	298	596				
343	Gov. Change Item: Operational Reductions	GEN		(72)		(72)	(36)	(36)	(72)				
344	Gov. Change Item: Transfer function to Admin. Hearings	GEN		(524)		0	(262)	(262)	(524)				
345	<b>Total Municipal Boundaries</b>	GEN	596	0	(596)	524	0	0	0	(596)	-100.0%	0	(524)
346													
347	<b>Local Planning Assistance</b>												
348	General Fund base	GEN	626	626		626	313	313	626				
349	Gov. Change Item: Operational Reductions			(28)		(28)	(14)	(14)	(28)				
350	Gov. Change Item: Eliminate Local Planning Assistance			(598)		(598)	(299)	(299)	(598)				
351	<b>Total Local Planning Assistance:</b>	GEN	626	0	(626)	0	0	0	0	(626)	-100.0%	0	0
352													

**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / S1879
							FY 2006	FY 2007	FY 06-07				
353	<b>State Archaeologist</b>												
354	General Fund base	GEN	392	392		392	196	196	392				
355	<b>Total State Archaeologist</b>	GEN	<b>392</b>	<b>392</b>	<b>0</b>	<b>392</b>	<b>196</b>	<b>196</b>	<b>392</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
356													
357	<b>Change Item: Faith Based Initiative (new budget activity)</b>	GEN		300	300	0			0	0		(300)	0
358													
359	<b>Summary - State and Community Services</b>												
360													
361	<b>Direct Appropriations:</b>												
362	<b>General Fund</b>	GEN	<b>7,966</b>	<b>5,230</b>	<b>(2,736)</b>	<b>7,128</b>	<b>3,302</b>	<b>3,302</b>	<b>6,604</b>	<b>(1,362)</b>	<b>-17.1%</b>	<b>1,374</b>	<b>(524)</b>
363	<b>Administrative Management Services</b>												
364													
365	<b>Executive Support</b>												
366	General Fund Base	GEN	920	920		920	460	460	920				
367	Gov. Change Item: Operational Reductions			(28)		(28)	(14)	(14)	(28)				
368	<b>total Executive Support</b>	GEN	<b>920</b>	<b>892</b>	<b>(28)</b>	<b>892</b>	<b>446</b>	<b>446</b>	<b>892</b>	<b>(28)</b>	<b>-3.0%</b>	<b>0</b>	<b>0</b>
369													
370	<b>Financial Management &amp; Reporting</b>												
371	General Fund Base	GEN	1,666	1,666		1,666	833	833	1,666				
372	Gov. Change Item: Operational Reductions			(54)		(54)	(27)	(27)	(54)				
373	<b>total Financial Management &amp; Reporting:</b>	GEN	<b>1,666</b>	<b>1,612</b>	<b>(54)</b>	<b>1,612</b>	<b>806</b>	<b>806</b>	<b>1,612</b>	<b>(54)</b>	<b>-3.2%</b>	<b>0</b>	<b>0</b>
374													
375	<b>System of Technology to Achieve Results (STAR)</b>												
376	SF 1524 Assistive Technology match to federal grant	GEN					300		300				
377	Of above amount Microloan Prog: 250, Access to Telework: 50)												
378	Statutory Federal Appropriation												
379	<b>total STAR:</b>	GEN					<b>300</b>		<b>300</b>	<b>300</b>		<b>300</b>	<b>300</b>
380		FED	<b>900</b>	<b>900</b>	<b>0</b>	<b>900</b>	<b>450</b>	<b>450</b>	<b>900</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
381													
382	<b>Developmental Disabilities Council</b>												
383	General Fund Base	GEN	148	148		148	74	74	148				
384	<b>total Development Disabilities Council:</b>	GEN	<b>148</b>	<b>148</b>	<b>0</b>	<b>148</b>	<b>74</b>	<b>74</b>	<b>148</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
385													
386	<b>Human Resources</b>												
387	General Fund Base	GEN	950	950		950	475	475	950				
388	Gov. Change Item: Operational Reductions			(28)		(28)	(14)	(14)	(28)				
389	<b>total Human Resources:</b>	GEN	<b>950</b>	<b>922</b>	<b>(28)</b>	<b>922</b>	<b>461</b>	<b>461</b>	<b>922</b>	<b>(28)</b>	<b>-2.9%</b>	<b>0</b>	<b>0</b>
390													
391	<b>Materials Management</b>												
392	General Fund base	GEN	4,452	4,452		4,452	2,226	2,226	4,452				
393	Gov. Change Item: Operational Reductions			(284)		(284)	(142)	(142)	(284)				
394	<b>Total Materials Management</b>	GEN	<b>4,452</b>	<b>4,168</b>	<b>(284)</b>	<b>4,168</b>	<b>2,084</b>	<b>2,084</b>	<b>4,168</b>	<b>(284)</b>	<b>-6.4%</b>	<b>0</b>	<b>0</b>
395													
396	<b>Office Supply Connection</b>												
397	Internal Service Fund		0	0		0	0	0	0				
398	<b>Total Office Supply</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>
399													

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / S1879
400	<b>Management Analysis Division</b>												
401	General Fund base	GEN	734	734		734	367	367	734				
402	Gov. Change Item: Operational Reductions			(22)		(22)	(11)	(11)	(22)				
403	<b>Total MAD</b>	GEN	<b>734</b>	<b>712</b>	<b>(22)</b>	<b>712</b>	<b>356</b>	<b>356</b>	<b>712</b>	<b>(22)</b>	<b>-3.0%</b>	<b>0</b>	<b>0</b>
404													
405	<b>Office of Strategic Planning &amp; Performance Measurement</b>												
406	General Fund base	GEN	690	690		690	345	345	690				
407	Gov. Change Item: Operational Reductions			(20)		(20)	(10)	(10)	(20)				
408	<b>Total Strategic Planning</b>	GEN	<b>690</b>	<b>670</b>	<b>(20)</b>	<b>670</b>	<b>335</b>	<b>335</b>	<b>670</b>	<b>(20)</b>	<b>-2.9%</b>	<b>0</b>	<b>0</b>
409													
410	<b>Summary - Administrative Management Services</b>												
411													
412	<b>Direct Appropriations:</b>												
413	<b>General Fund</b>	GEN	<b>9,560</b>	<b>9,124</b>	<b>(436)</b>	<b>9,124</b>	<b>4,862</b>	<b>4,562</b>	<b>9,424</b>	<b>(136)</b>	<b>-1.4%</b>	<b>300</b>	<b>300</b>
414	<b>FISCAL AGENT</b>												
415													
416	Miscellaneous Grants / Studies	GEN	0	0		0	0	0	0				
417	Agency Relocation (transfer out)	GEN	0	0		0	0	0	0				
418	<b>total Fiscal Agent / other</b>	GEN	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>
419	<b>PUBLIC BROADCASTING</b>												
420	<b>Public Television</b>												
421	Equipment Grants base	GEN	806	806		806	403	403	806				
422	<b>total equipment grants:</b>	GEN	<b>806</b>	<b>806</b>		<b>806</b>	<b>403</b>	<b>403</b>	<b>806</b>				
423													
424	Matching Grants base	GEN	1,950	1,950		1,950	975	975	1,950				
425	<b>total matching grants:</b>	GEN	<b>1,950</b>	<b>1,950</b>		<b>1,950</b>	<b>975</b>	<b>975</b>	<b>1,950</b>				
426													
427	<b>total Public Television general fund</b>	GEN	<b>2,756</b>	<b>2,756</b>	<b>0</b>	<b>2,756</b>	<b>1,378</b>	<b>1,378</b>	<b>2,756</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
428	<b>Public Radio</b>												
429													
430	<b>AMPERS</b>												
431	Community Service Grants - AMPERS base	GEN	626	626		626	313	313	626				
432	Equipment Grants base	GEN	0	0		0	0	0	0				
433	WCAL station transfer to MPR	GEN					(26)	(26)	(52)				
434	<b>subtotal AMPERS</b>	GEN	<b>626</b>	<b>626</b>		<b>626</b>	<b>287</b>	<b>287</b>	<b>574</b>	<b>(52)</b>	<b>-8.3%</b>	<b>(52)</b>	<b>(52)</b>
435													
436	<b>MPR</b>												
437	Equipment Grants base	GEN	390	390		390	195	195	390				
438	WCAL station transfer from AMPERS	GEN					26	26	52				
439	<b>subtotal MPR</b>	GEN	<b>390</b>	<b>390</b>		<b>390</b>	<b>221</b>	<b>221</b>	<b>442</b>	<b>52</b>	<b>13.3%</b>	<b>52</b>	<b>52</b>
440													
441	<b>total Public Radio</b>	GEN	<b>1,016</b>	<b>1,016</b>	<b>0</b>	<b>1,016</b>	<b>508</b>	<b>508</b>	<b>1,016</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
442	<b>Twin Cities Regional Cable Channel</b>												
443	General Fund base	GEN	34	34		34	17	17	34				
444	<b>total direct GF</b>	GEN	<b>34</b>	<b>34</b>	<b>0</b>	<b>34</b>	<b>17</b>	<b>17</b>	<b>34</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
445													
446	<b>GRAND TOTALS- PUBLIC BROADCASTING</b>												

**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / S1879
447	<b>Direct Appropriations:</b>												
448	<i>General Fund</i>	GEN	3,806	3,806	0	3,806	1,903	1,903	3,806	0	0.0%	0	0
449	<b>GRAND TOTALS - DEPT OF ADMINISTRATION</b>												
450													
451	<b>Direct Appropriations:</b>												
452	<i>General Fund</i>	GEN	48,372	43,658	(4,714)	45,556	21,013	20,713	41,726	(6,646)	-13.7%	(1,932)	(3,830)
453	total direct		48,372	43,658	(4,714)	45,556	21,013	20,713	41,726				
454	Statutory Change:												
455	Intertechnologies Fund	ITG					(79,000)	(79,000)	(158,000)	(158,000)		(158,000)	(158,000)
456													
457	<b>CAPITOL AREA ARCHITECTURAL &amp; PLANNING BD</b>												
458													
459	<i>General Fund base</i>	GEN	524	524		524	262	262	524				
460													
461	<b>Change Items:</b>												
462			0	0		0	0	0	0				
463	total change items	GEN	0	0		0	0	0	0	0		0	0
464													
465	<b>GRAND TOTALS - CAAPB</b>												
466	<b>Direct Appropriations:</b>												
467	<i>General Fund</i>	GEN	524	524	0	524	262	262	524	0	0.0%	0	0
468	<i>Carryforward</i>		78	78	0	78	73	5	78				
469													
470	<b>DEPARTMENT OF FINANCE</b>												
471													
472	<b>State Financial Management*</b>												
473	<i>General Fund base</i>	GEN	17,422	17,422		17,422	8,711	8,711	17,422				
474													
475	<b>Change Items</b>												
476	Gov. Change Item: Operating Budget Reductions	GEN	0	(528)		(528)	(264)	(264)	(528)				
477	total change items		0	(528)		(528)	(264)	(264)	(528)				
478													
479	<b>Summary - State Financial Management</b>												
480	<i>General Fund</i>	GEN	17,422	16,894	(528)	16,894	8,447	8,447	16,894	(528)	-3.0%	0	0
481													
482	<b>Information &amp; Management Services</b>												
483	<i>General Fund</i>	GEN	13,010	13,010		13,010	6,505	6,505	13,010				
484													
485	<b>Change Items</b>												
486	Gov. Change Item: Operating Budget Reductions	GEN	0	(288)		(288)	(144)	(144)	(288)				
487	total change items	GEN	0	(288)		(288)	(144)	(144)	(288)				
488													
489	<b>Summary - Information &amp; Management Services</b>												
490	<i>General Fund Direct</i>	GEN	13,010	12,722	(288)	12,722	6,361	6,361	12,722	(288)	-2.2%	0	0
491	<b>GRAND TOTALS - DEPARTMENT OF FINANCE</b>												
492	<b>Direct Appropriations:</b>												



	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
493	<b>General Fund</b>	GEN	30,432	29,616	(816)	29,616	14,808	14,808	29,616	(816)	-2.7%	0	0
494													
495	<b>Open Appropriations:</b>												
496	Indirect Costs Receipts Offset	OGF	(35,774)	(31,874)	3,900	(34,774)	(16,887)	(17,887)	(34,774)	1,000	-2.8%	(2,900)	0
497	Finance Non-Operating	OGF	10,262	10,262	0	10,262	5,131	5,131	10,262	0	0.0%	0	0
498	Total Open General Fund	OGF	(25,512)	(21,612)	3,900	(24,512)	(11,756)	(12,756)	(24,512)	1,000	-3.9%	(2,900)	0
499													
500													
501	<b>DEPARTMENT OF EMPLOYEE RELATIONS</b>												
502	<b>Employee Insurance</b>												
503													
504	<b>State Workers' Compensation Program</b>												
505	General Fund base	GEN	126	126		126	63	63	126				
506	Gov. Change Item: Health & Safety Information Access	GEN		(126)		(126)	(63)	(63)	(126)				
507	<b>total State Worker's Compensation - GF</b>	GEN	126	0	(126)	0	0	0	0	(126)	-100.0%	0	0
508													
509	<b>State Employee Group Insurance Program (SEGIP)</b>												
510	Gov. Change Item: Shared Funding for Technology - statutory	SEI		82	82	82	41	41	82	82		0	0
511													
512	<b>Public Employees Insurance Program (PEIP)</b>												
513	Gov. Change Item: Staff Restructuring - statutory	PEI		51	51	51	25	26	51	51		0	0
514													
515	<b>Open Appropriations:</b>												
516	WCRA open appropriation	OGF	1,027	1,027	0	1,027	506	521	1,027	0	0.0%	0	0
517	<b>Total Open General Fund:</b>		1,027	1,027	0	1,027	506	521	1,027				
518	<b>Human Resource Management</b>												
519													
520	<b>Administration</b>												
521	General Fund Base	GEN	6,258	6,258		6,258	3,182	3,076	6,258				
522	<b>Change items:</b>	GEN											
523	Gov. Change Item: Staff Restructuring	GEN		(514)		(514)	(207)	(307)	(514)				
524	Gov. Change Item: Shared Funding for Technology	GEN	0	(82)		(82)	(41)	(41)	(82)				
525	<b>total change items</b>	GEN	0	(596)		(596)	(248)	(348)	(596)				
526	<b>Administration total</b>	GEN	6,258	5,662	(596)	5,662	2,934	2,728	5,662	(596)	-9.5%	0	0
527													
528	<b>Labor Relations and Compensation</b>												
529	General Fund Base	GEN	1,851	1,851		1,851	908	943	1,851	0	0.0%	0	0
530	<b>Labor Relations total</b>	GEN	1,851	1,851		1,851	908	943	1,851				
531													
532	<b>Agency and Applicant Services</b>												
533	General Fund Base	GEN	3,050	3,050		3,050	1,498	1,552	3,050		0.0%		
534	<b>Change items:</b>	GEN											
535	Gov. Change Item: Staff Restructuring	GEN		(260)		(260)	(126)	(134)	(260)				
536	Gov. Change Item: Online Affirmative Action / Pay Equity	GEN		(171)		(171)	(84)	(87)	(171)				
537	<b>total change items</b>	GEN		(431)		(431)	(210)	(221)	(431)				
538	<b>Agency &amp; Applicant Services total</b>	GEN	3,050	2,619	(431)	2,619	1,288	1,331	2,619	(431)	-14.1%	0	0
539													

State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / S1879
540	<b>HR Technology &amp; Analytics</b>												
541	General Fund Base	GEN	1,091	1,091		1,091	537	554	1,091				
542	<i>HR Technology &amp; Analytics total</i>	GEN	<b>1,091</b>	<b>1,091</b>		<b>1,091</b>	<b>537</b>	<b>554</b>	<b>1,091</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
543													
544	<b>Summary - Human Resource Management</b>												
545	<b>Direct Appropriations:</b>												
546	<i>General Fund</i>	GEN	<b>12,250</b>	<b>11,223</b>	<b>(1,027)</b>	<b>11,223</b>	<b>5,667</b>	<b>5,556</b>	<b>11,223</b>	<b>(1,027)</b>	<b>-8.4%</b>	<b>0</b>	<b>0</b>
547	<b>GRAND TOTALS - DEPT OF EMPLOYEE RELATIONS</b>												
548	<b>Direct Appropriations:</b>												
549	<i>General Fund</i>	GEN	<b>12,376</b>	<b>11,223</b>	<b>(1,153)</b>	<b>11,223</b>	<b>5,667</b>	<b>5,556</b>	<b>11,223</b>	<b>(1,153)</b>	<b>-9.3%</b>	<b>0</b>	<b>0</b>
550													
551	<b>Open Appropriations:</b>												
552	<i>General Fund</i>	OGF	1,027	1,027	0	1,027	506	521	1,027	0	0.0%	0	0
553													
554													
555	<b>DEPARTMENT OF REVENUE</b>												
556													
557	<b>Tax System Management</b>												
558													
559	<b>Administrative Support</b>												
560	<i>General Fund base</i>	GEN	9,390	9,390		9,390	4,695	4,695	9,390				
561	Gov. Change Item: Operating Reduction	GEN		(2,000)		(2,000)	(1,500)	(500)	(2,000)				
562													
563	<i>General Fund</i>	GEN	9,390	7,390	<b>(2,000)</b>	7,390	3,195	4,195	7,390	<b>(2,000)</b>	<b>-21.3%</b>	<b>0</b>	<b>0</b>
564	<i>Health Care Access Fund</i>	HCA	156	156		156	78	78	156				
565	<b>total Administrative Support:</b>		<b>9,546</b>	<b>7,546</b>	<b>(2,000)</b>	<b>7,546</b>	<b>3,273</b>	<b>4,273</b>	<b>7,546</b>	<b>(2,000)</b>	<b>-21.0%</b>	<b>0</b>	<b>0</b>
566													
567	<b>Appeals, Legal Services and Research</b>												
568	<i>General Fund base</i>	GEN	7,412	7,412		7,412	3,706	3,706	7,412				
569	Gov. Change Item: Enhanced Tax Compliance	GEN		150		150	77	73	150				
570	Revenue Impact												
571	<i>General Fund</i>	GEN	7,412	7,562	<b>150</b>	7,562	3,783	3,779	7,562	<b>150</b>	<b>2.0%</b>	<b>0</b>	<b>0</b>
572	<i>Health Care Access Fund</i>	HCA	322	322		322	161	161	322				
573	<b>total Legal &amp; Research:</b>		<b>7,734</b>	<b>7,884</b>	<b>150</b>	<b>7,884</b>	<b>3,944</b>	<b>3,940</b>	<b>7,884</b>	<b>150</b>	<b>1.9%</b>	<b>0</b>	<b>0</b>
574													
575	<b>Tax Payment &amp; Return Processing</b>												
576	<i>General Fund base</i>	GEN	24,094	24,094		24,094	12,047	12,047	24,094				
577	Gov. Change Item: Enhanced Tax Compliance	GEN		168		168	43	125	168				
578	Revenue Impact												
579	<i>General Fund</i>	GEN	24,094	24,262	<b>168</b>	24,262	12,090	12,172	24,262	<b>168</b>	<b>0.7%</b>	<b>0</b>	<b>0</b>
580	<i>Health Care Access</i>	HCA	118	118		118	59	59	118				
581	<b>total Tax Payment &amp; Return Processing:</b>		<b>24,212</b>	<b>24,380</b>	<b>168</b>	<b>24,380</b>	<b>12,149</b>	<b>12,231</b>	<b>24,380</b>	<b>168</b>	<b>0.7%</b>	<b>0</b>	<b>0</b>
582													
583	<b>Tax Compliance</b>												
584	<i>General Fund base</i>	GEN	80,498	80,498		80,498	40,249	40,249	80,498				
585	Gov. Change Item: Enhanced Tax Compliance	GEN		10,618		10,618	4,801	5,817	10,618				
586	Revenue Impact												

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
587	General Fund	GEN	80,498	91,116	10,618	91,116	45,050	46,066	91,116	10,618	13.2%	0	0
588	Health Care Access	HCA	2,618	2,618		2,618	1,309	1,309	2,618				
589	Highway Users Tax Distribution	HUT	4,092	4,092		4,092	2,046	2,046	4,092				
590	Environmental	ENV	548	548		548	274	274	548				
591	<b>total Tax Compliance:</b>		<b>87,756</b>	<b>98,374</b>	<b>10,618</b>	<b>98,374</b>	<b>48,679</b>	<b>49,695</b>	<b>98,374</b>	<b>10,618</b>	<b>12.1%</b>	<b>0</b>	<b>0</b>
592													
593	<b>Technology Development &amp; Support</b>												
594	General Fund base	GEN	29,104	29,104		29,104	14,552	14,552	29,104				
595	Revenue Gov. Change Item: Enhanced Tax Compliance	GEN		350	350	350	175	175	350				
596	Impact												
597	Gov. Change Item: Operating Reduction	GEN		(4,000)	(4,000)	(4,000)	(2,000)	(2,000)	(4,000)				
598													
599	General Fund base	GEN	29,104	25,454	(3,650)	25,454	12,727	12,727	25,454	(3,650)	-12.5%	0	0
600	Health Care Access	HCA	94	94		94	47	47	94	0	0.0%	0	0
601	Highway Users Tax Distribution	HUT	102	102		102	51	51	102	0	0.0%	0	0
602	Environmental	ENV	34	34		34	17	17	34	0	0.0%	0	0
603	<b>total Technology Development &amp; Support:</b>		<b>29,334</b>	<b>25,684</b>	<b>(3,650)</b>	<b>25,684</b>	<b>12,842</b>	<b>12,842</b>	<b>25,684</b>	<b>(3,650)</b>	<b>-12.4%</b>	<b>0</b>	<b>0</b>
604													
605	<b>Property Tax Administration</b>												
606	General Fund base	GEN	5,220	5,220		5,220	2,610	2,610	5,220				
607	<b>total Property Tax Administration</b>		<b>5,220</b>	<b>5,220</b>	<b>0</b>	<b>5,220</b>	<b>2,610</b>	<b>2,610</b>	<b>5,220</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
608													
609	<b>Change Item: Allocation of Across the Board Cut</b>	GEN					(2,075)	(2,075)	(4,150)				
610													
611	Open Appropriations:												
612	General Fund	OGF	3,800	3,800		3,800	1,900	1,900	3,800	0	0.0%	0	0
613													
614	<b>Summary - Minnesota Tax System Management</b>												
615	<b>Direct Appropriations:</b>												
616	General Fund	GEN	155,718	161,004	5,286	161,004	77,380	79,474	156,854	1,136	0.7%	(4,150)	(4,150)
617	Health Care Access	HCA	3,308	3,308		3,308	1,654	1,654	3,308	0	0.0%	0	0
618	Highway User Tax Distribution	HUT	4,194	4,194		4,194	2,097	2,097	4,194	0	0.0%	0	0
619	Environmental	ENV	582	582		582	291	291	582	0	0.0%	0	0
620	<b>total direct</b>		<b>163,802</b>	<b>169,088</b>	<b>5,286</b>	<b>169,088</b>	<b>81,422</b>	<b>83,516</b>	<b>164,938</b>	<b>1,136</b>	<b>0.7%</b>	<b>(4,150)</b>	<b>(4,150)</b>
621	<b>Open Appropriations:</b>												
622	General Fund	OGF	3,800	3,800	0	3,800	1,900	1,900	3,800	0	0.0%	0	0
623													
624	<b>Debt Collection Management</b>												
625													
626	<b>Minnesota Collection Enterprise</b>												
627	Revenue General Fund base	GEN	31,448	31,448		31,448	15,724	15,724	31,448				
628	Impact Gov. Change Item: Enhanced Tax Compliance	GEN		2,010		2,010	690	1,320	2,010				
629	Change Item: Allocation of Across the Board Cut	GEN					(425)	(425)	(850)				
630	<b>total GF:</b>	GEN	<b>31,448</b>	<b>33,458</b>	<b>2,010</b>	<b>33,458</b>	<b>15,989</b>	<b>16,619</b>	<b>32,608</b>	<b>1,160</b>	<b>3.7%</b>	<b>(850)</b>	<b>(850)</b>
631			0										
632	<b>total Minnesota Collection Enterprise:</b>		<b>31,448</b>	<b>33,458</b>	<b>2,010</b>	<b>33,458</b>	<b>15,989</b>	<b>16,619</b>	<b>32,608</b>	<b>1,160</b>	<b>3.7%</b>	<b>(850)</b>	<b>(850)</b>
633	<b>GRAND TOTALS - DEPARTMENT OF REVENUE</b>												
634	<b>Direct Appropriations:</b>												



**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff.	% Diff.	\$ Diff.	\$ Diff.
							FY 2006	FY 2007	FY 06-07	Sen All / Base	Sen All / Base	Sen All / Gov	Sen All / S1879
635	<b>General Fund</b>	GEN	187,166	194,462	7,296	194,462	93,369	96,093	189,462	2,296	1.2%	(5,000)	(5,000)
636	Health Care Access	HCA	3,308	3,308		3,308	1,654	1,654	3,308	0	0.0%	0	0
637	Highway User Tax Distribution	HUT	4,194	4,194		4,194	2,097	2,097	4,194	0	0.0%	0	0
638	Environmental	ENV	582	582		582	291	291	582	0	0.0%	0	0
639	<b>total direct</b>		<b>195,250</b>	<b>202,546</b>	<b>7,296</b>	<b>202,546</b>	<b>97,411</b>	<b>100,135</b>	<b>197,546</b>	<b>2,296</b>	<b>1.2%</b>	<b>(5,000)</b>	<b>(5,000)</b>
640													
641	<b>Open Appropriations:</b>												
642	Collections, Seized Property, Recording Fees	OGF	3,800	3,800	0	3,800	1,900	1,900	3,800	0	0.0%	0	0
643													
644	<b>DEPARTMENT OF MILITARY AFFAIRS</b>												
645													
646	<b>Maintenance-Training Facilities</b>												
647													
648	<b>Camp Ripley-Holman</b>												
649	General Fund base	GEN	2,197	2,197		2,197	1,105	1,092	2,197	0	0.0%	0	0
650													
651	<b>Armory Maintenance</b>												
652	General Fund base	GEN	7,262	7,262		7,262	3,631	3,631	7,262	0	0.0%	0	0
653													
654	<b>Air Base Maintenance - Twin Cities</b>												
655	General Fund base	GEN	894	894		894	444	450	894	0	0.0%	0	0
656													
657	<b>Air Base Maintenance - Duluth</b>												
658	General Fund base	GEN	827	827		827	410	417	827	0	0.0%	0	0
659													
660	<b>Summary - Maintenance - Training Facilities</b>												
661	<b>Direct Appropriations:</b>												
662	<b>General Fund</b>	GEN	<b>11,180</b>	<b>11,180</b>	<b>0</b>	<b>11,180</b>	<b>5,590</b>	<b>5,590</b>	<b>11,180</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
663	<b>General Support</b>												
664													
665	<b>Administrative Services</b>												
666	General Fund base	GEN	3,514	3,514		3,514	1,757	1,757	3,514	0	0.0%	0	0
667	<b>Change Items:</b>												
668	SF 861 National Guard Youth Camp	GEN					25	25	50				
669													
670	<b>Summary - General Support</b>												
671	<b>Direct Appropriations:</b>												
672	<b>General Fund</b>	GEN	<b>3,514</b>	<b>3,514</b>	<b>0</b>	<b>3,514</b>	<b>1,782</b>	<b>1,782</b>	<b>3,564</b>	<b>50</b>	<b>1.4%</b>	<b>50</b>	<b>50</b>
673	<b>Enlistment Incentives</b>												
674	General Fund base	GEN	9,714	9,714		9,714	4,857	4,857	9,714		0.0%		
675													
676	<b>Change Items:</b>												
677	Gov. Change item: 100% Tuition Reimbursement Funding			7,700		0	3,850	3,850	7,700				
678	Gov. Change item: Re-enlistment Incentive Program:			3,000		0	1,500	1,500	3,000				
679	<b>Total Change Items:</b>	GEN		<b>10,700</b>	<b>10,700</b>	<b>0</b>	<b>5,350</b>	<b>5,350</b>	<b>10,700</b>	<b>10,700</b>		<b>0</b>	<b>10,700</b>
680													
681	Change item: Support Our Troops Grants	Gift/SP		2,385	2,385	0	0	855	1,193	1,193		(1,193)	1,193

	AGENCY/PROGRAM	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
	BASE SPENDING/DECISION ITEMS						FY 2006	FY 2007	FY 06-07				
682	(revenues reflected in Transportation budget)												
683	Senate deposited in Special Revenue fund & direct approp												
684	<b>Total All Change Items:</b>			13,085	13,085	0	5,688	6,205	11,893	11,893		(1,192)	11,893
685													
686	<b>Summary - Enlistment Incentives</b>												
687	<b>Direct Appropriations:</b>												
688	<b>General Fund</b>	GEN	9,714	20,414	10,700	9,714	10,207	10,207	20,414	10,700	110.2%	0	10,700
689	<b>Special Revenue</b>	SR					338	855	1,193				
690	<b>Emergency Services / Military Support</b>												
691	Military Forces Ordered to Active Duty base:	GEN	150	150		150	75	75	150				
692	Gov. Change item: Eliminate direct appropriation			(150)		(150)	(75)	(75)	(150)				
693	<b>Summary - Emergency Services (direct)</b>	GEN	150	0	(150)	0	0	0	0	(150)	-100.0%	0	0
694													
695	<b>Emergency Services: Open Appropriation</b>	OGF	703	853	150	853	382	471	853	150	21.3%	0	0
696													
697	<b>GRAND TOTALS - DEPT OF MILITARY AFFAIRS</b>												
698	<b>Direct Appropriations:</b>												
699	<b>General Fund</b>	GEN	24,558	35,108	10,550	24,408	17,579	17,579	35,158	10,600	43.2%	50	10,750
700	<b>Special Revenue</b>	SR					338	855	1,193				
701	<b>Open General Fund</b>	OGF	703	853	150	853	382	471	853	150	21.3%	0	0
702													
703	<b>DEPARTMENT OF VETERANS AFFAIRS</b>												
704													
705	<b>Benefits</b>												
706													
707	<b>Benefits Administration</b>												
708	General Fund base	GEN	522	522		522	261	261	522				
709	<b>Change Items:</b>												
710	Gov. Change item: Veterans Claims Processing: Vietnam Vet	GEN		10		0			0				
711	Transfer Vietnam Veterans Base to Veterans Service Grants						(15)	(15)	(30)				
712	Veterans Service Grants (eligibility see below)	GEN					103	103	206				
713	(Vietnam Vets, VFW, Purple Heart, Disabled Am Vets base transfer)												
714	<b>Total Change Items:</b>	GEN		10		0	88	88	176	176		166	176
715													
716	Veterans Service Grants	SR					337	855	1,192	1,192		1,192	1,192
717	(Vietnam Vets, VFW, Purple Heart, Disabled Am Vets, Vinland Center - S F918,												
718	MAC-V - SF 1863, Underserved Vet Outreach Assistance - SF 1891 eligible)												
719	<b>Total Benefits Administration:</b>												
720	<b>General Fund</b>	GEN	522	532	10	522	349	349	698	176	33.7%	166	176
721	<b>Special Revenue</b>						337	855	1,192	1,192		1,192	1,192
722													
723	<b>CVSO Grants</b>												
724	General Fund base	GEN	190	190		190	95	95	190	0	0.0%	0	0
725													
726	<b>State Soldiers Assistance</b>												
727	General Fund base	GEN	2,852	2,852		2,852	1,426	1,426	2,852	0	0.0%	0	0
728													

**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

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	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill) FY 2006	FY 2007	FY 06-07	\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All /S1879
729	<b>Vinland Grants</b>												
730	General Fund base	GEN	0	0		0	0	0	0	0		0	0
731													
732													
733	<b>Summary - Benefits</b>												
734													
735	General Fund	GEN	3,564	3,574	10	3,564	1,870	1,870	3,740	176	4.9%	166	176
736	Special Revenue	SR					337	855	1,192	1,192		1,192	1,192
737													
738	<b>Services</b>												
739													
740	<b>Guardianship Administration</b>												
741	General Fund base	GEN	188	188		188	94	94	188	0	0.0%	0	0
742													
743	<b>Claims - Fargo Administration</b>												
744	General Fund base	GEN	522	522		522	261	261	522	0	0.0%	0	0
745													
746	<b>Claims - Fort Snelling Administration</b>												
747	General Fund base	GEN	1,036	1,036		1,036	518	518	1,036	0	0.0%	0	0
748													
749													
750	<b>Summary - Benefits &amp; Services</b>												
751	General Fund	GEN	1,746	1,746	0	1,746	873	873	1,746	0	0.0%	0	0
752	<b>Departmental Operations</b>												
753													
754	<b>Administrative Services</b>												
755	General Fund base	GEN	2,344	2,344		2,344	1,172	1,172	2,344	0	0.0%	0	0
756													
757	<b>Cemetery Operations State</b>												
758	General Fund base	GEN	400	400		400	200	200	400	0	0.0%	0	0
759													
760	<b>Summary - Departmental Operations</b>												
761	Direct Appropriations:												
762	General Fund	GEN	2,744	2,744	0	2,744	1,372	1,372	2,744	0	0.0%	0	0
763	<b>GRAND TOTALS - DEPT OF VETERANS AFFAIRS</b>												
764	Direct Appropriations:												
765	General Fund	GEN	8,054	8,064	10	8,054	4,115	4,115	8,230	176		166	176
766	Special Revenue	SR					337	855	1,192				
767													
768	Carryforward: Gulf War Veterans bonus		20	20	0	20	10	10	20	0	0.0%	0	0
769													
770	<b>VETERANS OF FOREIGN WARS</b>												
771	General Fund base	GEN	110	110		110	55	55	110				
772	Gov. Change Item: Veterans Claims Processing	GEN	0	60		0			0				
773	Transfer to Veterans Affairs Department	GEN					(55)	(55)	(110)				
774	<b>total VFW:</b>	GEN	110	170	60	110	0	0	0	(110)	-100.0%	(170)	(110)
775													

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / S1879
							FY 2006	FY 2007	FY 06-07				
776	<b>MILITARY ORDER OF THE PURPLE HEART</b>												
777	General Fund base	GEN	40	40		40	20	20	40				
778	Gov. Change Item: Veterans Claims Processing	GEN	0	10		0			0				
779	Transfer to Veterans Affairs Department	GEN					(20)	(20)	(40)				
780	<b>total MOPH:</b>	<b>GEN</b>	<b>40</b>	<b>50</b>	<b>10</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(40)</b>	<b>-100.0%</b>	<b>(50)</b>	<b>(40)</b>
781													
782	<b>DISABLED AMERICAN VETERANS</b>												
783	General Fund base	GEN	26	26		26	13	13	26				
784	Gov. Change Item: Vets Service Transportation & Claims	GEN	0	80		0			0				
785	Transfer to Veterans Affairs Department	GEN					(13)	(13)	(26)				
786	<b>total DAV:</b>	<b>GEN</b>	<b>26</b>	<b>106</b>	<b>80</b>	<b>26</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(26)</b>	<b>-100.0%</b>	<b>(106)</b>	<b>(26)</b>
787													
788	<b>LAWFUL GAMBLING CONTROL BOARD</b>												
789	Special Revenue fund base	SR	5,052	5,052		5,052	2,526	2,526	5,052		0.0%		
790													
791	Gov. Change Item: Compliance Reviews 3 FTE	SR		360	360	0	180	180	360	360		0	360
792	Gov. Change Item: Technology	SR		188	188	0	94	94	188				
793	<b>total change items</b>	<b>SR</b>		<b>548</b>	<b>548</b>	<b>0</b>	<b>274</b>	<b>274</b>	<b>548</b>	<b>548</b>		<b>0</b>	<b>548</b>
794													
795	<b>Total Special Revenue</b>	<b>SR</b>	<b>5,052</b>	<b>5,600</b>	<b>548</b>	<b>5,052</b>	<b>2,800</b>	<b>2,800</b>	<b>5,600</b>	<b>548</b>	<b>10.8%</b>	<b>0</b>	<b>548</b>
796													
797													
798	<b>MINNESOTA RACING COMMISSION</b>												
799	Special Revenue fund base	SR	842	842	0	842	421	421	842	0	0.0%	0	0
800	Change Items:												
801	SF 1947 North Metro Track Regulation	SR					253	414	667				
802													
803	<b>Total Special Revenue</b>	<b>SR</b>	<b>842</b>	<b>842</b>	<b>0</b>	<b>842</b>	<b>674</b>	<b>835</b>	<b>1,509</b>	<b>667</b>	<b>79.2%</b>	<b>667</b>	<b>667</b>
804													
805	<b>FY 05 Appropriation from Special Revenue : total 156</b>												
806	(North Metro Regulation : 313, legal & tech 43)												
807													
808	<b>MN AMATEUR SPORTS COMMISSION (MASC)</b>												
809	General Fund Base	GEN	1,050	1,050		1,050	525	525	1,050				
810													
811	<b>Change Items:</b>												
812	Gov. Change Item: Eliminate Offsetting Fee Revenue	GEN	0	(450)		0	(225)	(225)	(450)				
813	Operating Budget Reduction	GEN					(150)	(150)	(300)				
814	<b>total change items</b>	<b>GEN</b>	<b>0</b>	<b>(450)</b>		<b>0</b>	<b>(375)</b>	<b>(375)</b>	<b>(750)</b>				
815													
816	<b>Total General Fund</b>	<b>GEN</b>	<b>1,050</b>	<b>600</b>	<b>(450)</b>	<b>1,050</b>	<b>150</b>	<b>150</b>	<b>300</b>	<b>(750)</b>	<b>-71.4%</b>	<b>(300)</b>	<b>(750)</b>
817													
818	<b>Open Appropriations:</b>												
819	<b>Target Center</b>	<b>OGF</b>	<b>1,500</b>	<b>1,500</b>	<b>0</b>	<b>1,500</b>	<b>750</b>	<b>750</b>	<b>1,500</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
820	<b>total all funds</b>		<b>2,550</b>	<b>2,100</b>	<b>(450)</b>	<b>2,550</b>	<b>900</b>	<b>900</b>	<b>1,800</b>	<b>(750)</b>	<b>-29.4%</b>	<b>(300)</b>	<b>(750)</b>
821													



**State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed**

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill) FY 2006	FY 2007	FY 06-07	\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
822	<b>BLACK MINNESOTANS COUNCIL</b>												
823	General Fund Base	GEN	564	564		564	282	282	564				
824													
825	Change Items:												
826		GEN	0	0		0	0	0	0				
827	total change items	GEN	0	0		0	0	0	0				
828													
829	<b>GRAND TOTALS - BLACK MINNESOTANS COUNCIL</b>												
830	Direct Appropriations:												
831	General Fund	GEN	564	564	0	564	282	282	564	0	0.0%	0	0
832													
833	<b>CHICANO LATINO AFFAIRS COUNCIL</b>												
834	General Fund Base	GEN	550	550		550	275	275	550				
835													
836													
837	<b>GRAND TOTALS - CHICANO LATINO AFFAIRS COUNCIL</b>												
838	Direct Appropriations:												
839	General Fund	GEN	550	550	0	550	275	275	550	0	0.0%	0	0
840													
841	<b>ASIAN-PACIFIC MINNESOTANS COUNCIL</b>												
842	General Fund Base	GEN	486	486		486	243	243	486				
843													
844													
845	<b>GRAND TOTALS - ASIAN-PACIFIC MINNESOTANS COUNCIL</b>												
846	Direct Appropriations:												
847	General Fund	GEN	486	486	0	486	243	243	486	0	0.0%	0	0
848													
849	<b>MINNESOTA INDIAN AFFAIRS COUNCIL</b>												
850	General Fund Base	GEN	964	964		964	482	482	964				
851													
852													
853	<b>GRAND TOTALS - INDIAN AFFAIRS COUNCIL</b>												
854	Direct Appropriations:												
855	General Fund	GEN	964	964	0	964	482	482	964	0	0.0%	0	0
856													
857	<b>CONTINGENT ACCOUNTS</b>												
858			0	0		0	0	0	0				
859	General Fund base	GEN	1,000	1,000		1,000	1,000	1,000	1,000				
860	Total General Fund:		1,000	1,000	0	1,000	1,000	0	1,000	0	0.0%	0	0
861													
862	State Government Special Revenue	SGS	800	800		800	400	400	800	0	0.0%	0	0
863	Workers Compensation Special Payment	WCS	200	200		200	100	100	200	0	0.0%	0	0
864	total all funds		2,000	2,000	0	2,000	1,500	500	2,000	0	0.0%	0	0
865													
866													
867	<b>TORT CLAIMS</b>												

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
868	<b>Direct Appropriations:</b>												
869	<b>General Fund</b>	GEN	322	322	0	322	161	161	322	0	0.0%	0	0
870													
871													
872	<b>MINNESOTA STATE RETIREMENT SYSTEM</b>												
873	<b>Direct Appropriations:</b>												
874	Legislators Retirement	GEN	1,585	1,585		1,585	783	802	1,585				
875	Constitutional Officers Retirement	GEN	796	796		796	393	403	796				
876	<b>Total General Fund</b>	GEN	2,381	2,381	0	2,381	1,176	1,205	2,381	0	0.0%	0	0
877													
886													
887	<b>MINNEAPOLIS EMPLOYEES RETIREMENT FUND</b>												
888	Minneapolis Pension Reimbursement	GEN	16,130	16,130		16,130	8,065	8,065	16,130				
889													
890	<b>General Fund</b>	GEN	16,130	16,130	0	16,130	8,065	8,065	16,130	0	0.0%	0	0
903													
904	<b>FIRST CLASS CITIES - TEACHERS STATE AID</b>												
905	Minneapolis Teachers Retirement (1993)		5,000	5,000		5,000	2,500	2,500	5,000				
906	Minneapolis Teachers Retirement (1993)		26,600	26,600		26,600	13,300	13,300	26,600				
907	Saint Paul Teachers Retirement Aid (1997)		5,934	5,934		5,934	2,967	2,967	5,934				
908	Duluth Teachers Retirement Aid (1997)		0	0		0	0	0	0				
909	<b>Total General Fund</b>	GEN	37,534	37,534	0	37,534	18,767	18,767	37,534	0	0.0%	0	0
910													
911	<b>STATE LOTTERY</b>												
912	Cap on statutory operating expenses		54,050	54,050	0	54,050	26,700	27,350	54,050	0	0.0%	0	0
913													
914													
915													
916	<b>TOTAL STATE GOVERNMENT AGENCIES BY FUND</b>												
917													
918	<b>Direct Appropriations:</b>												
919	<b>General Fund</b>	GEN	530,257	534,462	4,205	532,582	266,038	267,523	533,561	3,304	0.6%	(901)	979
920	State Government Special Revenue	SGS	800	800	0	800	400	400	800	0	0.0%	0	0
921	Special Revenue	SR	5,894	6,442	548	5,894	4,149	5,345	9,494	3,600	61.1%	3,052	3,600
922	Health Care Access	HCA	3,564	3,564	0	3,564	1,782	1,782	3,564	0	0.0%	0	0
923	Environmental	ENV	582	582	0	582	291	291	582	0	0.0%	0	0
924	Highway User Tax	HUT	4,194	4,194	0	4,194	2,097	2,097	4,194	0	0.0%	0	0
925	Workers Compensation Special Payment	WCS	14,698	15,010	312	14,698	7,552	7,458	15,010	312	2.1%	0	312
926	<b>total direct - all funds</b>		559,989	565,054	5,065	562,314	282,309	284,896	567,205	7,216	1.3%	2,151	4,891
927													
928													
929	<b>Carry-Forward</b>												
930	<b>General Fund</b>	GEN	98	(8,558)	(8,656)	(2,402)	(4,728)	15	(4,713)	(4,811)	-4909.2%	3,845	(2,311)
931													
932	<b>Open Appropriations:</b>												
933	<b>General Fund</b>	OGF	(14,622)	(14,432)	190	(13,472)	(8,058)	(5,414)	(13,472)	1,150	-7.9%	960	0

State Government Budget: 2005 Session Tracking - SF 1879 Art. 10 and Division 4/21 Bill passed

(all dollars in thousands) direct, open general fund and statutory change appropriations shown

	AGENCY/PROGRAM BASE SPENDING/DECISION ITEMS	Fund Name	Base FY 06-07	Governor FY 06-07	\$ Diff. Gov / Base	SF 1879 FY 06-07	Senate All (SF 1879 & Div Bill)			\$ Diff. Sen All / Base	% Diff. Sen All / Base	\$ Diff. Sen All / Gov	\$ Diff. Sen All / SF1879
							FY 2006	FY 2007	FY 06-07				
955	<b>Statutory Appropriations</b>												
956	<b>General Fund</b>	GEN		0		0	0	0	0			0	0
957	Special Revenue	SR		5,930		0	0	0	0			(5,930)	0
958	Administrative Hearings	AH		35		35	23	12	35			0	0
959	State Employee Insurance	SEI		82		82	41	41	82			0	0
960	Public Employee Insurance	PEI		51		51	25	26	51			0	0
961	Intertechnologies Fund	ITG					(79,000)	(79,000)	(158,000)			(158,000)	
962	Enterprise Technology Revolving Fund	ET					79,000	79,000	158,000			158,000	
963	Gift Fund	Gift		2,385		0			0			(2,385)	0
964	<b>total statutory appropriation changes</b>			<b>8,483</b>		<b>168</b>	<b>89</b>	<b>79</b>	<b>168</b>			<b>(8,315)</b>	<b>0</b>
965	<b>DIRECT GENERAL FUND REVENUES gain/(loss)</b>												
966	Cancel Unspent Electronic Real Estate Rec Task Force Fee -	GEN		1,764		1,764	1,764	1,764	1,764			0	0
967	Enhanced Tax Compliance - Revenue Dept	GEN		68,000		68,000	26,200	41,800	68,000			0	0
968	Cancel Accumulated Unclaimed Prize Funds - Lottery	GEN		1,312		2,187	2,187	2,187	2,187			875	0
969	SF 1551 Voter Rights Modifications	GEN						6	6			6	6
970	Admin - Facilities Repair & Replacement Account - 1x transfer	GEN					1,950	1,950	3,900			3,900	3,900
971	Admin - Building Codes Account - 1x transfer	GEN					2,000	2,000	2,000			2,000	2,000
972	Real Estate Recording Fee County Admin 50 cents to State	GEN					802	741	1,543			1,543	1,543
973	Card Club 25% Franchise Fee	GEN					5,872	11,744	17,616			17,616	17,616
974	Race Track Fee Increase	GEN					1,000	1,000	2,000			2,000	2,000
975	Drive to Excellence Savings Capture	GEN					500	500	500			500	500
976	Legislative Auditor Retain Audit Revenue	GEN					(100)	(100)	(200)			(200)	(200)
977	Statewide Admin Systems Account transfer - Finance	GEN				3,000	3,000	3,000	3,000			3,000	0
978	<b>total revenues</b>	GEN		<b>71,076</b>		<b>74,951</b>	<b>45,175</b>	<b>57,141</b>	<b>102,316</b>			<b>31,240</b>	<b>27,365</b>
979	<b>NON-GENERAL FUND REVENUES gain/(loss)</b>												
980	Hourly Rate Change - Admin Hearings	AH		326		326	163	163	326			0	0
981	Info Technolgy Infrastructure - Admin Hearings	AH		35		35	23	12	35			0	0
982	Eliminate State Funded Campaign Checkoff - Camp Finance I	SR		2,030		0			0			(2,030)	0
983	Funding Source Restructuring - Investment Bd	SR		3,900		0			0			(3,900)	0
984	Cancel Accumulated Unclaimed Prize Funds - Lottery	ENRTF		875		0			0			(875)	0
985	<b>total non-general revenues</b>			<b>7,166</b>		<b>361</b>	<b>186</b>	<b>175</b>	<b>361</b>			<b>(6,805)</b>	<b>0</b>
986	<b>GENERAL FUND RECONCILIATION</b>												
987	Direct Appropriations	GEN	530,257	534,462	4,205	532,582	266,038	267,523	533,561	3,304	0.6%	(901)	979
988	Carry Forward	GEN	98	(8,558)	(8,656)	(2,402)	(4,728)	15	(4,713)	(4,811)	-4909.2%	3,845	(2,311)
989	Open Appropriations	GEN	(14,622)	(14,432)	190	(13,472)	(8,058)	(5,414)	(13,472)	1,150	-7.9%	960	0
990	Statutory Appropriations	GEN	0	0		0	0	0	0	0		0	0
991	<b>Subtotal General Fund Spending</b>	GEN	<b>515,733</b>	<b>511,472</b>	<b>(4,261)</b>	<b>516,708</b>	<b>253,252</b>	<b>262,124</b>	<b>515,376</b>	<b>(357)</b>	<b>-0.1%</b>	<b>3,904</b>	<b>(1,332)</b>
992	Across-the board operating budget reduction	GEN				(14,526)		(9,526)	(9,526)	(9,526)		(9,526)	5,000
993	Revenue gain/(loss)	GEN	0	71,076		74,951	45,175	57,141	102,316			31,240	27,365
994	<b>NET STATE GOVERNMENT General Fund Spending</b>		<b>515,733</b>	<b>440,396</b>	<b>(75,337)</b>	<b>427,231</b>	<b>208,077</b>	<b>195,457</b>	<b>403,534</b>	<b>(112,199)</b>	<b>-21.8%</b>	<b>(36,800)</b>	<b>(23,697)</b>

# STATE GOVERNMENT BUDGET

Senate State Government Budget Division - as passed April 21, 2005

Changes to SF 1879, Article 10

		Fund	FY 06	FY 07	FY 06-07
63	<b>total Special Revenue - Veterans Affairs</b>		<b>337</b>	<b>855</b>	<b>1,192</b>
64	<b>Veterans of Foreign Wars</b>				
65	Transfer to Department of Veterans Affairs	GEN	(55)	(55)	(110)
66	<b>Military Order of Purple Heart</b>				
67	Transfer to Department of Veterans Affairs	GEN	(20)	(20)	(40)
68	<b>Disabled American Veterans</b>				
69	Transfer to Department of Veterans Affairs	GEN	(13)	(13)	(26)
70	<b>Lawful Gambling Control Board</b>				
71	Compliance Reviews	SR	180	180	360
72	Technology	SR	94	94	188
73	<b>total Special Revenue - Gambling Control</b>		<b>274</b>	<b>274</b>	<b>548</b>
74	<b>Racing Commission</b>				
75	<i>FY 05 : 156 special revenue appropriation</i>				
76	North Metro Track Regulation	SR	253	414	667
77	<b>MN Amateur Sports Commission (MASC)</b>				
78	Operating Budget Reduction	GEN	(375)	(375)	(750)
79					
80	<b>Across the board reduction</b>				
81	allocation of Department of Revenue reduction	GEN		5,000	5,000
82					
83	<b>Appropriation Changes by Fund -direct</b>				
84	<b>General Fund</b>	GEN	<b>654</b>	<b>325</b>	<b>979</b>
85	<b>Special Revenue</b>	SR	<b>1,202</b>	<b>2,398</b>	<b>3,600</b>
86	<b>Workers Compensation</b>	WC	<b>203</b>	<b>109</b>	<b>312</b>
87	<b>total direct</b>		<b>2,059</b>	<b>2,832</b>	<b>4,891</b>
88					
89	<b>Carryforward</b>	GEN	<b>(2,311)</b>		<b>(2,311)</b>
90	<b>Across the board reduction changes</b>	GEN		<b>5,000</b>	
91					
92	<b>REVENUES</b>				
93	SF 1551 Voter Rights Modifications			6	6
94	Admin- Facilities Repair & Renovation Account		1,950	1,950	3,900
95	Admin- Building Codes Account		2,000		
96	Real Estate Recording Fee County Admin to State		802	741	1,543
97	Card Club 25% Franchise Fee		5,872	11,744	17,616
98	Race Track Fee		1,000	1,000	2,000
99	Drive to Excellence Savings Capture		500		500
100	Legislative Auditor Retain Audit Revenues		(100)	(100)	(200)
101	<b>TOTAL GENERAL FUND REVENUE</b>		<b>12,024</b>	<b>15,341</b>	<b>27,365</b>
102					
103	<b>GENERAL FUND RECONCILIATION</b>				
104	<b>Direct</b>		654	325	979
105	<b>Carryforward</b>		(2,311)		(2,311)
106	<b>Across the board reduction changes</b>			5,000	5,000
107	<b>Subtotal General Fund Appropriations</b>		<b>(1,657)</b>	<b>5,325</b>	<b>3,668</b>
108					
109	<b>Revenue gain/(loss)</b>		<b>12,024</b>	<b>15,341</b>	<b>27,365</b>
110					
111	<b>Total NET State Government General Fund Spending</b>		<b>(13,681)</b>	<b>(10,016)</b>	<b>(23,697)</b>



# STATE GOVERNMENT BUDGET

Senate State Government Budget Division - as passed April 21, 2005

Changes to SF 1879, Article 10

	Fund	FY 06	FY 07	FY 06-07
<b>Appropriation Changes</b>				
<b>1 House of Representatives</b>				
2 8.7% Operating Budget Reduction	GEN	(2,261)	(2,261)	(4,522)
3 House Carryforward Reduction	GEN	(2,311)		(2,311)
<b>4 Legislative Coordinating Commission</b>				
5 Electronic Real Estate Recording Task Force	GEN	250	250	500
<b>6 Governor</b>				
7 2.5% Operating Budget Reduction	GEN	(89)	(90)	(179)
<b>8 State Auditor</b>				
9 2.5% Operating Budget Reduction - non-revenue	GEN	(50)	(50)	(100)
<b>10 Secretary of State</b>				
11 2.5% Operating Budget Reduction - non-revenue	GEN	(37)	(38)	(75)
12 SF 1551 Voter Rights Modifications	GEN	41	14	55
13		<b>4</b>	<b>(24)</b>	<b>(20)</b>
<b>14 Administrative Hearings</b>				
<i>15 Workers Compensation</i>				
16 Info Technology Infrastructure	WC	203	109	312
<i>17 Municipal Boundaries</i>				
18 Municipal Boundaries transfer to Administration	GEN	262	262	524
<b>19 Office of Enterprise Technology</b>				
20 Base transfer from Department of Administration	GEN	1,803	1,803	3,606
<b>21 Department of Administration</b>				
<i>22 Technology Services</i>				
23 Base transfer to Office of Enterprise Technology	GEN	(1,803)	(1,803)	(3,606)
<i>24 State and Community Services</i>				
25 Municipal Boundaries transfer to Admin Hearing	GEN	(262)	(262)	(524)
<i>26 Administrative Management Services</i>				
27 SF 1524 - Assistive Technology match to federal grant	GEN	300		300
<i>28 Public Broadcasting - Public Radio</i>				
29 AMPERS - WCAL transfer to MPR	GEN	(26)	(26)	(52)
30 MPR - WCAL transfer from AMPERS	GEN	26	26	52
31		<b>(1,765)</b>	<b>(2,065)</b>	<b>(3,830)</b>
<b>32 Department of Revenue</b>				
<i>33 Tax System Management</i>				
34 allocation of across the board cut	GEN	(2,075)	(2,075)	(4,150)
<i>35 Debt Collection Management</i>				
36 allocation of across the board cut	GEN	(425)	(425)	(850)
37		<b>(2,500)</b>	<b>(2,500)</b>	<b>(5,000)</b>
<b>38 Military Affairs</b>				
<i>39 General Support</i>				
40 SF 861 National Guard Youth Camp	GEN	25	25	50
<i>41 Enlistment Incentives</i>				
42 100% Tuition Reimbursement	GEN	3,850	3,850	7,700
43 Reenlistment Incentives	GEN	1,500	1,500	3,000
44 Support Our Troops Grants	SR	338	855	1,193
45		<b>5,375</b>	<b>5,375</b>	<b>10,750</b>
46		<b>338</b>	<b>855</b>	<b>1,193</b>
<b>47 Veterans Affairs</b>				
<i>48 Benefits</i>				
49 Vietnam Veterans base to Veterans Assistance Grants	GEN	(15)	(15)	(30)
50				
51 Veterans Assistance Grants	GEN	103	103	206
52 Transfers Veterans Services Organizations base				
53 Veterans Assistance Grants	SR	337	855	1,192
<i>54 Eligible Organizations</i>				
55 Vietnam Veterans				
56 Veterans of Foreign Wars				
57 Military Order of Purple Heart				
58 Disabled American Veterans				
59 SF 918 - Vinland Center				
60 SF 1863 - MN Ass't Council for Veterans (MAC-V)				
61 SF 1891 - Outreach to Underserved Veterans				
62		<b>88</b>	<b>88</b>	<b>176</b>

- 1 Senator ..... moves to amend SC4094-2 as follows:
- 2 Page 24, delete section 18
- 3 Renumber the sections in sequence and correct the internal
- 4 references
- 5 Amend the title accordingly

- 1 Senator ..... moves to amend SC4094-2 as follows:
- 2 Pages 35 to 42, delete sections 1 to 3
- 3 Pages 43 to 54, delete sections 5 to 7
- 4 Page 55, delete section 9
- 5 Renumber the sections in sequence and correct the internal
- 6 references
- 7 Amend the title accordingly

1 Senator ..... moves to amend SC4094-2 as follows:

2 Pages 42 and 43, delete section 4 and insert:

3 "Sec. 4. Minnesota Statutes 2004, section 507.093, is  
4 amended to read:

5 507.093 [STANDARDS FOR DOCUMENTS TO BE RECORDED OR FILED.]

6 (a) The following standards are imposed on documents to be  
7 recorded with the county recorder or filed with the registrar of  
8 titles:

9 (1) The document shall consist of one or more individual  
10 sheets measuring no larger than 8.5 inches by 14 inches.

11 (2) The form of the document shall be printed, typewritten,  
12 or computer generated in black ink and the form of the document  
13 shall not be smaller than 8-point type.

14 (3) The document shall be on white paper of not less than  
15 20-pound weight with no background color, images, or writing and  
16 shall have a clear border of approximately one-half inch on the  
17 top, bottom, and each side.

18 (4) The first page of the document shall contain a blank  
19 space at the top measuring three inches, as measured from the  
20 top of the page. The right half to be used by the county  
21 recorder for recording information or registrar of titles for  
22 filing information and the left half to be used by the county  
23 auditor or treasurer for certification.

24 (5) The title of the document shall be prominently  
25 displayed at the top of the first page below the blank space  
26 referred to in clause (4).

27 (6) No additional sheet shall be attached or affixed to a  
28 page that covers up any information or printed part of the form.

29 (7) A document presented for recording or filing must be  
30 sufficiently legible to reproduce a readable copy using the  
31 county recorder's or registrar of title's current method of  
32 reproduction.

33 (b) The standards in ~~this~~ paragraph (a) do not apply to a  
34 document that is recorded or filed as part of a pilot project  
35 for the electronic filing of real estate documents implemented  
36 by the task force created in Laws 2000, chapter 391, or under

1 standards established by the Electronic Real Estate Recording  
2 Task Force created under 2005 S.F. No. .... [SC4094-2], article  
3 3, section 8, if enacted. A county that participated in the  
4 pilot project for the electronic filing of real estate documents  
5 under the task force created in Laws 2000, chapter 391, may  
6 continue to record or file documents electronically, if:

7 (1) the county complies with standards adopted by that task  
8 force; and

9 (2) the county uses software that was validated by that  
10 task force.

11 (c) A county that did not participate in the pilot project  
12 may record or file a real estate document electronically, if:

13 (i) the document to be recorded or filed is of a type  
14 included in the pilot project for the electronic filing of real  
15 estate documents under the task force created in Laws 2000,  
16 chapter 391;

17 (ii) the county complies with the standards adopted by the  
18 task force;

19 (iii) the county uses software that was validated by the  
20 task force; and

21 (iv) the task force created under section 507.094 votes to  
22 accept a written certification of compliance with paragraph (b),  
23 clause (2), of this section by the county board and county  
24 recorder of the county to implement electronic filing under this  
25 section.

26 ~~(b)~~ (d) The recording or filing fee for a document that  
27 does not conform to the standards in paragraph (a) shall be  
28 increased as provided in sections 357.18, subdivision 5; 508.82;  
29 and 508A.82.

30 ~~(e)~~ (e) The recorder or registrar shall refund the  
31 recording or filing fee to the applicant if the real estate  
32 documents are not filed or registered within 30 days after  
33 receipt, or as otherwise provided by section 386.30.

34 [EFFECTIVE DATE.] This section is effective the day  
35 following final enactment.

36 Sec. 5. Minnesota Statutes 2004, section 507.24,

1 subdivision 2, is amended to read:

2 Subd. 2. [ORIGINAL SIGNATURES REQUIRED.] (a) Unless  
3 otherwise provided by law, an instrument affecting real estate  
4 that is to be recorded as provided in this section or other  
5 applicable law must contain the original signatures of the  
6 parties who execute it and of the notary public or other officer  
7 taking an acknowledgment. However, a financing statement that  
8 is recorded as a filing pursuant to section 336.9-502(b) need  
9 not contain: (1) the signatures of the debtor or the secured  
10 party; or (2) an acknowledgment.

11 (b) Any electronic instruments, including signatures and  
12 seals, affecting real estate may only be recorded as part of a  
13 pilot project for the electronic filing of real estate documents  
14 implemented by the task force created in Laws 2000, chapter  
15 391-, or by the Electronic Real Estate Recording Task Force  
16 created under 2005 S.F. No. .... [SC4094-2], article 3, section  
17 8, if enacted. A county that participated in the pilot project  
18 for the electronic filing of real estate documents under the  
19 task force created in Laws 2000, chapter 391, may continue to  
20 record or file documents electronically, if:

21 (1) the county complies with standards adopted by the task  
22 force; and

23 (2) the county uses software that was validated by the task  
24 force.

25 A county that did not participate in the pilot project may  
26 record or file a real estate document electronically, if:

27 (i) the document to be recorded or filed is of a type  
28 included in the pilot project for the electronic filing of real  
29 estate documents under the task force created in Laws 2000,  
30 chapter 391;

31 (ii) the county complies with the standards adopted by the  
32 task force;

33 (iii) the county uses software that was validated by the  
34 task force; and

35 (iv) the task force created under 2005 S.F. No. ....  
36 [SC4094-2], article 3, section 8, if enacted, votes to accept a

1 written certification of compliance with paragraph (b), clause  
2 (2), of this section by the county board and county recorder of  
3 the county to implement electronic filing under this section.

4 (c) Notices filed pursuant to section 168A.141,  
5 subdivisions 1 and 3, need not contain an acknowledgment.

6 [EFFECTIVE DATE.] This section is effective the day  
7 following final enactment."

8 Page 55, line 9, before "The" insert "(a)" and after  
9 "shall" insert "continue the work of the task force created by  
10 Laws 2000, chapter 391, to"

11 Page 55, line 12, delete "and" and insert ". The task  
12 force"

13 Page 55, after line 23, insert:

14 "The task force shall review the Uniform Electronic  
15 Recording Act as drafted by the National Conference of  
16 Commissioners on Uniform State Laws."

17 Page 55, delete line 25, and insert "January 15 of each  
18 year during its existence reporting on progress toward the goals  
19 established in this section, and outlining its work plan and  
20 budget"

21 Page 55, line 26, delete everything before the period

22 Page 55, after line 27, insert:

23 "The task force may commence establishing standards for the  
24 electronic recording of the remaining residential real estate  
25 deed and mortgage documents and establish pilot projects to  
26 complete the testing and functions of the task force established  
27 in Laws 2000, chapter 391."

28 Page 55, line 28, after "DONATIONS" insert "; REIMBURSEMENT"

29 Page 55, line 31, after the period, insert "The task force  
30 may also negotiate reimbursements for services, including  
31 validation of software provided to counties by this task force  
32 or the task force established by Laws 2001, chapter 391, and  
33 expansion of pilot projects to additional counties as described  
34 in this act. Reimbursements made under this section are  
35 appropriated to the Legislative Coordinating Commission for the  
36 use of the task force."

- 1           Renumber the sections in sequence and correct the internal
- 2 references
- 3           Amend the title accordingly



1 Senator ..... moves to amend SC4094-2 as follows:

2 Page 2, delete lines 37 to 48

3 Page 3, delete lines 1 to 29

4 Page 3, line 30, delete "(c)"

5 Page 3, line 42, delete "(d)"

6 Page 35, after line 5, insert:

7 "Sec. 25. [VOLUNTARY UNPAID LEAVE OF ABSENCE.]

8 (a) Appointing authorities in state government may allow  
9 each employee to take unpaid leaves of absence for up to 1,040  
10 hours between July 1, 2005, and June 30, 2007. Each appointing  
11 authority approving such a leave shall allow the employee to  
12 continue accruing vacation and sick leave, be eligible for paid  
13 holidays and insurance benefits, accrue seniority, and, if  
14 payments are made under paragraph (b), accrue service credit and  
15 credited salary in the state retirement plans as if the employee  
16 has actually been employed during the time of leave. An  
17 employee covered by the unclassified plan may voluntarily make  
18 the employee contributions to the unclassified plan during the  
19 leave of absence. If the employee makes these contributions,  
20 the appointing authority must make the employer contribution.  
21 If the leave of absence is for one full pay period or longer,  
22 any holiday pay shall be included in the first payroll warrant  
23 after return from the leave of absence. The appointing  
24 authority shall attempt to grant requests for the unpaid leaves  
25 of absence consistent with the need to continue efficient  
26 operation of the agency. However, each appointing authority  
27 shall retain discretion to grant or refuse to grant requests for  
28 leaves of absence and to schedule and cancel leaves, subject to  
29 the applicable provisions of collective bargaining agreements  
30 and compensation plans.

31 (b) To receive eligible service credit and credited salary  
32 in a defined benefit plan, the member shall pay an amount equal  
33 to the applicable employee contribution rates. If an employee  
34 pays the employee contribution for the period of the leave under  
35 this section, the appointing authority must pay the employer  
36 contribution. The appointing authority may, at its discretion,

- 1 pay the employee contributions. Contributions must be made in a
- 2 time and manner prescribed by the executive director of the
- 3 applicable pension plan."

1 Senator ..... moves to amend SC4094-2 as follows:

2 Page 8, line 14, after the third comma, insert "the Office  
3 of Enterprise Technology,"

4 Page 57, after line 8, insert:

5 "Sec. 2. Minnesota Statutes 2004, section 15.06,  
6 subdivision 1, is amended to read:

7 Subdivision 1. [APPLICABILITY.] This section applies to  
8 the following departments or agencies: the Departments of  
9 Administration, Agriculture, Commerce, Corrections, Education,  
10 Employee Relations, Employment and Economic Development,  
11 Finance, Health, Human Rights, Labor and Industry, Natural  
12 Resources, Public Safety, Human Services, Revenue,  
13 Transportation, and Veterans Affairs; the Housing Finance and  
14 Pollution Control Agencies; the Office of Commissioner of Iron  
15 Range Resources and Rehabilitation; the Bureau of Mediation  
16 Services; the Office of Enterprise Technology; and their  
17 successor departments and agencies. The heads of the foregoing  
18 departments or agencies are "commissioners." For the purposes  
19 of this section, references to "commissioner" include the head  
20 of the Office of Enterprise Technology."

21 Renumber the sections in sequence and correct the internal  
22 references

23 Amend the title accordingly

- 1 Senator ..... moves to amend SC4094-2 as follows:
- 2 Page 30, delete section 22
- 3 Renumber the sections in sequence and correct the internal
- 4 references
- 5 Amend the title accordingly

*Not adopted - withdrawn*

1 Senator ..... moves to amend SC4094-2 as follows:

2 Page 18, after line 8, insert:

3 "Sec. 8. [15.175] [CERTAIN EMPLOYEE RECORDS.]

4 (a) Data, records, files, and all written or electronic  
5 materials of, or relating to, a state employee who is  
6 involuntarily terminated from employment with a state agency  
7 must be preserved for a period of at least two years after the  
8 employee's termination from employment, or a longer period as  
9 required under section 138.17. A state employee who has been  
10 terminated may request the opportunity to review all data  
11 covered by this section. An agency responding to a request made  
12 under this section must provide a response within ten days after  
13 receiving a written request. This paragraph does not apply to  
14 an individual named on a layoff list prepared under chapter 43A.

15 (b) If a state agency terminates an employee subject to the  
16 protections in paragraph (a), the agency may provide the  
17 employee with written notice of the employee's right to review  
18 the data protected by paragraph (a). The notice must inform the  
19 employee that the employee has ten business days from the day  
20 the employee acknowledges the receipt of the notice to review  
21 the data. The notice must provide the name of a contact person  
22 within the agency who will make the data available to the  
23 employee for review. The agency may dispose of the data without  
24 reference to paragraph (a) ten business days or more after  
25 notifying the employee.

26 (c) A state agency that destroys, shreds, or alters data,  
27 records, files, or materials in violation of this requirement is  
28 liable to the employee for damages resulting from that  
29 violation, plus costs and reasonable attorney fees incurred by  
30 the employee in enforcing the employee's rights under this  
31 section. In addition, the employee is also entitled to  
32 reinstatement to the position from which the employee was  
33 terminated, plus reimbursement for lost wages and health and  
34 retirement benefits if the records or data were relevant and  
35 material to the employee's termination of employment or the  
36 employee's claim for wrongful termination of employment."

1 Page 22, after line 23, insert:

2 "Sec. 17. Minnesota Statutes 2004, section 43A.33,  
3 subdivision 1, is amended to read:

4 Subdivision 1. [DISCHARGE, SUSPENSION, DEMOTION FOR CAUSE,  
5 SALARY DECREASE.] Managers and employees shall attempt to  
6 resolve disputes through informal means prior to the initiation  
7 of disciplinary action. No permanent employee in the classified  
8 service shall be reprimanded, discharged, suspended without pay,  
9 or demoted, except for just cause. The discharge of an employee  
10 from unclassified service who is on leave from the classified  
11 service does not affect or rescind the application of the  
12 procedures under this section to the discharge, if any, of the  
13 employee from the classified service.

14 Sec. 18. Minnesota Statutes 2004, section 181.932, is  
15 amended by adding a subdivision to read:

16 Subd. 1a. [PUBLIC EMPLOYERS.] (a) The state, including a  
17 state postsecondary educational institution or a political  
18 subdivision of the state as defined in section 6.56, subdivision  
19 1, may not discharge, discipline, threaten, penalize, or  
20 otherwise discriminate against an employee regarding the  
21 employee's compensation, terms, conditions, location, or  
22 privileges of employment because the employee, in good faith,  
23 reports or is in the process of preparing a report regarding  
24 serious waste, inefficiency, or mismanagement in the employee's  
25 place of employment that diminishes the value the public  
26 receives from the employer, even though the waste, inefficiency,  
27 or mismanagement reported does not in itself violate any federal  
28 or state law or rule.

29 (b) An employee contesting disciplinary action under  
30 paragraph (a) for the preparation of a report that was not  
31 submitted before the discipline must demonstrate the occurrence  
32 of the violation by clear and convincing evidence.

33 (c) A state employee who is involuntarily discharged from  
34 the unclassified service and who claims the discharge violated  
35 this subdivision or subdivision 1 may seek review of the  
36 discharge under the contested case procedures in sections 14.48

1 to 14.69. The jurisdiction of the Office of Administrative  
2 Hearings is limited to a determination whether the discharge was  
3 in violation of this subdivision or subdivision 1 and the  
4 provision of any appropriate remedies. The parties to the  
5 contested case proceeding must be allowed access to relevant  
6 documents and witnesses for a reasonable period of time before  
7 the hearing on a proceeding under this paragraph. The  
8 administrative law judge must consider the quality and integrity  
9 of the investigative process, if any, used by the agency when  
10 reviewing evidence submitted by the agency."

11       Renumber the sections in sequence and correct the internal  
12 references

13       Amend the title accordingly

1 Senator ..... moves to amend SC4094-2 as follows:

2 Page 77, after line 23, insert:

3 "Section 1. Minnesota Statutes 2004, section 10A.01,  
4 subdivision 9, is amended to read:

5 Subd. 9. [CAMPAIGN EXPENDITURE.] "Campaign expenditure" or  
6 "expenditure" means a purchase or payment of money or anything  
7 of value, or an advance of credit, made or incurred for the  
8 purpose of influencing the nomination or election of a candidate  
9 or for the purpose of promoting or defeating a ballot question.

10 "Campaign expenditure" includes payments for attending a  
11 state or national convention of a political party and payments  
12 for funeral gifts or memorials.

13 An expenditure is considered to be made in the year in  
14 which the candidate made the purchase of goods or services or  
15 incurred an obligation to pay for goods or services.

16 An expenditure made for the purpose of defeating a  
17 candidate is considered made for the purpose of influencing the  
18 nomination or election of that candidate or any opponent of that  
19 candidate.

20 Except as provided in clause (1), "expenditure" includes  
21 the dollar value of a donation in kind.

22 "Expenditure" does not include:

23 (1) noncampaign disbursements as defined in subdivision 26;

24 (2) services provided without compensation by an individual  
25 volunteering personal time on behalf of a candidate, ballot  
26 question, political committee, political fund, principal  
27 campaign committee, or party unit; or

28 (3) the publishing or broadcasting of news items or  
29 editorial comments by the news media.

30 Sec. 2. Minnesota Statutes 2004, section 10A.071,  
31 subdivision 3, is amended to read:

32 Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this  
33 section do not apply if the gift is:

34 (1) a contribution as defined in section 10A.01,  
35 subdivision 11;

36 (2) services to assist an official in the performance of



1 official duties, including but not limited to providing advice,  
2 consultation, information, and communication in connection with  
3 legislation, and services to constituents;

4 (3) services of insignificant monetary value;

5 (4) a plaque or similar memento recognizing individual  
6 services in a field of specialty or to a charitable cause;

7 (5) a trinket or memento ~~of insignificant~~ with a fair  
8 market value of \$3 or less;

9 (6) informational material of unexceptional value; ~~or~~

10 (7) food or a beverage given at a reception, meal, or  
11 meeting away from the recipient's place of work by an  
12 organization before whom the recipient appears to make a speech  
13 or answer questions as part of a program; or

14 (8) food or a beverage given at a reception held within the  
15 seven-county metropolitan area while the legislature is in  
16 session and to which all members of the legislature have been  
17 invited, and the cost does not exceed \$5 for each legislator.

18 (b) The prohibitions in this section do not apply if the  
19 gift is given:

20 (1) because of the recipient's membership in a group, a  
21 majority of whose members are not officials, and an equivalent  
22 gift is given to the other members of the group; or

23 (2) by a lobbyist or principal who is a member of the  
24 family of the recipient, unless the gift is given on behalf of  
25 someone who is not a member of that family."

26 Page 92, after line 11, insert:

27 "Sec. 22. Minnesota Statutes 2004, section 471.895,  
28 subdivision 3, is amended to read:

29 Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this  
30 section do not apply if the gift is:

31 (1) a contribution as defined in section 211A.01,  
32 subdivision 5;

33 (2) services to assist an official in the performance of  
34 official duties, including but not limited to providing advice,  
35 consultation, information, and communication in connection with  
36 legislation, and services to constituents;

1 (3) services of insignificant monetary value;

2 (4) a plaque or similar memento recognizing individual  
3 services in a field of specialty or to a charitable cause;

4 (5) a trinket or memento ~~of insignificant~~ with a fair  
5 market value of \$3 or less;

6 (6) informational material of unexceptional value; or

7 (7) food or a beverage given at a reception, meal, or  
8 meeting away from the recipient's place of work by an  
9 organization before whom the recipient appears to make a speech  
10 or answer questions as part of a program.

11 (b) The prohibitions in this section do not apply if the  
12 gift is given:

13 (1) because of the recipient's membership in a group, a  
14 majority of whose members are not local officials, and an  
15 equivalent gift is given or offered to the other members of the  
16 group;

17 (2) by an interested person who is a member of the family  
18 of the recipient, unless the gift is given on behalf of someone  
19 who is not a member of that family; or

20 (3) by a national or multistate organization of  
21 governmental organizations or public officials, if a majority of  
22 the dues to the organization are paid from public funds, to  
23 attendees at a conference sponsored by that organization, if the  
24 gift is food or a beverage given at a reception or meal and an  
25 equivalent gift is given or offered to all other attendees."

26 Page 93, after line 19, insert:

27 "Sec. 25. [EFFECTIVE DATE.]

28 Sections 1, 2, and 22 are effective the day following final  
29 enactment."

30 Renumber the sections in sequence and correct the internal  
31 references

32 Amend the title accordingly