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ARTICLE 1

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Section 1. [ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE APPROPRIATIONS.]

The sums in the columns marked "APPROPRIATIONS" are added to, or if shown in parentheses, are subtracted from the appropriations to the specific agencies in 2005 S.F. No. 1879, article 6, if enacted. The appropriations are from the general fund, unless another fund is named, and are available for the fiscal year indicated for each purpose. The figures "2006" and "2007," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2006, or June 30, 2007, respectively. The term "the first year" means the year ending June 30, 2006, and the term "the second year" means the year ending June 30, 2007. The biennium is fiscal years 2006 and 2007.

SUMMARY BY FUND

	2006	2007	TOTAL
General	\$,000	\$,000	\$,000
Environmental	.....,000	.....,000	.....,000
Natural Resources	.....,000	.....,000	.....,000
Game and Fish	.....,000	.....,000	.....,000
Great Lakes Protection	.....,000	.....,000	.....,000

1	Bond Proceeds	.....,000	.....,000	.....,000
2	Permanent School	.....,000	.....,000	.....,000
3	Total	.....,000	.....,000	.....,000

4 Sec. 2. POLLUTION CONTROL
5 AGENCY

6	Subdivision 1. Total			
7	Appropriation		\$.....,000	\$.....,000

8 Summary by Fund

9	General	\$.....,000	\$.....,000	
10	Environmental	.....,000	.....,000	

11 The amounts that may be spent from this
12 appropriation for each program are
13 specified in the following subdivisions.

14 Subd. 2. Water

15 \$.....,000 \$.....,000

16 Summary by Fund

17	General	.....,000	.....,000	
18	Environmental,000,000	

19 Subd. 3. Air

20,000,000

21 Summary by Fund

22	Environmental,000,000	
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23 Subd. 4. Land

24,000,000

25 Of the money appropriated from the
26 remediation fund under Minnesota
27 Statutes, section 116.155, subdivision
28 2, \$6,800,000 for the biennium must be
29 used for cleanup at Mankato Plating;
30 Gopher Oil; Whiteway Cleaners; Reserve
31 Mining; and old unpermitted solid waste
32 disposal facilities.

33 Summary by Fund

34	Environmental,000,000	
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35 Subd. 5. Administrative Support

36,000,000

37 By December 1, 2005, the commissioner
38 shall submit a report to the
39 Environment and Natural Resources
40 Policy and Finance Committees of the
41 house and senate that provides a
42 benchmarking matrix and analysis that
43 compares the environmental review and
44 permitting requirements for forest
45 products and mining industry projects

1 in Minnesota with requirements in other
 2 states and countries. The matrix and
 3 analysis must include an assessment of
 4 whether the requirements in Minneosta
 5 and other states and countries are more
 6 strict, less strict, or equivalent to
 7 requirements of the federal
 8 Environmental Protection Agency and
 9 requirements under the National
 10 Environmental Policy Act.

11 Sec. 3. OFFICE OF ENVIRONMENTAL
 12 ASSISTANCE

13 Notwithstanding Minnesota Statutes,
 14 section 16B.37, the commissioner of
 15 administration shall not issue a
 16 reorganization order affecting the
 17 Office of Environmental Assistance or
 18 direct work by the office for another
 19 agency before July 1, 2007. The
 20 director of the Office of Environmental
 21 Assistance shall not enter into or
 22 continue any memorandum of
 23 understanding or other agreement that
 24 directs work by the office for another
 25 agency before July 1, 2007.

26 Sec. 4. ZOOLOGICAL BOARD .,.,.,,000 .,.,.,,000

27 Summary by Fund

28 Natural Resources .,.,,000 .,.,,000

29 \$.,.,,000 the first year and \$.,.,,000
 30 the second year are from the natural
 31 resources fund. This appropriation is
 32 from the revenue deposited in the
 33 natural resources fund under Minnesota
 34 Statutes, section 297A.94, paragraph
 35 (e), clause (5).

36 Sec. 5. NATURAL RESOURCES

37 Subdivision 1. Total
 38 Appropriation .,.,.,.,000 .,.,.,.,000

39 Summary by Fund

40 General .,.,.,.,000 .,.,.,.,000

41 Natural Resources .,.,.,.,000 .,.,.,.,000

42 Game and Fish .,.,.,.,000 .,.,.,.,000

43 Permanent School .,.,,000 .,.,,000

44 The amounts that may be spent from this
 45 appropriation for each program are
 46 specified in the following subdivisions.

47 Subd. 2. Land and Mineral Resources
 48 Management

49 .,.,.,,000 .,.,.,,000

50 Summary by Fund

51 General .,.,.,,000 .,.,.,,000

52 Natural Resources .,.,.,,000 .,.,.,,000

1	Game and Fish	...,000	...,000
2	Permanent School	...,000	...,000
3	\$.,,000 the first year and \$.,,000 the		
4	second year are from the state forest		
5	suspense account in the permanent		
6	school fund to identify, evaluate, and		
7	lease construction aggregate located on		
8	school trust lands.		
9	\$.,,000 the first year is for a grant		
10	to the Board of Regents of the		
11	University of Minnesota to drill a		
12	5,000 foot core sampling bore hole at		
13	the Tower-Soudan mine complex in		
14	support of a National Science		
15	Foundation grant.		
16	Subd. 3. Water Resources Management		
17	...,000	...,000	
18	Summary by Fund		
19	General	...,000	...,000
20	Natural Resources	...,000	...,000
21	Subd. 4. Forest Management		
22	...,000	...,000	
23	Summary by Fund		
24	General	...,000	...,000
25	Natural Resources	...,000	...,000
26	Game and Fish	...,000	...,000
27	\$.,,000 the first year and		
28	\$.,,000 the second year are from the		
29	forest management investment account in		
30	the natural resources fund for only the		
31	purposes specified in Minnesota		
32	Statutes, section 89.039, subdivision 2.		
33	\$.,,000 the first year and \$.,,000		
34	the second year are for grants to the		
35	Natural Resources Research Institute		
36	for silvicultural research to improve		
37	the quality and quantity of timber		
38	fiber. The appropriation must be		
39	matched in the amount of \$200,000 each		
40	year, in cash or in-kind contributions,		
41	from the forest products industry		
42	members of the Minnesota Forest		
43	Productivity Research Cooperative.		
44	\$.,,000 the first year and \$.,,000		
45	the second year are from the game and		
46	fish fund to implement Ecological		
47	Classification Systems (ECS) standards		
48	on forested landscapes. This		
49	appropriation is from revenue deposited		
50	in the game and fish fund under		
51	Minnesota Statutes, section 297A.94,		
52	paragraph (e), clause (1).		
53	Subd. 5. Parks and Recreation		

1 Management

2 ...,000 ...,000

3 Summary by Fund

4 General ...,000 ...,000

5 Natural Resources ...,000 ...,000

6 \$...,000 the first year and
7 \$...,000 the second year are from the
8 natural resources fund for state park
9 and recreation area operations. This
10 appropriation is from the revenue
11 deposited to the natural resources fund
12 under Minnesota Statutes, section
13 297A.94, paragraph (e), clause (2).

14 Subd. 6. Trails and Waterways
15 Management

16 ...,000 ...,000

17 Summary by Fund

18 General ...,000 ...,000

19 Natural Resources ...,000 ...,000

20 Game and Fish ...,000 ...,000

21 \$...,000 the first year and
22 \$...,000 the second year are from the
23 snowmobile trails and enforcement
24 account in the natural resources fund
25 for snowmobile grants-in-aid. Any
26 unencumbered balance does not cancel at
27 the end of the first year and is
28 available for the second year.

29 \$..... in fiscal year 2006 and
30 \$..... in fiscal year 2007 are
31 appropriated from the snowmobile trails
32 and enforcement account to the
33 commissioner of natural resources to
34 acquire easements for permanent
35 recreational snowmobile trails.

36 The commissioner must work with trail
37 providers to increase grooming rates
38 and maintenance reimbursements,
39 consistent with funding appropriated by
40 the legislature, for grants provided
41 under Minnesota Statutes, section 84.83.

42 \$...,000 the first year and \$...,000
43 the second year are from the natural
44 resources fund for state trail
45 operations. This appropriation is from
46 the revenue deposited in the natural
47 resources fund under Minnesota
48 Statutes, section 297A.94, paragraph
49 (e), clause (2).

50 \$...,000 the first year and \$...,000
51 the second year are from the natural
52 resources fund for trail grants to
53 local units of government on land to be
54 maintained for at least 20 years for
55 the purposes of the grant. This

1 appropriation is from the revenue
 2 deposited in the natural resources fund
 3 under Minnesota Statutes, section
 4 297A.94, paragraph (e), clause (4).

5 \$.,,000 the first year is from the
 6 all-terrain vehicle account in the
 7 natural resources fund for a study to
 8 determine the amount of gasoline used
 9 each year by all-terrain vehicle riders
 10 in the state. The commissioners of
 11 natural resources, revenue, and
 12 transportation shall jointly determine
 13 the amount of unrefunded gasoline tax
 14 attributable to all-terrain vehicle use
 15 in the state and shall report to the
 16 legislature by March 1, 2006, with an
 17 appropriate proposed revision to
 18 Minnesota Statutes, section 296A.18.

19 With money appropriated from the
 20 natural resources fund in S.F. No.
 21 1879, article 6, section 5, subdivision
 22 6, the department shall establish a
 23 boat launch and ramp at Horseshoe Bay
 24 in Cook County, and rehabilitate the
 25 historic fishing pier on Dower Lake in
 26 Todd County.

27 \$...,000 the first year is for a grant
 28 to the Duluth Port Authority to
 29 determine the cause of freshwater
 30 corrosion of harbor sheet piling,
 31 provided these state funds are matched
 32 on a dollar-for-dollar basis by
 33 nonstate funds.

34 \$...,000 is for a grant to the St.
 35 Louis and Lake Counties Regional
 36 Railroad Authority to complete
 37 constructing, furnishing, and equipping
 38 Mesabi Station along the 132-mile
 39 recreational trail known as Mesabi
 40 Trail and located at the intersection
 41 of U.S. 53 and marked Trunk Highway
 42 37. This appropriation is dependent
 43 upon a matching contribution of
 44 \$800,000 from other sources, public or
 45 private.

46 The appropriation in Laws 2003, chapter
 47 128, article 1, section 5, subdivision
 48 6, from the water recreation account in
 49 the natural resources fund for a
 50 cooperative project with the United
 51 States Army Corps of Engineers to
 52 develop the Mississippi Whitewater Park
 53 is available until June 30, 2007.

54 Subd. 7. Fish and Wildlife Management

55 ...,000 ...,000

56 Summary by Fund

57	General	...,000	...,000
58	Natural Resources	...,000	...,000
59	Game and Fish	...,000	...,000

1 \$.,...,000 the second year is a
2 reduction from the trout and salmon
3 management account for the purposes
4 specified in Minnesota Statutes,
5 section 97A.075, subdivision 3.

6 \$.,...,000 the first year and
7 \$.,...,000 the second year are from the
8 wildlife acquisition surcharge account
9 for only the purposes specified in
10 Minnesota Statutes, section 97A.071,
11 subdivision 2a.

12 \$.,...,000 the first year and
13 \$.,...,000 the second year are from the
14 deer habitat improvement account for
15 only the purposes specified in
16 Minnesota Statutes, section 97A.075,
17 subdivision 1, paragraph (b).

18 \$.,...,000 the first year and \$.,...,000
19 the second year are from the deer and
20 bear management account for only the
21 purposes specified in Minnesota
22 Statutes, section 97A.075, subdivision
23 1, paragraph (c).

24 \$.,...,000 the first year and \$.,...,000
25 the second year are a reduction from
26 the waterfowl habitat improvement
27 account for only the purposes specified
28 in Minnesota Statutes, section 97A.075,
29 subdivision 2.

30 \$.,...,000 the first year and \$.,...,000
31 the second year are from the pheasant
32 habitat improvement account for only
33 the purposes specified in Minnesota
34 Statutes, section 97A.075, subdivision
35 4.

36 \$.,...,000 the first year and \$.,...,000
37 the second year are from the wild
38 turkey management account for only the
39 purposes specified in Minnesota
40 Statutes, section 97A.075, subdivision
41 5. Of this amount, \$8,000 the first
42 year and \$8,000 the second year are
43 appropriated from the game and fish
44 fund for transfer to the wild turkey
45 management account for purposes
46 specified in Minnesota Statutes,
47 section 97A.075, subdivision 5.

48 \$.,...,000 the first year and
49 \$.,...,000 the second year are from the
50 heritage enhancement account in the
51 game and fish fund for only the
52 purposes specified in Minnesota
53 Statutes, section 297A.94, paragraph
54 (e), clause (1).

55 \$.,...,000 the first year and \$.,...,000
56 the second year are for coordination
57 and implementation of the roadsides for
58 wildlife program, including roadside
59 wildlife management training for road
60 managers and adjacent landowners,
61 development of local partnerships to
62 maximize roadside habitat benefits,
63 identification and cataloguing of

1 existing and needed technical
 2 resources, and development of a
 3 steering group to monitor the progress
 4 of the program and identify and resolve
 5 issues of concern for wildlife
 6 management in roadsides.

7 \$...,000 the first year is for a grant
 8 to "Let's Go Fishing" of Minnesota to
 9 promote opportunities for fishing.

10 Subd. 8. Ecological Services

11 ,000 ,000

12 Summary by Fund

13 General ,000 ,000

14 Natural Resources ,000 ,000

15 Game and Fish ,000 ,000

16 Notwithstanding Minnesota Statutes,
 17 section 290.431, \$100,000 the first
 18 year and \$100,000 the second year from
 19 the nongame wildlife management account
 20 is for nongame information, education,
 21 and promotion.

22 \$...,000 the first year and
 23 \$...,000 the second year are from the
 24 heritage enhancement account in the
 25 game and fish fund for only the
 26 purposes specified in Minnesota
 27 Statutes, section 297A.94, paragraph
 28 (e), clause (1).

29 \$...,000 the first year and \$...,000
 30 the second year are for a cost-share
 31 program with local government, lake
 32 associations, and conservation
 33 organizations for aquatic invasive
 34 species prevention and management
 35 activities, including: (1) development
 36 of prevention plans; (2) aquatic
 37 invasive species surveys and
 38 monitoring; (3) public education and
 39 training programs; or (4) conducting
 40 watercraft inspection programs. Of
 41 this amount, \$...,000 each year is from
 42 the general fund and \$...,000 each year
 43 is from the heritage enhancement
 44 account in the game and fish fund.

45 Subd. 9. Enforcement

46 ,000 ,000

47 Summary by Fund

48 General ,000 ,000

49 Natural Resources ,000 ,000

50 Game and Fish ,000 ,000

51 Subd. 10. Operations Support

52 ,000 ,000

1 \$,.,.,.,000 the first year and
 2 \$,.,.,.,000 the second year are from the
 3 natural resources fund for metropolitan
 4 area regional parks and trails
 5 maintenance and operations. This
 6 appropriation is from the revenue
 7 deposited in the natural resources fund
 8 under Minnesota Statutes, section
 9 297A.94, paragraph (e), clause (3).

10 Sec. 8. AGRICULTURE

11 Subdivision 1. Total
 12 Appropriation .,.,.,.,000 .,.,.,.,000

13 Summary by Fund

14 General .,.,.,.,000 .,.,.,.,000
 15 Remediation .,.,.,000 .,.,.,000
 16 Bond Proceeds .,.,.,000 .,.,.,000

17 The amounts that may be spent from this
 18 appropriation for each program are
 19 specified in the following subdivision.

20 Subd. 2. Protection Services

21 .,.,.,.,000 .,.,.,.,000

22 Summary by Fund

23 General .,.,.,.,000 .,.,.,.,000
 24 Remediation .,.,.,000 .,.,.,000

25 Subd. 3. Agricultural Marketing
26 and Development

27 .,.,.,.,000 .,.,.,.,000

28 Subd. 4. Value-Added Agricultural Products

29 .,.,.,.,000 .,.,.,.,000

30 \$...,000 in the first year is for
 31 grants to gasoline service station
 32 owners who, after the effective date of
 33 this section, install pumps in this
 34 state for dispensing E85 gasoline. The
 35 commissioner may reimburse owners of
 36 gasoline service stations for up to 50
 37 percent of the total cost of installing
 38 an E85 pump, including the tank and any
 39 related components, up to a maximum of
 40 \$15,000 per E85 pump. The commissioner
 41 shall grant priority for E85 pumps
 42 installed in areas of the state where
 43 gasoline service stations with E85
 44 pumps are not reasonably available to
 45 the general public. This appropriation
 46 is available until spent.

47 \$...,000 the first year and \$...,000
 48 the second year is for ethanol
 49 combustion efficiency grants under
 50 Minnesota Statutes, section 41A.09,
 51 subdivision 9.

52 Subd. 5. Administration and

1 Financial Assistance

2 ,000 ,000

3 Summary by Fund

4 General ,000 ,000

5 Bond Proceeds ,000 ,000

6 \$.,000 is to conduct a study, in close
7 consultation with the commissioner of
8 transportation, of the feasibility and
9 desirability of constructing a rail
10 container load-out facility in or near
11 the city of Willmar or the city of
12 Clara City. The study must include an
13 estimate of the costs and benefits of a
14 facility to the city and region and to
15 the state transportation system. The
16 commissioner shall report to the
17 governor and legislature on the results
18 of the study by January 15, 2006.

19 \$.,000 in the first year and \$.,000
20 in the second year from the general
21 fund appropriation in S.F. No. 1879,
22 article 6, section 10, subdivision 5,
23 are for transfer to the Board of
24 Trustees of the Minnesota State
25 Colleges and Universities for mental
26 health counseling support to farm
27 families and business operators through
28 farm business management programs at
29 Central Lakes College and Ridgewater
30 College.

31 \$.,.,000 each year are for grants to
32 the Minnesota Horticultural Society.

33 \$.,000 the first year and \$.,000
34 the second year are to provide training
35 and technical assistance to county and
36 town officials relating to livestock
37 siting issues and local zoning and land
38 use planning including a checklist
39 template that would clarify the
40 federal, state, and local government
41 requirements for consideration of an
42 animal agriculture modernization or
43 expansion project. In developing the
44 training and technical assistance
45 program, the commissioner may seek
46 assistance from the local planning
47 assistance center of the Department of
48 Administration and shall seek guidance,
49 advice, and support of livestock
50 producer organizations, general
51 agricultural organizations, local
52 government associations, academic
53 institutions, other government
54 agencies, and others with expertise in
55 land use and agriculture.

56 \$.,000 the first year is to contract
57 with the University of Minnesota for
58 further research and development of
59 livestock odor and air quality
60 management.

61 \$.,.,000 the first year and

1 \$.,000 the second year are for
2 grants to Second Harvest Heartland on
3 behalf of Minnesota's six Second
4 Harvest food banks for the purchase of
5 milk for distribution to Minnesota's
6 food shelves and other charitable
7 organizations that are eligible to
8 receive food from the food banks. Milk
9 purchased under the grants must be
10 acquired from Minnesota milk processors
11 and based on low-cost bids. The milk
12 must be allocated to each Second
13 Harvest food bank serving Minnesota
14 according to the formula used in the
15 distribution of United States
16 Department of Agriculture commodities
17 under The Emergency Food Assistance
18 Program (TEFAP). Second Harvest
19 Heartland must submit quarterly reports
20 to the commissioner on forms prescribed
21 by the commissioner. The reports must
22 include, but are not limited to,
23 information on the expenditure of
24 funds, the amount of milk purchased,
25 and the organizations to which the milk
26 was distributed. Second Harvest
27 Heartland may enter into contracts or
28 agreements with food banks for shared
29 funding or reimbursement of the direct
30 purchase of milk. Each food bank
31 receiving money from this appropriation
32 may use up to two percent of the grant
33 for administrative expenses.

34 \$18,000,000 is appropriated from the
35 bond proceeds fund for purposes as set
36 forth in the Minnesota Constitution,
37 article XI, section 5, clause (h), to
38 the Rural Finance Authority to purchase
39 participation interests in or to make
40 direct agricultural loans to farmers
41 under Minnesota Statutes, chapter 41B.
42 This appropriation is for the beginning
43 farmer program under Minnesota
44 Statutes, section 41B.039, the loan
45 restructuring program under Minnesota
46 Statutes, section 41B.04, the
47 seller-sponsored program under
48 Minnesota Statutes, section 41B.042,
49 the agricultural improvement loan
50 program under Minnesota Statutes,
51 section 41B.043, and the livestock
52 expansion loan program under Minnesota
53 Statutes, section 41B.045. All debt
54 service on bond proceeds used to
55 finance this appropriation must be
56 repaid by the Rural Finance Authority
57 under Minnesota Statutes, section
58 16A.643. Loan participations must be
59 priced to provide full interest and
60 principal coverage and a reserve for
61 potential losses. Priority for loans
62 must be given first to basic beginning
63 farmer loans; second, to
64 seller-sponsored loans; and third, to
65 agricultural improvement loans.

66 Sec. 9. BOND SALE

67 To provide the money appropriated in
68 this act from the bond proceeds fund,

1 \$449,000 the first year and \$450,000
2 the second year are from the trust fund
3 for administration as provided in
4 Minnesota Statutes, section 116P.09,
5 subdivision 5.

6 (b) Contract Administration 150,000

7 \$75,000 the first year and \$75,000 the
8 second year are from the trust fund to
9 the commissioner of natural resources
10 for contract administration activities
11 assigned to the commissioner in this
12 section. This appropriation is
13 available until June 30, 2008.

14 Subd. 4. Citizen Advisory Committee 10,000 10,000

15 Summary by Fund

16 Trust Fund 10,000 10,000

17 \$10,000 the first year and \$10,000 the
18 second year are from the trust fund to
19 the Legislative Commission on Minnesota
20 Resources for expenses of the citizen
21 advisory committee as provided in
22 Minnesota Statutes, section 116P.06.
23 Notwithstanding Minnesota Statutes,
24 section 16A.281, the availability of
25 \$15,000 of the appropriation from Laws
26 2003, chapter 128, article 1, section
27 9, subdivision 4, advisory committee,
28 is extended to June 30, 2007.

29 Subd. 5. Fish and Wildlife Habitat 5,038,000 5,038,000

30 Summary by Fund

31 Trust Fund 5,038,000 5,038,000

32 (a) Restoring Minnesota's Fish and Wildlife
33 Habitat Corridors-Phase III 4,062,000

34 \$2,031,000 the first year and
35 \$2,031,000 the second year are from the
36 trust fund to the commissioner of
37 natural resources for the third
38 biennium for acceleration of agency
39 programs and cooperative agreements
40 with Pheasants Forever, Minnesota Deer
41 Hunters Association, Ducks Unlimited,
42 Inc., National Wild Turkey Federation,
43 the Nature Conservancy, Minnesota Land
44 Trust, the Trust for Public Land,
45 Minnesota Valley National Wildlife
46 Refuge Trust, Inc., U.S. Fish and
47 Wildlife Service, Red Lake Band of
48 Chippewa, Leech Lake Band of Chippewa,
49 Fond du Lac Band of Chippewa,
50 USDA-Natural Resources Conservation
51 Service, and the Board of Water and
52 Soil Resources to plan, restore, and
53 acquire fragmented landscape corridors
54 that connect areas of quality habitat
55 to sustain fish, wildlife, and plants.
56 Expenditures are limited to the 11
57 project areas as defined in the work
58 program. Land acquired with this
59 appropriation must be sufficiently
60 improved to meet at least minimum

1 habitat and facility management
 2 standards as determined by the
 3 commissioner of natural resources.
 4 This appropriation may not be used for
 5 the purchase of residential structures,
 6 unless expressly approved in the work
 7 program. Any land acquired in fee
 8 title by the commissioner of natural
 9 resources with money from this
 10 appropriation must be designated: (1)
 11 as an outdoor recreation unit under
 12 Minnesota Statutes, section 86A.07; or
 13 (2) as provided in Minnesota Statutes,
 14 sections 89.018, subdivision 2,
 15 paragraph (a); 97A.101; 97A.125;
 16 97C.001; and 97C.011. The commissioner
 17 may similarly designate any lands
 18 acquired in less than fee title. This
 19 appropriation is available until June
 20 30, 2008, at which time the project
 21 must be completed and final products
 22 delivered, unless an earlier date is
 23 specified in the work program.

24 (b) Metropolitan Area Wildlife
 25 Corridors-Phase II

3,530,000

26 \$1,765,000 the first year and
 27 \$1,765,000 the second year are from the
 28 trust fund to the commissioner of
 29 natural resources for the second
 30 biennium for acceleration of agency
 31 programs and cooperative agreements
 32 with the Trust for Public Land, Ducks
 33 Unlimited, Inc., Friends of the
 34 Mississippi River, Great River
 35 Greening, Minnesota Land Trust,
 36 Minnesota Valley National Wildlife
 37 Refuge Trust, Inc., Pheasants Forever,
 38 Inc., and Friends of the Minnesota
 39 Valley for the purposes of planning,
 40 improving, and protecting important
 41 natural areas in the metropolitan
 42 region, as defined by Minnesota
 43 Statutes, section 473.121, subdivision
 44 2, and portions of the surrounding
 45 counties, through grants, contracted
 46 services, conservation easements, and
 47 fee acquisition. Land acquired with
 48 this appropriation must be sufficiently
 49 improved to meet at least minimum
 50 management standards as determined by
 51 the commissioner of natural resources.
 52 Expenditures are limited to the
 53 identified project areas as defined in
 54 the work program. This appropriation
 55 may not be used for the purchase of
 56 residential structures, unless
 57 expressly approved in the work
 58 program. Any land acquired in fee
 59 title by the commissioner of natural
 60 resources with money from this
 61 appropriation must be designated: (1)
 62 as an outdoor recreation unit under
 63 Minnesota Statutes, section 86A.07; or
 64 (2) as provided in Minnesota Statutes,
 65 sections 89.018, subdivision 2,
 66 paragraph (a); 97A.101; 97A.125;
 67 97C.001; and 97C.011. The commissioner
 68 may similarly designate any lands
 69 acquired in less than fee title. This

1 appropriation is available until June
2 30, 2008, at which time the project
3 must be completed and final products
4 delivered, unless an earlier date is
5 specified in the work program.

6 (c) Development of Scientific and Natural Areas 134,000

7 \$67,000 the first year and \$67,000 the
8 second year are from the trust fund to
9 the commissioner of natural resources
10 to develop and enhance lands designated
11 as scientific and natural areas. This
12 appropriation is available until June
13 30, 2008, at which time the project
14 must be completed and final products
15 delivered, unless an earlier date is
16 specified in the work program.

17 (d) Prairie Stewardship of Private Lands 100,000

18 \$50,000 the first year and \$50,000 the
19 second year are from the trust fund to
20 the commissioner of natural resources
21 to develop stewardship plans and
22 implement prairie management on private
23 prairie lands on a cost-share basis
24 with private or federal funds. This
25 appropriation is available until June
26 30, 2008, at which time the project
27 must be completed and final products
28 delivered, unless an earlier date is
29 specified in the work program.

30 (e) Local Initiative Grants-Conservation
31 Partners and Environmental Partnerships 500,000

32 \$250,000 the first year and \$250,000
33 the second year are from the trust fund
34 to the commissioner of natural
35 resources to provide matching grants of
36 up to \$20,000 to local government and
37 private organizations for enhancement,
38 restoration, research, and education
39 associated with natural habitat and
40 environmental service projects.
41 Subdivision 16 applies to grants
42 awarded in the approved work program.
43 This appropriation is available until
44 June 30, 2008, at which time the
45 project must be completed and final
46 products delivered, unless an earlier
47 date is specified in the work program.

48 (f) Minnesota ReLeaf Community Forest
49 Development and Protection 500,000

50 \$250,000 the first year and \$250,000
51 the second year are from the trust fund
52 to the commissioner of natural
53 resources for acceleration of the
54 agency program and a cooperative
55 agreement with Tree Trust to protect
56 forest resources, develop
57 inventory-based management plans, and
58 provide matching grants to communities
59 to plant native trees. At least
60 \$390,000 of this appropriation must be
61 used for grants to communities. For
62 the purposes of this paragraph, the
63 match must be a nonstate contribution,

1 but may be either cash or qualifying
2 in-kind. This appropriation is
3 available until June 30, 2008, at which
4 time the project must be completed and
5 final projects delivered, unless an
6 earlier date is specified in the work
7 program.

8 (g) Integrated and Pheromonal Control of
9 Common Carp 550,000

10 \$275,000 the first year and \$275,000
11 the second year are from the trust fund
12 to the University of Minnesota for the
13 second biennium to research new options
14 for controlling common carp. This
15 appropriation is available until June
16 30, 2009, at which time the project
17 must be completed and final products
18 delivered, unless an earlier date is
19 specified in the work program.

20 (h) Biological Control of European Buckthorn
21 and Garlic Mustard 200,000

22 \$100,000 the first year and \$100,000
23 the second year are from the trust fund
24 to the commissioner of natural
25 resources to research potential insects
26 for biological control of invasive
27 European buckthorn species for the
28 second biennium and to introduce and
29 evaluate insects for biological control
30 of garlic mustard. This appropriation
31 is available until June 30, 2008, at
32 which time the project must be
33 completed and final products delivered,
34 unless an earlier date is specified in
35 the work program.

36 (i) Land Exchange Revolving Fund for
37 Aitkin, Cass, and Crow Wing Counties 500,000

38 \$250,000 the first year and \$250,000
39 the second year are from the trust fund
40 to the commissioner of natural
41 resources for an agreement with Aitkin
42 County for a six-year revolving loan
43 fund to improve public and private land
44 ownership patterns, increase management
45 efficiency, and protect critical
46 habitat in Aitkin, Cass, and Crow Wing
47 Counties. By June 30, 2011, Aitkin
48 County shall repay the \$500,000 to the
49 commissioner of finance for deposit in
50 the environment and natural resources
51 trust fund.

52 Subd. 6. Recreation 7,160,000 5,559,000

53 Summary by Fund

54 Trust Fund 5,560,000 5,559,000

55 State Land and Water Conservation
56 Account (LAWCON) 1,600,000 -0-

57 (a) State Park and Recreation Area
58 Land Acquisition 2,000,000

59 \$1,000,000 the first year and

1 \$1,000,000 the second year are from the
 2 trust fund to the commissioner of
 3 natural resources to acquire
 4 in-holdings for state park and
 5 recreation areas. Land acquired with
 6 this appropriation must be sufficiently
 7 improved to meet at least minimum
 8 management standards as determined by
 9 the commissioner of natural resources.
 10 This appropriation is available until
 11 June 30, 2008, at which time the
 12 project must be completed and final
 13 products delivered, unless an earlier
 14 date is specified in the work program.

15 (b) LAWCON Federal Reimbursements 1,600,000

16 \$1,600,000 is from the State Land and
 17 Water Conservation Account (LAWCON) in
 18 the natural resources fund to the
 19 commissioner of natural resources for
 20 priorities established by the
 21 commissioner for eligible state
 22 projects and administrative and
 23 planning activities consistent with
 24 Minnesota Statutes, section 116P.14,
 25 and the federal Land and Water
 26 Conservation Fund Act. Subdivision 16
 27 applies to grants awarded in the
 28 approved work program. This
 29 appropriation is contingent upon
 30 receipt of the federal obligation and
 31 remains available until June 30, 2008,
 32 at which time the project must be
 33 completed and final products delivered,
 34 unless an earlier date is specified in
 35 the work program.

36 (c) State Park and Recreation Area 200,000
 37 Revenue-Enhancing Development

38 \$100,000 the first year and \$100,000
 39 the second year are from the trust fund
 40 to the commissioner of natural
 41 resources to enhance revenue generation
 42 in the state's park and recreation
 43 system.

44 (d) Best Management Practices for Parks 200,000
 45 and Outdoor Recreation

46 \$100,000 the first year and \$100,000
 47 the second year are from the trust fund
 48 to the commissioner of natural
 49 resources for an agreement with the
 50 Minnesota Recreation and Park
 51 Association to develop and evaluate
 52 opportunities to more efficiently
 53 manage Minnesota's parks and outdoor
 54 recreation areas.

55 (e) Metropolitan Regional Parks Acquisition, 2,000,000
 56 Rehabilitation, and Development

57 \$1,000,000 the first year and
 58 \$1,000,000 the second year are from the
 59 trust fund to the Metropolitan Council
 60 for subgrants for the acquisition,
 61 development, and rehabilitation in the
 62 metropolitan regional park system,
 63 consistent with the Metropolitan

- 1 Council regional recreation open space
2 capital improvement plan. This
3 appropriation may not be used for the
4 purchase of residential structures, may
5 be used to reimburse implementing
6 agencies for acquisition as expressly
7 approved in the work program, and must
8 be matched by at least 40 percent of
9 nonstate money. Subdivision 16 applies
10 to grants awarded in the approved work
11 program. This appropriation is
12 available until June 30, 2008, at which
13 time the project must be completed and
14 final products delivered, unless an
15 earlier date is specified in the work
16 program. If a project financed under
17 this program receives a federal grant
18 award, the availability of the
19 financing from this paragraph for that
20 project is extended to equal the period
21 of the federal grant.
- 22 (f) Gitchi-Gami State Trail 500,000
- 23 \$250,000 the first year and \$250,000
24 the second year are from the trust fund
25 to the commissioner of natural
26 resources, in cooperation with the
27 Gitchi-Gami Trail Association, for the
28 fourth biennium, to design and
29 construct approximately two miles of
30 Gitchi-Gami State Trail segments. This
31 appropriation is available until June
32 30, 2008, at which time the project
33 must be completed and final products
34 delivered. If this project receives a
35 federal grant award, the availability
36 of the financing from this paragraph
37 for the project is extended to equal
38 the period of the federal grant.
- 39 (g) Casey Jones State Trail 1,200,000
- 40 \$600,000 the first year and \$600,000
41 the second year are from the trust fund
42 to the commissioner of natural
43 resources in cooperation with the
44 Friends of the Casey Jones Trail
45 Association for land acquisition and
46 development of the Casey Jones State
47 Trail in southwest Minnesota. This
48 appropriation is available until June
49 30, 2008, at which time the project
50 must be completed and final products
51 delivered. If this project receives a
52 federal grant award, the availability
53 of the financing from this paragraph
54 for the project is extended to equal
55 the period of the federal grant.
- 56 (h) Paul Bunyan State Trail Connection 400,000
- 57 \$200,000 the first year and \$200,000
58 the second year are from the trust fund
59 to the commissioner of natural
60 resources to acquire land to connect
61 the Paul Bunyan State Trail within the
62 city of Bemidji.
- 63 (i) Minnesota River Trail Planning 200,000

1 \$100,000 the first year and \$100,000
 2 the second year are from the trust fund
 3 to the commissioner of natural
 4 resources for an agreement with the
 5 University of Minnesota to provide
 6 trail planning assistance to three
 7 communities along the Minnesota River
 8 State Trail.

9 (j) Local Initiative Grants-Parks and Natural Areas 1,200,000

10 \$600,000 the first year and \$600,000
 11 the second year are from the trust fund
 12 to the commissioner of natural
 13 resources to provide matching grants to
 14 local governments for acquisition and
 15 development of natural and scenic areas
 16 and local parks as provided in
 17 Minnesota Statutes, section 85.019,
 18 subdivisions 2 and 4a, and regional
 19 parks outside of the metropolitan
 20 area. Grants may provide up to 50
 21 percent of the nonfederal share of the
 22 project cost, except nonmetropolitan
 23 regional park grants may provide up to
 24 60 percent of the nonfederal share of
 25 the project cost. \$500,000 of this
 26 appropriation is for land acquisition
 27 for a proposed county regional park on
 28 Kraemer Lake in Stearns County. The
 29 commission will monitor the grants for
 30 approximate balance over extended
 31 periods of time between the
 32 metropolitan area, under Minnesota
 33 Statutes, section 473.121, subdivision
 34 2, and the nonmetropolitan area through
 35 work program oversight and periodic
 36 allocation decisions. For the purposes
 37 of this paragraph, the match must be a
 38 nonstate contribution, but may be
 39 either cash or qualifying in-kind.
 40 Recipients may receive funding for more
 41 than one project in any given grant
 42 period. Subdivision 16 applies to
 43 grants awarded in the approved work
 44 program. This appropriation is
 45 available until June 30, 2008, at which
 46 time the project must be completed and
 47 final products delivered.

48 (k) Regional Park Planning for Nonmetropolitan
 49 Urban Areas 86,000

50 \$43,000 the first year and \$43,000 the
 51 second year are from the trust fund to
 52 the commissioner of natural resources
 53 for an agreement with the University of
 54 Minnesota to develop a plan for a
 55 system of regional recreation areas for
 56 major outstate urban complexes in
 57 Minnesota.

58 (l) Local and Regional Trail Grant Initiative Program 700,000

59 \$350,000 the first year and \$350,000
 60 the second year are from the trust fund
 61 to the commissioner of natural
 62 resources to provide matching grants to
 63 local units of government for the cost
 64 of acquisition, development,
 65 engineering services, and enhancement

1 of existing and new trail facilities.
2 Subdivision 16 applies to grants
3 awarded in the approved work program.
4 This appropriation is available until
5 June 30, 2008, at which time the
6 project must be completed and final
7 products delivered, unless an earlier
8 date is specified in the work program.
9 In addition, if a project financed
10 under this program receives a federal
11 grant award, the availability of the
12 financing from this paragraph for that
13 project is extended to equal the period
14 of the federal grant.

15 (m) Mesabi Trail 1,000,000

16 \$500,000 the first year and \$500,000
17 the second year are from the trust fund
18 to the commissioner of natural
19 resources for an agreement with St.
20 Louis and Lake Counties Regional Rail
21 Authority for the seventh biennium to
22 acquire and develop segments for the
23 Mesabi Trail. This appropriation is
24 available until June 30, 2008, at which
25 time the project must be completed and
26 final products delivered. If this
27 project receives a federal grant award,
28 the availability of the financing from
29 this paragraph for the project is
30 extended to equal the period of the
31 federal grant.

32 (n) Cannon Valley Trail Belle Creek Bridge
33 Replacement 300,000

34 \$150,000 the first year and \$150,000
35 the second year are from the trust fund
36 to the commissioner of natural
37 resources for an agreement with the
38 Cannon Valley Trail Joint Powers Board
39 for bridge replacement of the Belle
40 Creek Bridge on the Cannon Valley
41 Trail. This appropriation must be
42 matched by at least \$44,000 of nonstate
43 money.

44 (o) Arrowhead Regional Bike Trail Connections Plan 83,000

45 \$42,000 the first year and \$41,000 the
46 second year are from the trust fund to
47 the commissioner of natural resources
48 for an agreement with the Arrowhead
49 Regional Development Commission to
50 analyze the Arrowhead's major bike
51 trails and plan new trail connections.

52 (p) Land Acquisition, Minnesota Landscape Arboretum 650,000

53 \$325,000 the first year and \$325,000
54 the second year are from the trust fund
55 to the University of Minnesota for an
56 agreement with the University of
57 Minnesota Landscape Arboretum
58 Foundation for the sixth biennium to
59 acquire land from willing sellers.
60 This appropriation must be matched by
61 an equal amount of nonstate money.
62 This appropriation is available until
63 June 30, 2008, at which time the

1 project must be completed and final
2 products delivered, unless an earlier
3 date is specified in the work program.

4 (g) Development and Rehabilitation of Minnesota
5 Shooting Ranges

300,000

6 \$150,000 the first year and \$150,000
7 the second year are from the trust fund
8 to the commissioner of natural
9 resources to provide technical
10 assistance and matching grants to local
11 communities and recreational shooting
12 and archery clubs for the purpose of
13 developing or rehabilitating shooting
14 and archery facilities for public use.
15 Recipient facilities must be open to
16 the general public at reasonable times
17 and for a reasonable fee on a walk-in
18 basis. This appropriation is available
19 until June 30, 2008, at which time the
20 project must be completed and final
21 products delivered, unless an earlier
22 date is specified in the work program.

23 (r) Birding Maps

100,000

24 \$50,000 the first year and \$50,000 the
25 second year are from the trust fund to
26 the commissioner of natural resources
27 for an agreement with Audubon Minnesota
28 to create a new birding trail guide for
29 the North Shore/Arrowhead region and
30 reprint and distribute guides for three
31 existing birding trails.

32 Subd. 7. Water Resources 3,027,000 3,000,000

33 Summary by Fund

34 Trust Fund 2,999,000 3,000,000

35 Great Lakes Protection
36 Account 28,000

37 (a) Local Water Management Matching Challenge Grants 1,000,000

38 \$500,000 the first year and \$500,000
39 the second year are from the trust fund
40 to the Board of Water and Soil
41 Resources to accelerate the local water
42 management challenge grant program
43 under Minnesota Statutes, sections
44 103B.3361 to 103B.3369, through
45 matching grants to implement high
46 priority activities in state-approved
47 comprehensive water management plans.
48 For the purposes of this paragraph, the
49 match must be a nonstate contribution,
50 but may be either cash or qualifying
51 in-kind. The grants may be provided on
52 an advance basis as specified in the
53 work program. This appropriation is
54 available until June 30, 2008, at which
55 time the project must be completed and
56 final products delivered, unless an
57 earlier date is specified in the work
58 program.

59 (b) Accelerating and Enhancing Surface Water
60 Monitoring for Lakes and Streams

600,000

1 \$300,000 the first year and \$300,000
2 the second year are from the trust fund
3 to the commissioner of the Pollution
4 Control Agency for acceleration of
5 agency programs and cooperative
6 agreements with the Minnesota Lakes
7 Association, Rivers Council of
8 Minnesota, and the University of
9 Minnesota to accelerate monitoring
10 efforts through assessments, citizen
11 training, and implementation grants.
12 This appropriation is available until
13 June 30, 2008, at which time the
14 project must be completed and final
15 products delivered, unless an earlier
16 date is specified in the work program.

17 (c) Effects of Land Retirements on the
18 Minnesota River 300,000

19 \$150,000 the first year and \$150,000
20 the second year are from the trust fund
21 to the Board of Water and Soil
22 Resources for a cooperative agreement
23 with the U.S. Geological Survey to
24 evaluate effects of retired or
25 set-aside agricultural lands on the
26 water quality and aquatic habitat of
27 streams in the Minnesota River Basin in
28 order to enhance prioritization of
29 future land retirements. This
30 appropriation must be matched by an
31 equal amount of nonstate money. This
32 appropriation is available until June
33 30, 2008, at which time the project
34 must be completed and final products
35 delivered, unless an earlier date is
36 specified in the work program.

37 (d) Recycling Treated Municipal Wastewater for
38 Industrial Water Use 300,000

39 \$150,000 the first year and \$150,000
40 the second year are from the trust fund
41 to the commissioner of natural
42 resources for an agreement with the
43 Metropolitan Council to determine the
44 feasibility of recycling treated
45 municipal wastewater for industrial
46 use, characterize industrial water
47 demand and quality, and determine the
48 costs to treat municipal wastewater to
49 meet specific industrial needs.

50 (e) Unwanted Hormone Therapy: Protecting Water
51 and Public Health 300,000

52 \$150,000 the first year and \$150,000
53 the second year are from the trust fund
54 to the University of Minnesota to
55 determine where behavior-altering
56 estrogenic compounds come from and how
57 they are distributed in wastewater
58 treatment plants. This appropriation
59 is available until June 30, 2008, at
60 which time the project must be
61 completed and final products delivered,
62 unless an earlier date is specified in
63 the work program.

- 1 (f) Climate Change Impacts on Minnesota's
2 Aquatic Resources 250,000
- 3 \$125,000 the first year and \$125,000
4 the second year are from the trust fund
5 to the University of Minnesota, Natural
6 Resources Research Institute, to
7 quantify climate, hydrologic, and
8 ecological variability and trends; and
9 identify indicators of future climate
10 change effects on aquatic systems.
11 This appropriation is available until
12 June 30, 2008, at which time the
13 project must be completed and final
14 products delivered, unless an earlier
15 date is specified in the work program.
- 16 (g) Green Roof Cost Share and Monitoring 350,000
- 17 \$175,000 the first year and \$175,000
18 the second year are from the trust fund
19 to the commissioner of natural
20 resources for an agreement with Ramsey
21 Conservation District to install green,
22 vegetated roofs on four commercial or
23 industrial buildings in Roseville and
24 Falcon Heights and to monitor their
25 effectiveness for stormwater
26 management, flood reduction, water
27 quality, and energy efficiency. The
28 cost of the installations must be
29 matched by at least 50 percent nonstate
30 money.
- 31 (h) Woodchip Biofilter Treatment of Feedlot Runoff 270,000
- 32 \$135,000 the first year and \$135,000
33 the second year are from the trust fund
34 to the commissioner of natural
35 resources for agreements with Stearns
36 County Soil and Water Conservation
37 District and the University of
38 Minnesota to treat feedlot runoff with
39 woodchip biofilters to remove
40 pollutants and assess improvements to
41 surface water quality. This
42 appropriation is available until June
43 30, 2008, at which time the project
44 must be completed and final products
45 delivered, unless an earlier date is
46 specified in the work program.
- 47 (i) Improving Water Quality on the Central Sands 587,000
- 48 \$294,000 the first year and \$293,000
49 the second year are from the trust fund
50 to the commissioner of natural
51 resources for agreements with the
52 University of Minnesota and the Central
53 Lakes College Agricultural Center to
54 reduce nitrate and phosphorus losses to
55 groundwater and surface waters of sandy
56 ecoregions through the development,
57 promotion, and adoption of new farming
58 and land management practices and
59 techniques. This appropriation is
60 available until June 30, 2008, at which
61 time the project must be completed and
62 final products delivered, unless an
63 earlier date is specified in the work
64 program.

1 (j) Improving Impaired Watersheds: Conservation
2 Drainage Research 300,000

3 \$150,000 the first year and \$150,000
4 the second year are from the trust fund
5 to the commissioner of agriculture to
6 analyze conservation drainage systems
7 at University of Minnesota research and
8 outreach centers for opportunities to
9 retrofit drainage infrastructure with
10 water quality improvement
11 technologies. This appropriation is
12 available until June 30, 2008, at which
13 time the project must be completed and
14 final products delivered, unless an
15 earlier date is specified in the work
16 program.

17 (k) Hydrology, Habitat, and Energy Potential
18 of Mine Lakes 500,000

19 \$188,000 the first year and \$211,000
20 the second year are from the trust fund
21 to the commissioner of natural
22 resources for agency work and
23 agreements with Architectural
24 Resources, Inc., and Northeast
25 Technical Services, Inc., for a
26 coordinated effort of the Central Iron
27 Range Initiative to establish ultimate
28 mine water elevations, outflows, and
29 quality; design optimum future mineland
30 configurations for fish habitat and
31 lakeshore development; and evaluate
32 wind-pumped hydropower potential.
33 \$62,000 the first year and \$39,000 the
34 second year are from the trust fund to
35 the Minnesota Geological Survey at the
36 University of Minnesota to assess the
37 geology and mine pit morphometry.

38 (l) Hennepin County Beach Water Quality
39 Monitoring Project 100,000

40 \$50,000 the first year and \$50,000 the
41 second year are from the trust fund to
42 the commissioner of natural resources
43 for an agreement with Hennepin County
44 to develop a predictive model for
45 on-site determination of beach water
46 quality to prevent outbreaks of
47 waterborne illnesses and provide
48 related water safety outreach to the
49 public.

50 (m) Southwest Minnesota Floodwater Retention Projects 500,000

51 \$250,000 the first year and \$250,000
52 the second year are from the trust fund
53 to the commissioner of natural
54 resources for an agreement with Area II
55 MN River Basin Projects, Inc., to
56 acquire easements and construct four
57 floodwater retention projects in the
58 Minnesota River Basin to improve water
59 quality and waterfowl habitat.

60 (n) Upgrades to Blue Heron Research Vessel 295,000

61 \$28,000 is from the Great Lakes
62 protection account in the first year

1 and \$133,000 the first year and
 2 \$134,000 the second year are from the
 3 trust fund to the University of
 4 Minnesota, Large Lakes Observatory, to
 5 upgrade and overhaul the Blue Heron
 6 Research Vessel.

7 (o) Bassett Creek Valley Channel Restoration 175,000

8 \$87,000 the first year and \$88,000 the
 9 second year are from the trust fund to
 10 the commissioner of natural resources
 11 for an agreement with the city of
 12 Minneapolis for design and engineering
 13 activities for habitat restoration and
 14 water quality and channel improvements
 15 for Bassett Creek Valley.

16 (p) Restoration of Indian Lake 200,000

17 \$100,000 the first year and \$100,000
 18 the second year are from the trust fund
 19 to the commissioner of natural
 20 resources for agreements with MN
 21 Environmental Services and Bemidji
 22 State University to demonstrate the
 23 removal of excess nutrients from Indian
 24 Lake in Wright County. This
 25 appropriation is available until June
 26 30, 2008, at which time the project
 27 must be completed and final products
 28 delivered, unless an earlier date is
 29 specified in the work program, and is
 30 contingent on all appropriate permits
 31 being obtained.

32 Subd. 8. Land Use and Natural Resource
 33 Information 1,000,000 1,000,000

34 Summary by Fund

35 Trust Fund 1,000,000 1,000,000

36 (a) Minnesota County Biological Survey 1,000,000

37 \$500,000 the first year and \$500,000
 38 the second year are from the trust fund
 39 to the commissioner of natural
 40 resources for the tenth biennium to
 41 accelerate the survey that identifies
 42 significant natural areas and
 43 systematically collects and interprets
 44 data on the distribution and ecology of
 45 native plant communities, rare plants,
 46 and rare animals.

47 (b) Soil Survey 500,000

48 \$250,000 the first year and \$250,000
 49 the second year are from the trust fund
 50 to the Board of Water and Soil
 51 Resources to accelerate digitizing of
 52 completed soil surveys for Web-based
 53 user application and for agreements
 54 with Pine and Crow Wing Counties to
 55 begin soil surveys. The new soil
 56 surveys must be done on a cost-share
 57 basis with local and federal funds.
 58 This appropriation is available until
 59 June 30, 2008, at which time the
 60 project must be completed and final

1 products delivered, unless an earlier
2 date is specified in the work program.

3 (c) Land Cover Mapping for Natural Resource Protection 250,000
4 \$125,000 the first year and \$125,000
5 the second year are from the trust fund
6 to the commissioner of natural
7 resources for an agreement with
8 Hennepin County to develop GIS tools
9 for prioritizing natural areas for
10 protection and restoration and to
11 update and complete land cover
12 classification mapping.

13 (d) Open Space Planning and Protection 250,000
14 \$125,000 the first year and \$125,000
15 the second year are from the trust fund
16 to the commissioner of natural
17 resources for an agreement with Anoka
18 Conservation District to protect open
19 space by identifying high priority
20 natural resource corridors through
21 planning, conservation easements, and
22 land dedication as part of development
23 processes.

24 Subd. 9. Agriculture and Natural
25 Resource Industries 1,342,000 1,341,000

26 Summary by Fund

27 Trust Fund 1,342,000 1,341,000

28 (a) Completing Third-Party Certification
29 of DNR Forest Lands 250,000
30 \$125,000 the first year and \$125,000
31 the second year are from the trust fund
32 to the commissioner of natural
33 resources for third-party assessment
34 and certification of 4,470,000 acres of
35 DNR-administered lands under forest
36 sustainability standards established by
37 two internationally recognized forest
38 certification systems, the Forest
39 Stewardship Council system, and the
40 Sustainable Forestry Initiative system.

41 (b) Third-Party Certification of Private Woodlands 376,000
42 \$188,000 the first year and \$188,000
43 the second year are from the trust fund
44 to the University of Minnesota, Cloquet
45 Forestry Center, to pilot a third-party
46 certification assessment framework for
47 nonindustrial private forest owners.

48 (c) Sustainable Management of Private Forest Lands 874,000
49 \$437,000 the first year and \$437,000
50 the second year are from the trust fund
51 to the commissioner of natural
52 resources to develop stewardship plans
53 for private forested lands, implement
54 stewardship plans on a cost-share basis
55 and for conservation easements matching
56 federal funds. This appropriation is
57 available until June 30, 2008, at which
58 time the project must be completed and

1 final products delivered, unless an
2 earlier date is specified in the work
3 program.

4 (d) Evaluating Riparian Timber Harvesting
5 Guidelines: Phase 2 333,000

6 \$167,000 the first year and \$166,000
7 the second year are from the trust fund
8 to the University of Minnesota for a
9 second biennium to assess the timber
10 harvesting riparian management
11 guidelines for postharvest impacts on
12 terrestrial, aquatic, and wildlife
13 habitat. This appropriation is
14 available until June 30, 2008, at which
15 time the project must be completed and
16 final products delivered, unless an
17 earlier date is specified in the work
18 program.

19 (e) Third Crops for Water Quality-Phase 2 500,000

20 \$250,000 the first year and \$250,000
21 the second year are from the trust fund
22 to the commissioner of natural
23 resources for cooperative agreements
24 with Rural Advantage and the University
25 of Minnesota to accelerate adoption of
26 third crops to enhance water quality,
27 diversify cropping systems, supply
28 bioenergy, and provide wildlife habitat
29 through demonstration, research, and
30 education. This appropriation is
31 available until June 30, 2008, at which
32 time the project must be completed and
33 final products delivered, unless an
34 earlier date is specified in the work
35 program.

36 (f) Bioconversion of Potato Waste into
37 Marketable Biopolymers 350,000

38 \$175,000 the first year and \$175,000
39 the second year are from the trust fund
40 to the commissioner of natural
41 resources for an agreement with Bemidji
42 State University to evaluate the
43 bioconversion of potato waste into
44 plant-based plastics. This
45 appropriation is available until June
46 30, 2008, at which time the project
47 must be completed and final products
48 delivered, unless an earlier date is
49 specified in the work program.

50 Subd. 10. Energy 1,896,000 1,896,000

51 Summary by Fund

52 Trust Fund 1,896,000 1,896,000

53 (a) Clean Energy Resource Teams and Community Wind
54 Energy Rebate Programs 700,000

55 \$350,000 the first year and \$350,000
56 the second year are from the trust fund
57 to the commissioner of commerce.
58 \$300,000 of this appropriation is to
59 provide technical assistance to
60 implement cost-effective conservation,

1 energy efficiency, and renewable energy
 2 projects. \$400,000 of this
 3 appropriation is to assist two
 4 Minnesota communities in developing
 5 locally owned wind energy projects by
 6 offering financial assistance rebates.

7 (b) Planning for Economic Development
 8 via Energy Independence 240,000

9 \$120,000 the first year and \$120,000
 10 the second year are from the trust fund
 11 to the commissioner of natural
 12 resources for an agreement with the
 13 University of Minnesota-Duluth to
 14 evaluate the socioeconomic benefits of
 15 statewide and community renewable
 16 energy production and distribution by
 17 analyzing system installation,
 18 technical capabilities,
 19 cost-competitiveness, economic impacts,
 20 and policy incentives.

21 (c) Manure Methane Digester Compatible Wastes
 22 and Electrical Generation 100,000

23 \$50,000 the first year and \$50,000 the
 24 second year are from the trust fund to
 25 the commissioner of agriculture to
 26 research the potential for a centrally
 27 located, multifarm manure digester and
 28 the potential use of compatible waste
 29 streams with manure digesters.

30 (d) Dairy Farm Digesters 336,000

31 \$168,000 the first year and \$168,000
 32 the second year are from the trust fund
 33 to the commissioner of natural
 34 resources for an agreement with the
 35 Minnesota Project for a pilot project
 36 to evaluate anaerobic digester
 37 technology on average size dairy farms
 38 of 50 to 300 cows.

39 (e) Wind to Hydrogen Demonstration 800,000

40 \$400,000 the first year and \$400,000
 41 the second year are from the trust fund
 42 to the commissioner of natural
 43 resources for an agreement with the
 44 University of Minnesota, West Central
 45 Research and Outreach Center, to
 46 develop a model community-scale
 47 wind-to-hydrogen facility.

48 (f) Natural Gas Production from
 49 Agricultural Biomass 100,000

50 \$50,000 the first year and \$50,000 the
 51 second year are from the trust fund to
 52 the commissioner of natural resources
 53 for an agreement with Sebesta Blomberg
 54 and Associates to demonstrate potential
 55 natural gas yield using anaerobic
 56 digestion of blends of chopped grasses
 57 or crop residue with hog manure and
 58 determine optimum operating conditions
 59 for conversion to natural gas.

60 (g) Biomass-Derived Oils for Generating Electricity

1	and Reducing Emissions		150,000
2	\$75,000 the first year and \$75,000 the		
3	second year are from the trust fund to		
4	the University of Minnesota to evaluate		
5	the environmental and performance		
6	benefits of using renewable		
7	biomass-derived oils, such as soybean		
8	oil, for generating electricity.		
9	(h) Phillips Biomass Community Energy System		900,000
10	\$450,000 the first year and \$450,000		
11	the second year are from the trust fund		
12	to the commissioner of natural		
13	resources for an agreement with		
14	Phillips Community Energy Cooperative		
15	to assist in the distribution system		
16	equipment and construction costs for a		
17	biomass district energy system. This		
18	appropriation is contingent on all		
19	appropriate permits being obtained and		
20	a signed commitment of financing for		
21	the biomass electrical generating		
22	facility being in place.		
23	(i) Laurentian Energy Authority Biomass Project		466,000
24	\$233,000 the first year and \$233,000		
25	the second year are from the trust fund		
26	to the commissioner of natural		
27	resources for an agreement with		
28	Virginia Public Utility to lease land		
29	and plant approximately 1,000 acres of		
30	trees to support a proposed conversion		
31	to a biomass power plant.		
32	Subd. 11. Environmental Education	360,000	360,000
33	Summary by Fund		
34	Trust Fund	360,000	360,000
35	(a) Enhancing Civic Understanding of Groundwater		150,000
36	\$75,000 the first year and \$75,000 the		
37	second year are from the trust fund to		
38	the commissioner of natural resources		
39	for an agreement with the Science		
40	Museum of Minnesota to create		
41	groundwater exhibits and a statewide		
42	traveling groundwater classroom		
43	program. This appropriation is		
44	available until June 30, 2008, at which		
45	time the project must be completed and		
46	final products delivered, unless an		
47	earlier date is specified in the work		
48	program.		
49	(b) Cedar Creek Natural History Area Interpretive		
50	Center and Restoration		400,000
51	\$200,000 the first year and \$200,000		
52	the second year are from the trust fund		
53	to the commissioner of natural		
54	resources for an agreement with the		
55	University of Minnesota, Cedar Creek		
56	Natural History Area, to restore 400		
57	acres of savanna and prairie; construct		
58	a Science Interpretive Center to		
59	publicly demonstrate technologies for		

1 energy efficiency; and create
 2 interpretive trails. This
 3 appropriation is available until June
 4 30, 2008, at which time the project
 5 must be completed and final products
 6 delivered, unless an earlier date is
 7 specified in the work program.

8 (c) Environmental Problem-Solving Model
 9 for Twin Cities Schools 75,000

10 \$38,000 the first year and \$37,000 the
 11 second year are from the trust fund to
 12 the commissioner of natural resources
 13 for an agreement with Eco Education to
 14 train high school students and teachers
 15 on environmental problem solving.

16 (d) Tamarack Nature Center Exhibits 95,000

17 \$47,000 the first year and \$48,000 the
 18 second year are from the trust fund to
 19 the commissioner of natural resources
 20 for an agreement with Ramsey County
 21 Parks and Recreation Department to
 22 develop interactive ecological exhibits
 23 at Tamarack Nature Center.

24 Subd. 12. Children's Environmental
 25 Health 100,000 100,000

26 Summary by Fund

27 Trust Fund 100,000 100,000

28 Minnesota Children's Pesticide Exposure
 29 Reduction Initiative 200,000

30 \$100,000 the first year and \$100,000
 31 the second year are appropriated to the
 32 commissioner of agriculture to reduce
 33 children's pesticide exposure through
 34 parent education on alternative pest
 35 control methods and safe pesticide use.

36 Subd. 13. Data Availability Requirements

37 (a) During the biennium ending June 30,
 38 2007, data collected by the projects
 39 funded under this section that have
 40 value for planning and management of
 41 natural resource, emergency
 42 preparedness, and infrastructure
 43 investments must conform to the
 44 enterprise information architecture
 45 developed by the Office of Technology.
 46 Spatial data must conform to geographic
 47 information system guidelines and
 48 standards outlined in that architecture
 49 and adopted by the Minnesota Geographic
 50 Data Clearinghouse at the Land
 51 Management Information Center. A
 52 description of these data that adheres
 53 to Office of Technology geographic
 54 metadata standards must be submitted to
 55 the Land Management Information Center
 56 to be made available on-line through
 57 the clearinghouse, and the data
 58 themselves must be accessible and free
 59 to the public unless made private under
 60 the Data Practices Act, Minnesota

1 Statutes, chapter 13.

2 (b) To the extent practicable, summary
3 data and results of projects funded
4 under this section should be readily
5 accessible on the Internet and
6 identified as an environment and
7 natural resources trust fund project.

8 (c) As part of project expenditures,
9 recipients of land acquisition
10 appropriations must provide the
11 information necessary to update public
12 recreation information maps to the
13 Department of Natural Resources in the
14 form specified by the department.

15 Subd. 14. Project Requirements

16 It is a condition of acceptance of the
17 appropriations in this section that any
18 agency or entity receiving the
19 appropriation must comply with
20 Minnesota Statutes, chapter 116P, and
21 vegetation planted must be native to
22 Minnesota and preferably of the local
23 ecotype unless the work program
24 approved by the commission expressly
25 allows the planting of species that are
26 not native to Minnesota. Bridges that
27 are constructed with appropriations
28 under this section must be made out of
29 iron, concrete, or wood.

30 Subd. 15. Match Requirements

31 Unless specifically authorized,
32 appropriations in this section that
33 must be matched and for which the match
34 has not been committed by December 31,
35 2005, are canceled, and in-kind
36 contributions may not be counted as
37 matching funds.

38 Subd. 16. Payment Conditions and Capital Equipment Expenditures

39 All agreements, grants, or contracts
40 referred to in this section must be
41 administered on a reimbursement basis
42 unless otherwise provided in this
43 section. Notwithstanding Minnesota
44 Statutes, section 16A.41, expenditures
45 made on or after July 1, 2005, or the
46 date the work program is approved,
47 whichever is later, are eligible for
48 reimbursement unless otherwise provided
49 in this section. Payment must be made
50 upon receiving documentation that
51 project-eligible, reimbursable dollar
52 amounts have been expended, except that
53 reasonable amounts may be advanced to
54 projects to accommodate cash flow needs
55 or match federal funds. The advances
56 must be approved as part of the work
57 program. No expenditures for capital
58 equipment are allowed unless expressly
59 authorized in the project work program.

60 Subd. 17. Purchase of Recycled and Recyclable Materials

61 A political subdivision, public or

1 private corporation, or other entity
2 that receives an appropriation in this
3 section must use the appropriation in
4 compliance with Minnesota Statutes,
5 sections 16B.121 and 16B.122, requiring
6 the purchase of recycled, repairable,
7 and durable materials; the purchase of
8 uncoated paper stock; and the use of
9 soy-based ink, the same as if it were a
10 state agency.

11 Subd. 18. Energy Conservation

12 A recipient to whom an appropriation is
13 made in this section for a capital
14 improvement project shall ensure that
15 the project complies with the
16 applicable energy conservation
17 standards contained in law, including
18 Minnesota Statutes, sections 216C.19
19 and 216C.20, and rules adopted
20 thereunder. The recipient may use the
21 energy planning, advocacy, and state
22 energy office units of the Department
23 of Commerce to obtain information and
24 technical assistance on energy
25 conservation and alternative energy
26 development relating to the planning
27 and construction of the capital
28 improvement project.

29 Subd. 19. Accessibility

30 Structural and nonstructural facilities
31 must meet the design standards in the
32 Americans with Disability Act (ADA)
33 accessibility guidelines.

34 Sec. 12. Minnesota Statutes 2004, section 16A.125,
35 subdivision 5, is amended to read:

36 Subd. 5. [FOREST TRUST LANDS.] (a) The term "state forest
37 trust fund lands" as used in this subdivision, means public land
38 in trust under the Constitution set apart as "forest lands under
39 the authority of the commissioner" of natural resources as
40 defined by section 89.001, subdivision 13.

41 (b) The commissioner of finance shall credit the revenue
42 from the forest trust fund lands to the forest suspense
43 account. The account must specify the trust funds interested in
44 the lands and the respective receipts of the lands.

45 (c) After a fiscal year, the commissioner of finance shall
46 certify the total costs incurred for forestry during that year
47 under appropriations for the protection, improvement,
48 administration, and management of state forest trust fund lands
49 and construction and improvement of forest roads to enhance the
50 forest value of the lands. The certificate must specify the

1 trust funds interested in the lands. The commissioner of
2 natural resources shall supply the commissioner of finance with
3 the information needed for the certificate.

4 (d) After a fiscal year, the commissioner shall distribute
5 the receipts credited to the suspense account during that fiscal
6 year as follows:

7 ~~(a)~~ (1) the amount of the certified costs incurred by the
8 state for forest management, forest improvement, and road
9 improvement during the fiscal year shall be transferred to
10 the ~~general-fund-~~ forest management investment account
11 established under section 89.039;

12 (2) the balance of the certified costs incurred by the
13 state during the fiscal year shall be transferred to the general
14 fund; and

15 ~~(b)~~ (3) the balance of the receipts shall then be returned
16 prorated to the trust funds in proportion to their respective
17 interests in the lands which produced the receipts.

18 Sec. 13. Minnesota Statutes 2004, section 17.03,
19 subdivision 13, is amended to read:

20 Subd. 13. [SEMIANNUAL REPORTS.] ~~(a) By-October-15-and~~
21 ~~April-15-of-each-year,~~ The commissioner shall submit to the
22 legislative committees having jurisdiction over appropriations
23 from the agricultural fund in section 16A.531 ~~a-report~~ reports
24 on the amount of revenue raised in each fee account within the
25 fund, the expenditures from each account, and the purposes for
26 which the expenditures were made. The reports must be issued in
27 February and November each year, to coincide with the forecasts
28 of revenue and expenditures prepared under section 16A.103.

29 ~~(b)~~ The report delivered ~~on-October-15~~ in February of each
30 year must include the commissioner's recommendations, if any,
31 for changes in statutes relating to the fee accounts of the
32 agricultural fund.

33 Sec. 14. Minnesota Statutes 2004, section 17.117, is
34 amended by adding a subdivision to read:

35 Subd. 5b. [APPLICATION FEE.] The commissioner may impose a
36 nonrefundable application fee of \$50 for each loan issued under

1 the program. The fees must be credited to the agricultural best
 2 management practices administration account, which is hereby
 3 established in the agricultural fund. Interest earned in the
 4 account accrues to the account. Money in the account and
 5 interest earned in the accounts established in the agricultural
 6 fund under subdivision 5a are appropriated to the commissioner
 7 for administrative expenses of the program.

8 Sec. 15. Minnesota Statutes 2004, section 17B.03,
 9 subdivision 1, is amended to read:

10 Subdivision 1. [COMMISSIONER'S POWERS.] The commissioner
 11 of agriculture shall exercise general supervision over the
 12 inspection, grading, weighing, sampling, and analysis of grain
 13 subject to the provisions of the United States Grain Standards
 14 Act of 1976 and the rules promulgated thereunder by the United
 15 States Department of Agriculture. This activity may take place
 16 within or outside the state of Minnesota. Scale testing must be
 17 performed at export locations or, upon request from and with the
 18 consent of the delegated authority, at domestic locations. Fees
 19 for the testing of scales and weighing equipment shall be fixed
 20 by the commissioner and must be uniform with those charged by
 21 the Division of Weights and Measures of the Department of
 22 Commerce.

23 Sec. 16. Minnesota Statutes 2002, section 18B.05,
 24 subdivision 1, is amended to read:

25 Subdivision 1. [ESTABLISHMENT.] A pesticide regulatory
 26 account is established in the agricultural fund. Fees,
 27 assessments, and penalties collected under this chapter must be
 28 deposited in the agricultural fund and credited to the pesticide
 29 regulatory account. Money in the account, including interest,
 30 is appropriated to the commissioner for the administration and
 31 enforcement of this chapter.

32 Sec. 17. Minnesota Statutes 2004, section 18B.08,
 33 subdivision 4, is amended to read:

34 Subd. 4. [APPLICATION FEE.] A person ~~initially~~ applying
 5 for a chemigation permit must pay a nonrefundable application
 36 fee of \$50 \$250. A person who holds a fertilizer chemigation

1 permit under section 18C.205, is exempt from the fee in this
2 subdivision.

3 Sec. 18. Minnesota Statutes 2004, section 18B.26,
4 subdivision 3, is amended to read:

5 Subd. 3. [APPLICATION FEE.] (a) A registrant shall pay an
6 annual application fee for each pesticide to be registered, and
7 this fee is set at one-tenth of one percent for calendar year
8 1990, at one-fifth of one percent for calendar year 1991, and at
9 two-fifths of one percent for calendar year 1992 and thereafter
10 of annual gross sales within the state and annual gross sales of
11 pesticides used in the state, with a minimum nonrefundable fee
12 of \$250. The registrant shall determine when and which
13 pesticides are sold or used in this state. The registrant shall
14 secure sufficient sales information of pesticides distributed
15 into this state from distributors and dealers, regardless of
16 distributor location, to make a determination. Sales of
17 pesticides in this state and sales of pesticides for use in this
18 state by out-of-state distributors are not exempt and must be
19 included in the registrant's annual report, as required under
20 paragraph (c), and fees shall be paid by the registrant based
21 upon those reported sales. Sales of pesticides in the state for
22 use outside of the state are exempt from the application fee in
23 this paragraph if the registrant properly documents the sale
24 location and distributors. A registrant paying more than the
25 minimum fee shall pay the balance due by March 1 based on the
26 gross sales of the pesticide by the registrant for the preceding
27 calendar year. The fee for disinfectants and sanitizers shall
28 be the minimum. The minimum fee is due by December 31 preceding
29 the year for which the application for registration is made.
30 The commissioner shall spend at least \$300,000 per fiscal year
31 from the pesticide regulatory account for the purposes of the
32 waste pesticide collection program.

33 (b) An additional fee of \$100 must be paid by the applicant
34 for each pesticide to be registered if the application is a
35 renewal application that is submitted after December 31.

36 (c) A registrant must annually report to the commissioner

1 the amount and type of each registered pesticide sold, offered
2 for sale, or otherwise distributed in the state. The report
3 shall be filed by March 1 for the previous year's registration.
4 The commissioner shall specify the form of the report and
5 require additional information deemed necessary to determine the
6 amount and type of pesticides annually distributed in the
7 state. The information required shall include the brand name,
8 amount, and formulation of each pesticide sold, offered for
9 sale, or otherwise distributed in the state, but the information
10 collected, if made public, shall be reported in a manner which
11 does not identify a specific brand name in the report.

12 (d) A registrant who is required to pay more than the
13 minimum fee for any pesticide under paragraph (a) must pay a
14 late fee penalty of \$100 for each pesticide application fee paid
15 after March 1 in the year for which the license is to be issued.

16 Sec. 19. Minnesota Statutes 2004, section 18B.31,
17 subdivision 5, is amended to read:

18 Subd. 5. [APPLICATION FEE.] (a) An application for a
19 pesticide dealer license must be accompanied by a nonrefundable
20 application fee of ~~\$50~~ \$150.

21 (b) If an application for renewal of a pesticide dealer
22 license is not filed before January 1 of the year for which the
23 license is to be issued, an additional fee of \$20 must be paid
24 by the applicant before the license is issued.

25 Sec. 20. Minnesota Statutes 2004, section 18B.315,
26 subdivision 6, is amended to read:

27 Subd. 6. [FEES.] (a) An applicant for an aquatic pest
28 control license for a business must pay a nonrefundable
29 application fee of ~~\$100~~ \$200. An employee of a licensed
30 business must pay a nonrefundable application fee of \$50 for an
31 individual aquatic pest control license.

32 (b) An application received after expiration of the aquatic
33 pest control license is subject to a penalty of 50 percent of
34 the application fee.

35 (c) An applicant that meets renewal requirements by
36 reexamination instead of attending workshops must pay the

1 equivalent workshop fee for the reexamination as determined by
2 the commissioner.

3 Sec. 21. Minnesota Statutes 2004, section 18B.32,
4 subdivision 6, is amended to read:

5 Subd. 6. [FEES.] (a) An applicant for a structural pest
6 control license for a business must pay a nonrefundable
7 application fee of ~~\$100~~ \$200. An employee of a licensed
8 business must pay a nonrefundable application fee of \$50 for an
9 individual structural pest control license.

10 (b) An application received after expiration of the
11 structural pest control license is subject to a penalty fee of
12 50 percent of the application fee.

13 (c) An applicant that meets renewal requirements by
14 reexamination instead of attending workshops must pay the
15 equivalent workshop fee for the reexamination as determined by
16 the commissioner.

17 Sec. 22. Minnesota Statutes 2004, section 18B.33,
18 subdivision 7, is amended to read:

19 Subd. 7. [APPLICATION FEES.] (a) A person initially
20 applying for or renewing a commercial applicator license must
21 pay a nonrefundable application fee of \$50.

22 (b) ~~¶ A license renewal application is not filed~~
23 ~~before received after March 1 of in the year for which the~~
24 ~~license is to be issued, an additional is subject to a penalty~~
25 ~~fee of \$10 must be paid before the commercial applicator 50~~
26 ~~percent of the application fee. The penalty fee must be paid~~
27 ~~before the renewal license may be issued.~~

28 (c) An application for a duplicate commercial applicator
29 license must be accompanied by a nonrefundable application fee
30 of \$10.

31 Sec. 23. Minnesota Statutes 2004, section 18B.34,
32 subdivision 5, is amended to read:

33 Subd. 5. [FEES.] (a) A person initially applying for or
34 renewing a noncommercial applicator license must pay a
35 nonrefundable application fee of \$50, except an applicant who is
36 a government or Minnesota Conservation Corps employee who uses

1 pesticides in the course of performing official duties must pay
2 a nonrefundable application fee of \$10.

3 (b) ~~If an A license renewal application for renewal of a~~
4 ~~noncommercial license is not filed before~~ received after March 1
5 in the year for which the license is to be issued, ~~an additional~~
6 is subject to a penalty fee of \$10 must be paid before the 50
7 percent of the application fee. The penalty fee must be paid
8 before the renewal license may be issued.

9 (c) An application for a duplicate noncommercial applicator
10 license must be accompanied by a nonrefundable application fee
11 of \$10.

12 Sec. 24. Minnesota Statutes 2004, section 18C.141,
13 subdivision 1, is amended to read:

14 Subdivision 1. [PROGRAM ESTABLISHMENT.] The commissioner
15 shall establish ~~a program~~ voluntary programs to certify the
16 accuracy of analyses from soil and manure testing laboratories
17 and promote standardization of soil and manure testing
18 procedures and analytical results.

19 Sec. 25. Minnesota Statutes 2004, section 18C.141,
20 subdivision 3, is amended to read:

21 Subd. 3. [ANALYSES REPORTING STANDARDS.] (a) The results
22 obtained from soil, manure, or plant analysis must be reported
23 in accordance with standard reporting units established by the
24 commissioner by rule. The standard reporting units must conform
25 as far as practical to uniform standards that are adopted on a
26 regional or national basis.

27 (b) If a certified laboratory offers a recommendation for
28 use in Minnesota, the University of Minnesota recommendation or
29 that of another land grant college in a contiguous state must be
30 offered in addition to other recommendations, and the source of
31 the recommendation must be identified on the recommendation
32 form. If relative levels such as low, medium, or high are
33 presented to classify the analytical results, the corresponding
34 relative levels based on the analysis as designated by the
35 University of Minnesota or the land grant college in a
36 contiguous state must also be presented.

1 Sec. 26. Minnesota Statutes 2004, section 18C.141,
2 subdivision 5, is amended to read:

3 Subd. 5. [~~CERTIFICATION FEES.~~] (a) The commissioner may
4 charge the actual costs for check sample preparation and
5 shipping.

6 ~~(b)~~ (b) A laboratory applying for certification ~~shall pay an~~
7 ~~application fee of \$100 and a certification fee of \$100 before~~
8 ~~the certification is issued~~ may be charged a nonrefundable
9 certification fee to cover the actual costs for administration
10 of the program.

11 ~~(b)~~ (c) Certification is ~~valid for one year and the renewal~~
12 ~~fee is \$100. The commissioner shall charge an additional~~
13 ~~application fee of \$100 if a certified laboratory allows~~
14 ~~certification to lapse before applying for renewed certification~~
15 renewable on an annual basis.

16 ~~(e)~~ The commissioner shall notify a certified lab that its
17 certification lapses within 30 to 60 days of the date when the
18 certification lapses.

19 (d) The commissioner may accept donations to support the
20 development and operation of soil and manure programs.

21 (e) Revenues under this section are deposited in the
22 fertilizer account of the agricultural fund.

23 Sec. 27. Minnesota Statutes 2004, section 18C.425,
24 subdivision 6, is amended to read:

25 Subd. 6. [INSPECTION FEES.] The person responsible for
26 payment of the inspection fees for fertilizers, soil amendments,
27 or plant amendments sold and used in this state must pay an
28 inspection fee of ~~15~~ 30 cents per ton of fertilizer, soil
29 amendment, and plant amendment sold or distributed in this
30 state, with a minimum of \$10 on all tonnage reports. Products
31 sold or distributed to manufacturers or exchanged between them
32 are exempt from the inspection fee imposed by this subdivision
33 if the products are used exclusively for manufacturing purposes.

34 Sec. 28. Minnesota Statutes 2004, section 18E.03,
35 subdivision 2, is amended to read:

36 Subd. 2. [EXPENDITURES.] (a) Money in the agricultural

1 chemical response and reimbursement account may only be used:

2 (1) to pay for the commissioner's responses to incidents
3 under chapters 18B, 18C, and 18D that are not eligible for
4 payment under section 115B.20, subdivision 2;

5 (2) to pay for emergency responses that are otherwise
6 unable to be funded;

7 (3) to reimburse and pay corrective action costs under
8 section 18E.04; and

9 (4) by the board to reimburse the commissioner for board
10 staff and other administrative costs up to ~~\$175,000~~ \$225,000 per
11 fiscal year.

12 (b) Money in the agricultural chemical response and
13 reimbursement account is appropriated to the commissioner to
14 make payments as provided in this subdivision.

15 Sec. 29. Minnesota Statutes 2004, section 18G.10,
16 subdivision 5, is amended to read:

17 Subd. 5. [CERTIFICATE FEES.] (a) The commissioner shall
18 assess the fees in paragraphs (b) to (f) for the inspection,
19 service, and work performed in carrying out the issuance of a
20 phytosanitary certificate or export certificate. The inspection
21 fee must be based on mileage and inspection time.

22 (b) Mileage charge: current United States Internal Revenue
23 Service mileage rate.

24 (c) Inspection time: \$50 per hour minimum or fee necessary
25 to cover department costs. Inspection time includes the driving
26 time to and from the location in addition to the time spent
27 conducting the inspection.

28 ~~(d) A fee must be charged for any certificate issued that~~
29 ~~requires laboratory analysis before issuance. The fee must be~~
30 ~~deposited into the laboratory account as authorized in section~~
31 ~~17.85. If laboratory analysis or other technical analysis is~~
32 ~~required to issue a certificate, the commissioner must set and~~
33 ~~collect the fee to recover this additional cost.~~

34 (e) Certificate fee for product value greater than \$250:
5 \$75 for each phytosanitary or export certificate issued for any
36 single shipment valued at more than \$250 in addition to any

1 mileage or inspection time charges that are assessed.

2 (f) Certificate fee for product value less than \$250: \$25
3 for each phytosanitary or export certificate issued for any
4 single shipment valued at less than \$250 in addition to any
5 mileage or inspection time charges that are assessed.

6 (g) For services provided for in subdivision 7 that are
7 goods and services provided for the direct and primary use of a
8 private individual, business, or other entity, the commissioner
9 must set and collect the fees to cover the cost of the services
10 provided.

11 Sec. 30. Minnesota Statutes 2004, section 18G.10,
12 subdivision 7, is amended to read:

13 Subd. 7. [~~PLANT-PROTECTION-INSPECTIONS,~~ SUPPLEMENTAL,
14 ADDITIONAL, OR OTHER CERTIFICATES, AND PERMITS,~~AND FEES.~~] (a)
15 The commissioner may provide inspection, sampling, or
16 certification services to ensure that Minnesota plant products
17 or commodities meet import requirements of other states or
18 countries.

19 (b) The state plant regulatory official may issue permits
20 and certificates verifying that various Minnesota agricultural
21 products or commodities meet specified phytosanitary plant
22 health requirements, treatment requirements, or pest absence
23 assurances based on determinations by the commissioner. ~~The~~
24 ~~commissioner-may-collect-fees-sufficient-to-recover-costs-for~~
25 ~~these-permits-or-certificates---The-fees-must-be-deposited-in~~
26 ~~the-nursery-and-phytosanitary-account.~~

27 Sec. 31. Minnesota Statutes 2004, section 18G.16,
28 subdivision 1, is amended to read:

29 Subdivision 1. [DEFINITIONS.] (a) The definitions in this
30 subdivision apply to this section.

31 (b) "Metropolitan area" means the counties of Anoka,
32 Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

33 (c) "Municipality" means a home rule charter or statutory
34 city or a town located in the metropolitan area that exercises
35 municipal powers under section 368.01 or any general or special
36 law; a special park district organized under chapter 398; a

1 special-purpose park and recreation board organized under the
2 city charter of a city of the first class located in the
3 metropolitan area; a county in the metropolitan area for the
4 purposes of county-owned property or any portion of a county
5 located outside the geographic boundaries of a city or a town
6 exercising municipal powers; and a municipality or county
7 located outside the metropolitan area with an approved disease
8 control program.

9 (d) "Shade tree disease pest" means ~~Dutch-elm-disease~~, ~~oak~~
10 ~~wilt~~, ~~or any disorder~~ pests or pathogens affecting the growth
11 and life of shade trees.

12 (e) "Wood utilization or disposal system" means facilities,
13 equipment, or systems used for the removal and disposal of
14 diseased or pest-infested shade trees, including collection,
15 transportation, processing, or storage of wood and assisting in
16 the recovery of materials or energy from wood.

17 (f) "Approved disease pest control program" means a
18 municipal plan approved by the commissioner to control or
19 eradicate a shade tree disease pest.

20 (g) "Disease Pest control area" means an area approved by
21 the commissioner within which a municipality will conduct an
22 approved disease pest control program.

23 (h) "Sanitation" means the identification, inspection,
24 disruption of a common root system, girdling, trimming, removal,
25 and disposal of dead, pest-infested or diseased wood of shade
26 trees, including subsidies for trees removed pursuant to
27 subdivision 4, on public or private property within a disease
28 control area.

29 (i) "Reforestation" means the replacement of shade trees
30 removed from public property and the planting of a tree as part
31 of a municipal disease control program. For purposes of this
32 paragraph, "public property" includes private property within
33 five feet of the boulevard or street terrace in a city that
34 enacted an ordinance on or before January 1, 1977, that
35 prohibits or requires a permit for the planting of trees in the
36 public right-of-way.

1 (j) "Shade tree" means a woody perennial grown primarily
2 for aesthetic or environmental purposes.

3 Sec. 32. Minnesota Statutes 2004, section 18G.16,
4 subdivision 2, is amended to read:

5 Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner
6 may adopt rules relating to shade tree pest and disease control
7 in any municipality. The rules must prescribe control measures
8 to be used to prevent the spread of shade tree pests and
9 diseases and must include the following:

- 10 (1) a definition of shade tree;
- 11 (2) qualifications for tree inspectors;
- 12 (3) methods of identifying diseased or pest-infested shade
13 trees;
- 14 (4) procedures for giving reasonable notice of inspection
15 of private real property;
- 16 (5) measures for the removal of any shade tree which may
17 contribute to the spread of shade tree pests or disease and for
18 reforestation of pest or disease control areas;
- 19 (6) approved methods of treatment of shade trees;
- 20 (7) criteria for priority designation areas in an approved
21 pest or disease control program; and
- 22 (8) any other matters determined necessary by the
23 commissioner to prevent the spread of shade tree pests or
24 disease and enforce this section.

25 Sec. 33. Minnesota Statutes 2004, section 18G.16,
26 subdivision 3, is amended to read:

27 Subd. 3. [DIAGNOSTIC LABORATORY.] The commissioner shall
28 operate a diagnostic laboratory for culturing diseased or pest-
29 infested trees for positive identification of diseased or pest-
30 infested shade trees.

31 Sec. 34. Minnesota Statutes 2004, section 18G.16,
32 subdivision 4, is amended to read:

33 Subd. 4. [COOPERATION BY UNIVERSITY.] The University of
34 Minnesota College of Natural Resources shall cooperate with the
35 department in control of shade tree disease, pests, and
36 disorders and management of shade tree populations. The College

1 of Natural Resources shall cooperate with the department to
2 conduct tree inspector certification and recertification
3 workshops for certified tree inspectors. The College of Natural
4 Resources shall also conduct research into means for identifying
5 diseased or pest-infested shade trees, develop and evaluate
6 control measures, and develop means for disposing of and using
7 diseased or pest-infested shade trees.

8 Sec. 35. Minnesota Statutes 2004, section 18G.16,
9 subdivision 5, is amended to read:

10 Subd. 5. [EXPERIMENTAL PROGRAMS.] The commissioner may
11 establish experimental programs for sanitation or treatment of
12 shade tree diseases and for research into tree varieties most
13 suitable for municipal reforestation. The research must include
14 considerations of disease resistance, energy conservation, and
15 other factors considered appropriate. The commissioner may make
16 grants to municipalities or enter into contracts with
17 municipalities, nurseries, colleges, universities, or state or
18 federal agencies in connection with experimental shade tree
19 programs including research to assist municipalities in
20 establishing priority designation areas for shade tree ~~disease~~
21 pest control and energy conservation.

22 Sec. 36. Minnesota Statutes 2004, section 18G.16,
23 subdivision 6, is amended to read:

24 Subd. 6. [REMOVAL OF DISEASED OR PEST-INFESTED TREES.]
25 After reasonable notice of inspection, an owner of real property
26 containing a shade tree that is diseased, infested, or may
27 contribute to the spread of pests or disease, must remove or
28 treat the tree within the period of time and in the manner
29 established by the commissioner. Trees that are not removed in
30 compliance with the commissioner's rules must be declared a
31 public nuisance and removed or treated by approved methods by
32 the municipality, which may assess all or part of the expense,
33 limited to the lowest contract rates available that include wage
34 levels which meet Minnesota minimum wage standards, to the
35 property and the expense becomes a lien on the property. A
36 municipality may assess not more than 50 percent of the expense

1 of treating with an approved method or removing diseased or
2 pest-infested shade trees located on street terraces or
3 boulevards to the abutting properties and the assessment becomes
4 a lien on the property.

5 Sec. 37. Minnesota Statutes 2004, section 18G.16,
6 subdivision 7, is amended to read:

7 Subd. 7. [RULES; APPLICABILITY TO MUNICIPALITIES.] The
8 rules of the commissioner apply in a municipality unless the
9 municipality adopts an ordinance determined by the commissioner
10 to be more stringent than the rules of the commissioner. The
11 rules of the commissioner or the municipality apply to all state
12 agencies, special purpose districts, and metropolitan
13 commissions as defined in section 473.121, subdivision 5a, that
14 own or control land adjacent to or within a shade tree disease
15 pest control area.

16 Sec. 38. Minnesota Statutes 2004, section 18G.16,
17 subdivision 8, is amended to read:

18 Subd. 8. [GRANTS TO MUNICIPALITIES.] (a) The commissioner
19 may, in the name of the state and within the limit of
20 appropriations provided, make a grant to a municipality with an
21 approved disease pest control program for the partial funding of
22 municipal sanitation and reforestation programs to replace trees
23 lost to pest, disease or natural disaster. The commissioner may
24 make a grant to a home rule charter or statutory city, a special
25 purpose park and recreation board organized under a charter of a
26 city of the first class, a nonprofit corporation serving a city
27 of the first class, or a county having an approved disease
28 control program for the acquisition or implementation of a wood
29 use or disposal system.

30 (b) The commissioner shall adopt rules for the
31 administration of grants under this subdivision. The rules must
32 contain:

33 (1) procedures for grant applications;

34 (2) conditions and procedures for the administration of
35 grants;

36 (3) criteria of eligibility for grants including, but not

1 limited to, those specified in this subdivision; and

2 (4) other matters the commissioner may find necessary to
3 the proper administration of the grant program.

4 (c) Grants for wood utilization and disposal systems made
5 by the commissioner under this subdivision must not exceed 50
6 percent of the total cost of the system. Grants for sanitation
7 and reforestation must be combined into one grant program.
8 Grants to a municipality for sanitation must not exceed 50
9 percent of sanitation costs approved by the commissioner
10 including any amount of sanitation costs paid by special
11 assessments, ad valorem taxes, federal grants, or other funds.
12 A municipality must not specially assess a property owner an
13 amount greater than the amount of the tree's sanitation cost
14 minus the amount of the tree's sanitation cost reimbursed by the
15 commissioner. Grants to municipalities for reforestation must
16 not exceed 50 percent of the wholesale cost of the trees planted
17 under the reforestation program; provided that a reforestation
18 grant to a county may include 90 percent of the cost of the
19 first 50 trees planted on public property in a town not included
20 in the definition of municipality in subdivision 1 and with less
21 than 1,000 population when the town applies to the county.
22 Reforestation grants to towns and home rule charter or statutory
23 cities of less than 4,000 population with an approved ~~disease~~
24 pest control program may include 90 percent of the cost of the
25 first 50 trees planted on public property. The governing body
26 of a municipality that receives a reforestation grant under this
27 section must appoint up to seven residents of the municipality
28 or designate an existing municipal board or committee to serve
29 as a reforestation advisory committee to advise the governing
30 body of the municipality in the administration of the
31 reforestation program. For the purpose of this subdivision,
32 "cost" does not include the value of a gift or dedication of
33 trees required by a municipal ordinance but does include
34 documented "in-kind" services or voluntary work for
municipalities with a population of less than 1,000 according to
36 the most recent federal census.

1 (d) Based upon estimates submitted by the municipality to
2 the commissioner, which state the estimated costs of sanitation
3 and reforestation in the succeeding quarter under an approved
4 program, the commissioner shall direct quarterly advance
5 payments to be made by the state to the municipality commencing
6 April 1. The commissioner shall direct adjustment of any
7 overestimate in a succeeding quarter. A municipality may elect
8 to receive the proceeds of its sanitation and reforestation
9 grants on a periodic cost reimbursement basis.

10 (e) A home rule charter or statutory city, county outside
11 the metropolitan area, or any municipality, as defined in
12 subdivision 1, may submit an application for a grant authorized
13 by this subdivision concurrently with its request for approval
14 of a disease pest control program.

15 (f) The commissioner shall not make grants for sanitation
16 and reforestation or wood utilization and disposal systems in
17 excess of 67 percent of the amounts appropriated for those
18 purposes to the municipalities located within the metropolitan
19 area, as defined in subdivision 1.

20 Sec. 39. Minnesota Statutes 2004, section 18G.16,
21 subdivision 9, is amended to read:

22 Subd. 9. [SUBSIDIES TO CERTAIN OWNERS.] A municipality may
23 provide subsidies to nonprofit organizations, to owners of
24 private residential property of five acres or less, to owners of
25 property used for a homestead of more than five acres but less
26 than 20 acres, and to nonprofit cemeteries for the approved
27 treatment or removal of diseased or pest-infested shade trees.

28 Notwithstanding any law to the contrary, an owner of
29 property on which shade trees are located may contract with a
30 municipality to provide protection against the cost of approved
31 treatment or removal of diseased or pest-infested shade trees or
32 shade trees that will contribute to the spread of shade tree
33 diseases or pest infestations. Under the contract, the
34 municipality must pay for the removal or approved treatment
35 under terms and conditions determined by its governing body.

36 Sec. 40. Minnesota Statutes 2004, section 18G.16,

1 subdivision 14, is amended to read:

2 Subd. 14. [MUNICIPAL OPTION TO PARTICIPATE IN PROGRAM.]

3 The term "municipality" shall include only those municipalities
4 which have informed the commissioner of their intent to continue
5 an approved disease pest control program. Any municipality
6 desiring to participate in the grants-in-aid for the partial
7 funding of municipal sanitation and reforestation programs must
8 notify the commissioner in writing before the beginning of the
9 calendar year in which it wants to participate and must have an
10 approved disease pest control program during any year in which
11 it receives grants-in-aid. Notwithstanding the provisions of
12 any law to the contrary, no municipality shall be required to
13 have an approved disease control program after December 31, 1981.

14 Sec. 41. Minnesota Statutes 2004, section 18H.07,
15 subdivision 1, is amended to read:

16 Subdivision 1. [ESTABLISHMENT OF FEES.] The commissioner
17 shall establish fees sufficient to allow for the administration
18 and enforcement of this chapter and rules adopted under this
19 chapter, including the portion of general support costs and
20 statewide indirect costs of the agency attributable to that
21 function, with a reserve sufficient for up to six months. The
22 commissioner shall review the fee schedule annually in
23 consultation with the Minnesota Nursery and Landscape Advisory
24 Committee. For the certificate year beginning January 1, ~~2004~~
25 2006, the fees are as described in this section.

26 Sec. 42. Minnesota Statutes 2004, section 18H.07,
27 subdivision 2, is amended to read:

28 Subd. 2. [NURSERY STOCK GROWER CERTIFICATE.] (a) A nursery
29 stock grower must pay an annual fee based on the area of all
30 acreage on which nursery stock is grown for certification as
31 follows:

- 32 (1) less than one-half acre, \$150;
- 33 (2) from one-half acre to two acres, \$200;
- 34 (3) over two acres up to five acres, \$300;
- 35 (4) over five acres up to ten acres, \$350;
- 36 (5) over ten acres up to 20 acres, \$500;

- 1 (6) over 20 acres up to 40 acres, \$650;
2 (7) over 40 acres up to 50 acres, \$800;
3 (8) over 50 acres up to 200 acres, \$1,100;
4 (9) over 200 acres up to 500 acres, \$1,500; and
5 (10) over 500 acres, \$1,500 plus \$2 for each additional
6 acre.

7 (b) In addition to the fees in paragraph (a), a penalty of
8 ten percent of the fee due must be charged for each month, or
9 portion thereof, that the fee is delinquent up to a maximum of
10 30 percent for any application for renewal not received by
11 January 1 of the year following expiration of a certificate.

12 Sec. 43. Minnesota Statutes 2004, section 18H.07,
13 subdivision 3, is amended to read:

14 Subd. 3. [NURSERY STOCK DEALER CERTIFICATE.] (a) A nursery
15 stock dealer must pay an annual fee based on the dealer's gross
16 sales of certified nursery stock per location during the
17 preceeding most recent certificate year. A certificate applicant
18 operating for the first time must pay the minimum fee. The fees
19 per sales location are:

- 20 (1) gross sales up to ~~\$20,000~~ \$5,000, \$150;
21 (2) gross sales over ~~\$20,000~~ \$5,000 up to ~~\$100,000~~ \$20,000,
22 \$175;
23 (3) gross sales over ~~\$100,000~~ \$20,000 up to
24 ~~\$250,000~~ \$50,000, \$300;
25 (4) gross sales over ~~\$250,000~~ \$50,000 up to
26 ~~\$500,000~~ \$75,000, \$425;
27 (5) gross sales over ~~\$500,000~~ \$75,000 up to
28 ~~\$1,000,000~~ \$100,000, \$550;
29 (6) gross sales over ~~\$1,000,000~~ \$100,000 up to
30 ~~\$2,000,000~~ \$200,000, \$675; and
31 (7) gross sales over ~~\$2,000,000~~ \$200,000, \$800.

32 (b) In addition to the fees in paragraph (a), a penalty of
33 ten percent of the fee due must be charged for each month, or
34 portion thereof, that the fee is delinquent up to a maximum of
35 30 percent for any application for renewal not received by
36 January 1 of the year following expiration of a certificate.

1 Sec. 44. Minnesota Statutes 2004, section 19.64,
2 subdivision 1, is amended to read:

3 Subdivision 1. [REGISTRATION.] Every person who owns,
4 leases, or possesses colonies of bees ~~or who intends to bring~~
5 ~~bees into the state under an entry permit~~ shall register the
6 bees with the commissioner on or before ~~April 15~~ June 1 of each
7 year or within 15 days of entry into Minnesota or taking
8 possession of hives, whichever comes first. The registration
9 application shall include the name and address of the applicant,
10 a description of the exact location of each of the applicant's
11 apiaries by county, township, range and quarter section, and
12 other information required by the commissioner. The fee for
13 registration under this subdivision is a minimum of \$10 per
14 beekeeper and 25 cents per colony maintained in the state. ~~The~~
15 ~~commissioner shall provide registered beekeepers with the~~
16 ~~Minnesota pest report.~~

17 If colonies numbers increase at any time of year from
18 splitting, purchasing, or otherwise, the additional fees per
19 colony are required within 15 days of the increase in number of
20 colonies. The registration required by this section is not
21 transferable. At least one colony in each location must be
22 plainly and legibly marked with the owner's name and telephone
23 number and address, and other information required by the
24 commissioner. The department shall provide information on
25 colony locations as reported on the registrations on an Internet
26 Web site or through other appropriate measures.

27 Sec. 45. Minnesota Statutes 2004, section 25.341,
28 subdivision 2, is amended to read:

29 Subd. 2. [APPLICATION; FEE; TERM.] A person who is
30 required to have a commercial feed license shall submit an
31 application on a form provided or approved by the commissioner
32 accompanied by a ~~license~~ fee of \$25 paid to the commissioner for
33 each ~~facility~~ location. A license is not transferable from one
34 person to another, from one ownership to another, or from one
35 location to another. The license year is the calendar year. A
36 license expires on December 31 of the year for which it is

1 issued, except that a license is valid through January 31 of the
 2 next year or until the issuance of the renewal license,
 3 whichever comes first, if the licensee has filed a renewal
 4 application with the commissioner on or before December 31 of
 5 the year for which the current license was issued. A-new
 6 ~~applicant-who~~ Any person who is required to have, but fails to
 7 obtain a license within-15-working-days-of-notification-of-the
 8 requirement-to-obtain-a-license, or a licensee who fails to
 9 comply with license renewal requirements, shall pay a \$50 late
 10 fee in addition to the license fee. ~~The-commissioner-may-issue~~
 11 ~~a-withdrawal-from-distribution-order-on-any-commercial-feed-that~~
 12 ~~an-unlicensed-person-produces-or-distributes-in-the-state-until~~
 13 ~~a-license-is-issued.~~

14 Sec. 46. [25.342] [CERTIFICATES, FREE SALE.]

15 A nonrefundable application fee of \$25 must accompany all
 16 free sale certificate requests to facilitate the movement of
 17 Minnesota processed and manufactured feeds destined for export
 18 from the state. Each label submitted for review must be
 19 accompanied by a nonrefundable \$50 application fee.

20 Sec. 47. Minnesota Statutes 2004, section 25.39,
 21 subdivision 1, is amended to read:

22 Subdivision 1. [AMOUNT OF FEE.] (a) An inspection fee at
 23 the rate of 16 cents per ton must be paid to the commissioner on
 24 commercial feeds distributed in this state by the person who
 25 first distributes the commercial feed, except that:

26 (1) ~~no fee needs-to~~ need be paid on:

27 ~~(1)~~ (i) a commercial feed if the payment has been made by a
 28 previous distributor; or

29 ~~(2)~~ (ii) customer formula feeds if the inspection fee is
 30 paid on the commercial feeds which are used as ingredients; or

31 ~~(3)-commercial-feeds-used-as-ingredients-for-the~~
 32 ~~manufacture-of-commercial-feeds-if-the-fee-has-been-paid-by-a~~
 33 ~~previous-distributor.--If-the-fee-has-already-been-paid,-credit~~
 34 ~~must-be-given-for-that-payment.~~ (2) a Minnesota feed distributor
 35 who distributes can substantiate that greater than 50 percent of
 36 the distribution of commercial feed is to purchasers outside the

1 state may purchase commercial feeds, without payment by any
2 person of the inspection fee required on these purchases, under
3 a tonnage fee exemption permit issued by the commissioner. Such
4 location specific permits shall only be issued on a calendar
5 year basis to commercial feed distributors who submit a \$100
6 nonrefundable application fee and comply with rules adopted by
7 the commissioner relative to record keeping, tonnage of
8 commercial feed distributed in Minnesota, total of all
9 commercial feed tonnage distributed, and all other information
10 which the commissioner may require so as to ensure that proper
11 inspection fee payment has been made.

12 (b) In the case of pet food distributed in the state only
13 in packages of ten pounds or less, a listing of each product and
14 a current label for each product must be submitted annually on
15 forms provided by the commissioner and accompanied by an annual
16 fee of \$50 for each product in lieu of the inspection fee. This
17 annual fee is due by July 1. The inspection fee required by
18 paragraph (a) applies to pet food distributed in packages
19 exceeding ten pounds.

20 (c) In the case of specialty pet food distributed in the
21 state only in packages of ten pounds or less, a listing of each
22 product and a current label for each product must be submitted
23 annually on forms provided by the commissioner and accompanied
24 by an annual fee of \$25 for each product in lieu of the
25 inspection fee. This annual fee is due by July 1. The
26 inspection fee required by paragraph (a) applies to specialty
27 pet food distributed in packages exceeding ten pounds.

28 (d) The minimum inspection fee is \$10 per annual reporting
29 period.

30 Sec. 48. Minnesota Statutes 2004, section 25.39,
31 subdivision 4, is amended to read:

32 Subd. 4. [COMMERCIAL FEED INSPECTION ACCOUNT.] A
33 commercial feed inspection account is established in the
34 agricultural fund. Fees and penalties collected under sections
35 ~~25.35 to 25.43~~ this chapter and interest attributable to money
36 in the account must be deposited in the agricultural fund and

1 credited to the commercial feed inspection account. Money in
2 the account, including interest earned, is appropriated to the
3 commissioner for the administration and enforcement of ~~sections~~
4 ~~25-341-to-25-43~~ this chapter.

5 Sec. 49. Minnesota Statutes 2004, section 41A.09,
6 subdivision 2a, is amended to read:

7 Subd. 2a. [DEFINITIONS.] For the purposes of this section,
8 the terms defined in this subdivision have the meanings given
9 them.

10 (a) "Ethanol" means fermentation ethyl alcohol derived from
11 agricultural products, including potatoes, cereal grains, cheese
12 whey, and sugar beets; forest products; or other renewable
13 resources, including residue and waste generated from the
14 production, processing, and marketing of agricultural products,
15 forest products, and other renewable resources, that:

16 (1) meets all of the specifications in ASTM specification
17 D4806-01; and

18 (2) is denatured as specified in Code of Federal
19 Regulations, title 27, parts 20 and 21.

20 (b) "Ethanol plant" means a plant at which ethanol is
21 produced.

22 (c) "Commissioner" means the commissioner of agriculture.

23 (d) "Rural economic infrastructure" means the development
24 activities that will enhance the value of agricultural crop or
25 livestock commodities or by-products or waste from farming
26 operations.

27 Sec. 50. Minnesota Statutes 2004, section 41A.09,
28 subdivision 3a, is amended to read:

29 Subd. 3a. [ETHANOL PRODUCER PAYMENTS.] (a) The
30 commissioner shall make cash payments to producers of ethanol
31 located in the state that have begun production at a specific
32 location by June 30, 2000. For the purpose of this subdivision,
33 an entity that holds a controlling interest in more than one
34 ethanol plant is considered a single producer. The amount of
35 the payment for each producer's annual production, except as
36 provided in paragraph (c), is 20 cents per gallon for each

1 gallon of ethanol produced at a specific location on or before
2 June 30, 2000, or ten years after the start of production,
3 whichever is later. Annually, within 90 days of the end of its
4 fiscal year, an ethanol producer receiving payments under this
5 subdivision must file a disclosure statement on a form provided
6 by the commissioner. The initial disclosure statement must
7 include a summary description of the organization of the
8 business structure of the claimant, a listing of the percentages
9 of ownership by any person or other entity with an ownership
10 interest of five percent or greater, and a copy of its annual
11 audited financial statements, including the auditor's report and
12 footnotes. The disclosure statement must include information
13 demonstrating what percentage of the entity receiving payments
14 under this section is owned by farmers or other entities
15 eligible to farm or own agricultural land in Minnesota under the
16 provisions of section 500.24. Subsequent annual reports must
17 reflect noncumulative changes in ownership of ten percent or
18 more of the entity. The report need not disclose the identity
19 of the persons or entities eligible to farm or own agricultural
20 land with ownership interests, individuals residing within 30
21 miles of the plant, or of any other entity with less than ten
22 percent ownership interest, but the claimant must retain
23 information within its files confirming the accuracy of the data
24 provided. This data must be made available to the commissioner
25 upon request. Not later than the 15th day of February in each
26 year the commissioner shall deliver to the chairs of the
27 standing committees of the senate and the house of
28 representatives that deal with agricultural policy and
29 agricultural finance issues an annual report summarizing
30 aggregated data from plants receiving payments under this
31 section during the preceding calendar year. Audited financial
32 statements and notes and disclosure statements submitted to the
33 commissioner are nonpublic data under section 13.02, subdivision
34 9. Notwithstanding the provisions of chapter 13 relating to
5 nonpublic data, summaries of the submitted audited financial
36 reports and notes and disclosure statements will be contained in

1 the report to the committee chairs and will be public data.

2 (b) No payments shall be made for ethanol production that
3 occurs after June 30, 2010. A producer of ethanol shall not
4 transfer the producer's eligibility for payments under this
5 section to an ethanol plant at a different location.

6 (c) If the level of production at an ethanol plant
7 increases due to an increase in the production capacity of the
8 plant, the payment under paragraph (a) applies to the additional
9 increment of production until ten years after the increased
10 production began. Once a plant's production capacity reaches
11 15,000,000 gallons per year, no additional increment will
12 qualify for the payment.

13 (d) Total payments under paragraphs (a) and (c) to a
14 producer in a fiscal year may not exceed \$3,000,000.

15 (e) By the last day of October, January, April, and July,
16 each producer shall file a claim for payment for ethanol
17 production during the preceding three calendar months. A
18 producer that files a claim under this subdivision shall include
19 a statement of the producer's total ethanol production in
20 Minnesota during the quarter covered by the claim. For each
21 claim and statement of total ethanol production filed under this
22 subdivision, the volume of ethanol production must be examined
23 by an independent certified public accountant in accordance with
24 standards established by the American Institute of Certified
25 Public Accountants.

26 (f) Payments shall be made November 15, February 15, May
27 15, and August 15. A separate payment shall be made for each
28 claim filed. Except as provided in paragraph (g), the total
29 quarterly payment to a producer under this paragraph may not
30 exceed \$750,000.

31 (g) Notwithstanding the quarterly payment limits of
32 paragraph (f), the commissioner shall make an additional payment
33 in the fourth quarter of each fiscal year to ethanol producers
34 for the lesser of: (1) 20 cents per gallon of production in the
35 fourth quarter of the year that is greater than 3,750,000
36 gallons; or (2) the total amount of payments lost during the

1 first three quarters of the fiscal year due to plant outages,
2 repair, or major maintenance. Total payments to an ethanol
3 producer in a fiscal year, including any payment under this
4 paragraph, must not exceed the total amount the producer is
5 eligible to receive based on the producer's approved production
6 capacity. The provisions of this paragraph apply only to
7 production losses that occur in quarters beginning after
8 December 31, 1999.

9 (h) The commissioner shall reimburse ethanol producers for
10 any deficiency in payments during earlier quarters if the
11 deficiency occurred because of unallotment or because
12 appropriated money was insufficient to make timely payments in
13 the full amount provided in paragraph (a). Notwithstanding the
14 quarterly or annual payment limitations in this subdivision, the
15 commissioner shall begin making payments for earlier
16 deficiencies in each fiscal year that appropriations for ethanol
17 payments exceed the amount required to make eligible scheduled
18 payments. Payments for earlier deficiencies must continue until
19 the deficiencies for each producer are paid in full.

20 (i) The commissioner may make direct payments to producers
21 of rural economic infrastructure with any amount of the annual
22 appropriation for ethanol producer payments and rural economic
23 infrastructure that is in excess of the amount required to make
24 scheduled ethanol producer payments and deficiency payments
25 under paragraphs (a) to (h).

26 Sec. 51. Minnesota Statutes 2004, section 41A.09, is
27 amended by adding a subdivision to read:

28 Subd. 9. [MOTOR VEHICLES; ETHANOL COMBUSTION EFFICIENCY
29 GRANTS.] From within the appropriation for each fiscal year to
30 the ethanol development program under this section, or from
31 other appropriated money, the commissioner shall make up to two
32 grants, each in an amount not exceeding \$50,000, to qualified
33 applicants proposing to do research on, but not limited to,
34 ethanol's effect on fuel system materials compatibility and ways
35 to improve the energy efficiency of ethanol fuel blends in motor
36 vehicles while meeting all requirements for control of tailpipe

1 emissions. A grant recipient may receive funding for no more
2 than two consecutive years. A research project must be matched
3 by \$2 of nonstate money for each \$3 of state grant money.

4 Sec. 52. Minnesota Statutes 2004, section 41A.09, is
5 amended by adding a subdivision to read:

6 Subd. 10. [GUIDELINES.] The commissioner shall establish
7 guidelines not subject to chapter 14 for the submission and
8 review of applications and the awarding of grants under
9 subdivision 9.

10 Sec. 53. Minnesota Statutes 2004, section 41B.046,
11 subdivision 5, is amended to read:

12 Subd. 5. [LOANS.] (a) The authority may participate in a
13 stock loan with an eligible lender to a farmer who is eligible
14 under subdivision 4. Participation is limited to 45 percent of
15 the principal amount of the loan or \$40,000, whichever is less.
16 The interest rates and repayment terms of the authority's
17 participation interest may differ from the interest rates and
18 repayment terms of the lender's retained portion of the loan,
19 but the authority's interest rate must not exceed 50 percent of
20 the lender's interest rate.

21 (b) No more than 95 percent of the purchase price of the
22 stock may be financed under this program.

23 (c) Security for stock loans must be the stock purchased, a
24 personal note executed by the borrower, and whatever other
25 security is required by the eligible lender or the authority.

26 (d) The authority may impose a reasonable nonrefundable
27 application fee for each application for a stock loan. The
28 authority may review the fee annually and make adjustments as
29 necessary. The application fee is initially \$50. Application
30 fees received by the authority must be deposited in the
31 value-added agricultural product revolving fund.

32 (e) Stock loans under this program will be made using money
33 in the ~~value-added-agricultural-product~~ revolving fund loan
34 account established ~~under-subdivision-3~~ in section 41B.06.

35 (f) The authority may not grant stock loans in a cumulative
36 amount exceeding \$2,000,000 for the financing of stock purchases

1 in any one cooperative.

2 (g) Repayments of financial assistance under this section,
 3 including principal and interest, must be deposited into the
 4 revolving loan account established in section 41B.06.

5 Sec. 54. Minnesota Statutes 2004, section 41B.049,
 6 subdivision 2, is amended to read:

7 Subd. 2. [~~REVOLVING-FUND DEPOSIT OF REPAYMENTS.~~] ~~There is~~
 8 ~~established in the state treasury a revolving fund, which is~~
 9 ~~eligible to receive appropriations and the transfer of funds~~
 10 ~~from other services.~~ All repayments of financial assistance
 11 granted under subdivision 1, including principal and interest,
 12 must be deposited into ~~this fund.~~ ~~Interest earned on money in~~
 13 ~~the fund accrues to the fund, and money in the fund is~~
 14 ~~appropriated to the commissioner of agriculture for purposes of~~
 15 ~~the manure digester loan program, including costs incurred by~~
 16 ~~the authority to establish and administer the program~~ the
 17 revolving loan account established in section 41B.06.

18 Sec. 55. [41B.055] [LIVESTOCK EQUIPMENT PILOT LOAN
 19 PROGRAM.]

20 Subdivision 1. [ESTABLISHMENT.] The authority must
 21 establish and implement a livestock equipment pilot loan program
 22 to help finance the first purchase of livestock-related
 23 equipment and make livestock facilities improvements.

24 Subd. 2. [ELIGIBILITY.] Notwithstanding section 41B.03, to
 25 be eligible for this program a borrower must:

26 (1) be a resident of Minnesota or general partnership or a
 27 family farm corporation, authorized farm corporation, family
 28 farm partnership, or authorized farm partnership as defined in
 29 section 500.24, subdivision 2;

30 (2) be the principal operator of a livestock farm;

31 (3) have a total net worth, including assets and
 32 liabilities of the borrower's spouse and dependents, no greater
 33 than the amount stipulated in section 41B.03, subdivision 3;

34 (4) demonstrate an ability to repay the loan; and

35 (5) hold an appropriate feedlot registration or be using
 36 the loan under this program to meet registration requirements.

1 In addition to the requirements in clauses (1) to (5),
2 preference must be given to applicants who have farmed less than
3 ten years as evidenced by their filing of schedule F in their
4 federal tax returns.

5 Subd. 3. [LOANS.] (a) The authority may participate in a
6 livestock equipment loan equal to 90 percent of the purchased
7 equipment value with an eligible lender to a farmer who is
8 eligible under subdivision 2. Participation is limited to 45
9 percent of the principal amount of the loan or \$40,000,
10 whichever is less. The interest rates and repayment terms of
11 the authority's participation interest may differ from the
12 interest rates and repayment terms of the lender's retained
13 portion of the loan, but the authority's interest rate must not
14 exceed three percent. The authority may review the interest
15 annually and make adjustments as necessary.

16 (b) Standards for loan amortization must be set by the
17 rural finance authority and must not exceed seven years.

18 (c) Security for a livestock equipment loan must be a
19 personal note executed by the borrower and whatever other
20 security is required by the eligible lender or the authority.

21 (d) Refinancing of existing debt is not an eligible purpose.

22 (e) The authority may impose a reasonable, nonrefundable
23 application fee for a livestock equipment loan. The authority
24 may review the fee annually and make adjustments as necessary.
25 The initial application fee is \$50. Application fees received
26 by the authority must be deposited in the revolving loan account
27 established in section 41B.06.

28 (f) Loans under this program must be made using money in
29 the revolving loan account established in section 41B.06.

30 Subd. 4. [ELIGIBLE EXPENDITURES.] Money may be used for
31 loans for the acquisition of equipment for animal housing,
32 confinement, animal feeding, milk production, and waste
33 management, including the following, if related to animal
34 husbandry:

35 (1) fences;

36 (2) watering facilities;

- 1 (3) feed storage and handling equipment;
- 2 (4) milking parlors;
- 3 (5) milking equipment;
- 4 (6) scales;
- 5 (7) milk storage and cooling facilities;
- 6 (8) manure pumping and storage facilities; and
- 7 (9) capital investment in pasture.

8 Sec. 56. [41B.06] [RURAL FINANCE AUTHORITY REVOLVING LOAN
9 ACCOUNT.]

10 There is established in the rural finance administration
11 fund a rural finance authority revolving loan account that is
12 eligible to receive appropriations and the transfer of loan
13 funds from other programs. All repayments of financial
14 assistance granted from this account, including principal and
15 interest, must be deposited into this account. Interest earned
16 on money in the account accrues to the account, and the money in
17 the account is appropriated to the commissioner of agriculture
18 for purposes of the rural finance authority, livestock equipment
19 methane digester, and value-added agricultural product loan
20 programs, including costs incurred by the authority to establish
21 and administer the programs.

22 Sec. 57. Minnesota Statutes 2004, section 84.027,
23 subdivision 12, is amended to read:

24 Subd. 12. [PROPERTY DISPOSAL; GIFT ACKNOWLEDGMENT;
25 ADVERTISING SALES.] (a) The commissioner may give away to
26 members of the public items with a value of less than ~~\$10~~ \$50
27 that are intended to promote conservation of natural resources
28 or create awareness of the state and its resources or natural
29 resource management programs. The total value of items given to
30 the public under this paragraph may not exceed \$25,000 per year.

31 (b) The commissioner may recognize the contribution of
32 money or in-kind services on plaques, signs, publications,
33 audio-visual materials, and media advertisements by allowing the
34 organization's contribution to be acknowledged in print of
35 readable size.

36 (c) The commissioner may accept paid advertising for

1 departmental publications. Advertising revenues received are
 2 appropriated to the commissioner to be used to defray costs of
 3 publications, media productions, or other informational
 4 materials. The commissioner may not accept paid advertising
 5 from any elected official or candidate for elective office.

6 Sec. 58. Minnesota Statutes 2004, section 84.027,
 7 subdivision 15, is amended to read:

8 Subd. 15. [ELECTRONIC TRANSACTIONS.] (a) The commissioner
 9 may receive an application for, sell, and issue any license,
 10 stamp, permit, pass, sticker, duplicate safety training
 11 certification, registration, or transfer under the jurisdiction
 12 of the commissioner by electronic means, including by telephone.
 13 Notwithstanding section 97A.472, electronic and telephone
 14 transactions may be made outside of the state. The commissioner
 15 may:

16 (1) provide for the electronic transfer of funds generated
 17 by electronic transactions, including by telephone;

18 (2) assign a ~~license~~ an identification number to an
 19 applicant who purchases a hunting or fishing license or
 20 recreational vehicle registration by electronic means, to serve
 21 as temporary authorization to engage in the ~~licensed~~ activity
 22 requiring a license or registration until the license or
 23 registration is received or expires;

24 (3) charge and permit agents to charge a fee of individuals
 25 who make electronic transactions and transactions by
 26 telephone or Internet, including ~~the issuing fee under section~~
 27 ~~97A.485, subdivision 6,~~ fees and an additional transaction fee
 28 not to exceed \$3.50;

29 ~~(4) collect issuing or filing fees as provided under~~
 30 ~~sections 84.788, subdivision 3, paragraph (e), 84.798,~~
 31 ~~subdivision 3, paragraph (b), 84.82, subdivision 2, paragraph~~
 32 ~~(d), 84.8205, subdivisions 5 and 6, 84.922, subdivision 2,~~
 33 ~~paragraph (e), 85.41, subdivision 5, 86B.415, subdivision 8, and~~
 34 ~~97A.485, subdivision 6, and collect~~ establish, by written order,
 35 an electronic licensing system commission on to be paid by
 36 revenues generated from all sales of licenses as provided under

1 ~~sections-85-43, paragraph-(b), and-97A-485, subdivision-7~~ made
2 through the electronic licensing system. The commissioner shall
3 establish the commission in a manner that neither significantly
4 overrecovers nor underrecovers costs involved in providing the
5 electronic licensing system; and

6 (5) adopt rules to administer the provisions of this
7 subdivision.

8 (b) ~~Establishment-of The transaction-fee~~ fees established
9 under paragraph (a), clause (3), and the commission established
10 under paragraph (a), clause (4), is are not subject to the
11 rulemaking procedures of chapter 14 and section 14.386 does not
12 apply.

13 (c) Money received from fees and commissions collected
14 under this subdivision, including interest earned, is annually
15 appropriated from the game and fish fund and the natural
16 resources fund to the commissioner for the cost of electronic
17 licensing.

18 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

19 Sec. 59. Minnesota Statutes 2004, section 84.0911,
20 subdivision 2, is amended to read:

21 Subd. 2. [RECEIPTS.] Money received from the sale of wild
22 rice licenses issued by the commissioner under section 84.091,
23 subdivision 3, paragraph (a), clauses (1), (3), and (4), and
24 subdivision 3, paragraph (b), except for the electronic
25 licensing system commission established by the commissioner
26 under section 84.027, subdivision 15, shall be credited to the
27 wild rice management account.

28 [EFFECTIVE DATE.] This section is effective on July 1, 2006.

29 Sec. 60. [84.785] [OFF-HIGHWAY VEHICLE SAFETY AND
30 CONSERVATION GRANT PROGRAM.]

31 Subdivision 1. [CREATION.] The commissioner of natural
32 resources shall establish an off-highway vehicle safety and
33 conservation grant program to make grants to organizations that
34 meet the eligibility requirements under subdivision 3.

35 Subd. 2. [PURPOSE.] The purpose of the off-highway vehicle
36 safety and conservation grant program is to encourage

1 off-highway vehicle clubs to assist in safety training;
2 environmental education; and improving, maintaining, and
3 monitoring public trails. This section does not grant law
4 enforcement authority.

5 Subd. 3. [ELIGIBILITY.] To be eligible for a grant under
6 this section, an organization must:

7 (1) be a statewide, nonprofit organization that promotes
8 the operation of off-highway vehicles in a manner that is safe
9 and responsible;

10 (2) support the safe operation of off-highway vehicles in a
11 manner that does not conflict with the laws and rules that
12 relate to the operation of off-highway vehicles;

13 (3) have an interest in the safe, lawful, and responsible
14 operation of off-highway vehicles;

15 (4) be governed by a board of directors that has a majority
16 of members who are representatives of off-highway vehicle clubs;
17 and

18 (5) provide support to off-highway vehicle clubs.

19 Subd. 4. [USE OF GRANT.] An organization receiving a grant
20 under this section shall use the grant money to promote and
21 provide support to the Department of Natural Resources by:

22 (1) training volunteers to assist in improving,
23 maintaining, and monitoring public trails and other public
24 lands;

25 (2) providing assistance to the department in locating,
26 recruiting, and training instructors;

27 (3) publishing a manual in cooperation with the
28 commissioner to be used to train volunteers in monitoring the
29 operation of off-highway vehicles for safety, environmental, and
30 other issues that relate to the responsible operation of
31 off-highway vehicles;

32 (4) collecting data on the operation of off-highway
33 vehicles in the state; and

34 (5) publishing an annual report outlining accomplishments
35 and annual costs related to the efforts under this subdivision.

36 The report must be approved by the commissioner.

1 Subd. 5. [VOLUNTEER STATUS.] Volunteers of the nonprofit
2 organization and any volunteers under this section are not
3 volunteers for purposes of section 84.089.

4 Subd. 6. [WORKER DISPLACEMENT PROHIBITED.] The
5 commissioner may not enter into any agreement that has the
6 purpose of or results in the displacement of public employees by
7 volunteers participating in the off-highway vehicle safety and
8 conservation grant program under this section. The commissioner
9 must certify to the appropriate bargaining agent that the work
10 performed by a volunteer will not result in the displacement of
11 currently employed workers or workers on seasonal layoff or
12 layoff from a substantially equivalent position, including
13 partial displacement such as reduction in hours of nonovertime
14 work, wages, or other employment benefits.

15 Sec. 61. Minnesota Statutes 2004, section 84.788,
16 subdivision 3, is amended to read:

17 Subd. 3. [APPLICATION; ISSUANCE; REPORTS.] (a) Application
18 for registration or continued registration must be made to the
19 commissioner or an authorized deputy registrar of motor vehicles
20 in a form prescribed by the commissioner. The form must state
21 the name and address of every owner of the off-highway
22 motorcycle.

23 (b) A person who purchases from a retail dealer an
24 off-highway motorcycle shall make application for registration
25 to the dealer at the point of sale. The dealer shall issue a
26 dealer temporary ten-day registration permit to each purchaser
27 who applies to the dealer for registration. The dealer shall
28 submit the completed registration applications and fees to the
29 deputy registrar at least once each week. No fee may be charged
30 by a dealer to a purchaser for providing the temporary permit.

31 (c) Upon receipt of the application and the appropriate
32 fee, the commissioner or deputy registrar shall issue to the
33 applicant, or provide to the dealer, ~~a-60-day-temporary-receipt~~
34 and-shall-assign-a an assigned registration number that or a
35 commissioner or deputy registrar temporary ten-day permit. Once
36 issued, the registration number must be affixed to the

1 motorcycle ~~in-a-manner-prescribed-by-the-commissioner~~ according
2 to paragraph (f). A dealer subject to paragraph (b) shall
3 provide the registration materials and or temporary ~~receipt~~
4 permit to the purchaser within the ten-day temporary permit
5 period.

6 (d) The commissioner shall develop a registration system to
7 register vehicles under this section. A deputy registrar of
8 motor vehicles acting under section 168.33, is also a deputy
9 registrar of off-highway motorcycles. The commissioner of
10 natural resources in agreement with the commissioner of public
11 safety may prescribe the accounting and procedural requirements
12 necessary to ensure efficient handling of registrations and
13 registration fees. Deputy registrars shall strictly comply with
14 the accounting and procedural requirements.

15 (e) In addition to other fees prescribed by law, a filing
16 fee of \$4.50 is charged for each off-highway motorcycle
17 registration renewal, duplicate or replacement registration
18 card, and replacement decal and a filing fee of \$7 is charged
19 for each off-highway motorcycle registration and registration
20 transfer issued by:

21 (1) a deputy registrar and must be deposited in the
22 treasury of the jurisdiction where the deputy is appointed, or
23 kept if the deputy is not a public official; or

24 (2) the commissioner and must be deposited in the state
25 treasury and credited to the off-highway motorcycle account.

26 (f) Unless exempted under paragraph (g), the owner of an
27 off-highway motorcycle must display a registration decal issued
28 by the commissioner. If the motorcycle is licensed as a motor
29 vehicle, a registration decal must be affixed on the upper left
30 corner of the rear license plate. If the motorcycle is not
31 licensed as a motor vehicle, the decal must be attached on the
32 side of the motorcycle and may be attached to the fork tube.
33 The decal must be attached so that it is visible while a rider
34 is on the motorcycle. The decals must not exceed three inches
35 high and three inches wide.

36 (g) Display of a registration decal is not required for an

1 off-highway motorcycle while being operated on private property
2 or while competing in a closed-course competition event.

3 Sec. 62. Minnesota Statutes 2004, section 84.788, is
4 amended by adding a subdivision to read:

5 Subd. 11. [REFUNDS.] The commissioner may issue a refund
6 on a registration, not including any issuing fees paid under
7 subdivision 3, paragraph (e), or section 84.027, subdivision 15,
8 paragraph (a), clause (3), if the refund request is received
9 within 12 months of the original registration and:

10 (1) the off-highway motorcycle was registered incorrectly
11 by the commissioner or the deputy registrar; or

12 (2) the off-highway motorcycle was registered twice, once
13 by the dealer and once by the customer.

4 Sec. 63. Minnesota Statutes 2004, section 84.791,
15 subdivision 2, is amended to read:

16 Subd. 2. [FEES.] For the purposes of administering the
17 program and to defray a portion of the expenses of training and
18 certifying vehicle operators, the commissioner shall collect a
19 fee not to exceed \$5 from each person who receives the training.
20 The commissioner shall collect a fee for issuing a duplicate
21 off-highway motorcycle safety certificate. The commissioner
22 shall establish the fee for a duplicate off-highway motorcycle
23 safety certificate, to include a \$1 issuing fee for licensing
4 agents, that neither significantly overrecovers nor
25 underrecovers costs, including overhead costs, involved in
26 providing the service. The fees must, except for the issuing
27 fee for licensing agents under this subdivision, shall be
28 deposited in the state treasury and credited to the off-highway
29 motorcycle account in the natural resources fund.

30 [EFFECTIVE DATE.] This section is effective on July 1, 2005.

31 Sec. 64. Minnesota Statutes 2004, section 84.798, is
32 amended by adding a subdivision to read:

33 Subd. 10. [REFUNDS.] The commissioner may issue a refund
34 on a registration, not including any issuing fees paid under
35 subdivision 3, paragraph (b), or section 84.027, subdivision 15,
36 paragraph (a), clause (3), if the refund request is received

1 within 12 months of the original registration and the vehicle
2 was registered incorrectly by the commissioner or the deputy
3 registrar.

4 Sec. 65. Minnesota Statutes 2004, section 84.82,
5 subdivision 2, is amended to read:

6 Subd. 2. [APPLICATION, ISSUANCE, REPORTS, ADDITIONAL FEE.]

7 (a) Application for registration or reregistration shall be made
8 to the commissioner or an authorized deputy registrar of motor
9 vehicles in a format prescribed by the commissioner and shall
10 state the legal name and address of every owner of the
11 snowmobile.

12 (b) A person who purchases a snowmobile from a retail
13 dealer shall make application for registration to the dealer at
14 the point of sale. The dealer shall issue a dealer temporary
15 ten-day registration permit to each purchaser who applies to the
16 dealer for registration. ~~The temporary registration is valid~~
17 ~~for 60 days from the date of issue.~~ Each retail dealer shall
18 submit completed registration and fees to the deputy registrar
19 at least once a week. No fee may be charged by a dealer to a
20 purchaser for providing the temporary permit.

21 (c) Upon receipt of the application and the appropriate fee
22 as hereinafter provided, ~~such snowmobile shall be registered and~~
23 a the commissioner or deputy registrar shall issue to the
24 applicant, or provide to the dealer, an assigned registration
25 number assigned which shall or a commissioner or deputy
26 registrar temporary ten-day permit. Once issued, the
27 registration number must be affixed to the snowmobile in a
28 clearly visible and permanent manner for enforcement purposes as
29 the commissioner of natural resources shall prescribe. A dealer
30 subject to paragraph (b) shall provide the registration
31 materials or temporary permit to the purchaser within the
32 temporary ten-day permit period. The registration is not valid
33 unless signed by at least one owner.

34 (d) Each deputy registrar of motor vehicles acting
35 pursuant to section 168.33, shall also be a deputy registrar of
36 snowmobiles. The commissioner of natural resources in agreement

1 with the commissioner of public safety may prescribe the
2 accounting and procedural requirements necessary to assure
3 efficient handling of registrations and registration fees.
4 Deputy registrars shall strictly comply with these accounting
5 and procedural requirements.

6 ~~(d)~~ (e) A fee of \$2 in addition to that otherwise
7 prescribed by law shall be charged for:

8 (1) each snowmobile registered by the registrar or a deputy
9 registrar and the additional fee shall be disposed of in the
10 manner provided in section 168.33, subdivision 2; or

11 (2) each snowmobile registered by the commissioner and the
12 additional fee shall be deposited in the state treasury and
13 credited to the snowmobile trails and enforcement account in the
14 natural resources fund.

15 Sec. 66. Minnesota Statutes 2004, section 84.82, is
16 amended by adding a subdivision to read:

17 Subd. 11. [REFUNDS.] The commissioner may issue a refund
18 on a registration, not including any issuing fees paid under
19 subdivision 2, paragraph (e), or section 84.027, subdivision 15,
20 paragraph (a), clause (3), if the refund request is received
21 within 12 months of the original registration and:

22 (1) the snowmobile was registered incorrectly by the
23 commissioner or the deputy registrar; or

24 (2) the snowmobile was registered twice, once by the dealer
25 and once by the customer.

26 Sec. 67. Minnesota Statutes 2004, section 84.8205,
27 subdivision 1, is amended to read:

28 Subdivision 1. [STICKER REQUIRED; FEE.] A person may not
29 operate a snowmobile ~~that-is-not-registered-in-this-state~~ on a
30 state or grant-in-aid snowmobile trail unless a snowmobile state
31 trail sticker is affixed to the snowmobile. The commissioner of
32 natural resources shall issue a sticker upon application and
33 payment of a \$15 fee. The fee for a three-year snowmobile state
34 trail sticker that is purchased at the time of snowmobile
35 registration is \$30. In addition to other penalties prescribed
36 by law, a person in violation of this subdivision must purchase

1 an annual state trail sticker for a fee of \$30. The sticker is
 2 valid from November 1 through April 30. Fees collected under
 3 this section, except for the issuing fee for licensing agents
 4 under this section and for the electronic licensing system
 5 commission established by the commissioner under section 84.027,
 6 subdivision 15, shall be deposited in the state treasury and
 7 credited to the snowmobile trails and enforcement account in the
 8 natural resources fund and must be used for grants-in-aid or
 9 acquisition of easements for permanent recreational snowmobile
 10 trails.

11 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

12 Sec. 68. Minnesota Statutes 2004, section 84.8205,
 13 subdivision 3, is amended to read:

14 Subd. 3. [LICENSE AGENTS.] ~~County-auditors-are-appointed~~
 15 ~~agents-of-the-commissioner-for-the-sale-of-snowmobile-state~~
 16 ~~trail-stickers.~~ The commissioner may appoint other-state
 17 ~~agencies-as~~ agents for-the-sale-of-the to issue and sell state
 18 trail stickers. ~~A-county-auditor-may-appoint-subagents-within~~
 19 ~~the-county-or-within-adjacent-counties-to-sell-stickers.--Upon~~
 20 ~~appointment-of-a-subagent,-the-auditor-shall-notify-the~~
 21 ~~commissioner-of-the-name-and-address-of-the-subagent.--The~~
 22 ~~auditor-may-revoke-the-appointment-of-a-subagent,-and~~ The
 23 commissioner may revoke the appointment of a-state-agency an
 24 agent at any time. ~~The-commissioner-may-require-an-auditor-to~~
 25 ~~revoke-a-subagent's-appointment.--The-auditor-shall-furnish~~
 26 ~~stickers-on-consignment-to-any-subagent-who-furnishes-a-surety~~
 27 ~~bond-in-favor-of-the-county-in-an-amount-at-least-equal-to-the~~
 28 ~~value-of-the-stickers-to-be-consigned-to-that-subagent.--A~~
 29 ~~surety-bond-is-not-required-for-a-state-agency-appointed-by-the~~
 30 ~~commissioner.--The-county-auditor-shall-be-responsible-for-all~~
 31 ~~stickers-issued-to-and-user-fees-received-by-agents-except-in-a~~
 32 ~~county-where-the-county-auditor-does-not-retain-fees-paid-for~~
 33 ~~license-purposes.--In-these-counties,-the-responsibilities~~
 34 ~~imposed-by-this-section-upon-the-county-auditor-are-imposed-upon~~
 35 the-county. The commissioner may promulgate adopt additional
 36 rules governing-the-accounting-and-procedures-for-handling-state

1 trail-stickers as provided in section 97A.485, subdivision 11.

2 ~~Any resident desiring to sell snowmobile state trail~~
 3 ~~stickers may either purchase for cash or obtain on consignment~~
 4 ~~stickers from a county auditor in groups of not less than ten~~
 5 ~~individual stickers. In selling stickers, the resident shall be~~
 6 ~~deemed a subagent of the county auditor and the commissioner,~~
 7 and An agent shall observe all rules promulgated adopted by the
 8 commissioner for accounting and handling of licenses and
 9 stickers pursuant to section 97A.485, subdivision 11.

10 ~~The county auditor~~ An agent shall promptly deposit and
 11 remit all money received from the sale of the stickers with the
 12 ~~county treasurer and shall promptly transmit any reports~~
 13 ~~required by the commissioner, plus 96 percent of the price paid~~
 14 ~~by each stickerholder, exclusive of the issuing fee, for each~~
 15 ~~sticker sold or consigned by the auditor and subsequently sold~~
 16 ~~to a stickerholder during the accounting period. The county~~
 17 ~~auditor shall retain as a commission four percent of all sticker~~
 18 ~~fees, excluding the issuing fee for stickers consigned to~~
 19 ~~subagents and the issuing fee on stickers sold by the auditor to~~
 20 ~~stickerholders~~ to the commissioner.

21 ~~Unsold stickers in the hands of any subagent shall be~~
 22 ~~redeemed by the commissioner if presented for redemption within~~
 23 ~~the time prescribed by the commissioner. Any stickers not~~
 24 ~~presented for redemption within the period prescribed shall be~~
 25 ~~conclusively presumed to have been sold, and the subagent~~
 26 ~~possessing the same or to whom they are charged shall be~~
 27 ~~accountable.~~

28 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

29 Sec. 69. Minnesota Statutes 2004, section 84.8205,
 30 subdivision 4, is amended to read:

31 Subd. 4. [DISTRIBUTION ISSUANCE OF STICKERS.] The
 32 commissioner and agents shall provide issue and sell snowmobile
 33 state trail stickers to all agents authorized to issue stickers
 34 by the commissioner.

35 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

6 Sec. 70. Minnesota Statutes 2004, section 84.8205,

1 subdivision 6, is amended to read:

2 Subd. 6. [DUPLICATE STATE TRAIL STICKERS.] The
3 commissioner and agents shall issue a duplicate sticker to
4 persons whose sticker is lost or destroyed using the process
5 established under section 97A.405, subdivision 3, and rules
6 promulgated thereunder. The fee for a duplicate state trail
7 sticker is \$2, with an issuing fee of 50 cents.

8 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

9 Sec. 71. Minnesota Statutes 2002, section 84.83,
10 subdivision 3, is amended to read:

11 Subd. 3. [PURPOSES FOR THE ACCOUNT.] The money deposited
12 in the account and interest earned on that money may be expended
13 only as appropriated by law for the following purposes:

14 (1) for a grant-in-aid program to counties and
15 municipalities for construction and maintenance of snowmobile
16 trails, including maintenance of trails on lands and waters of
17 Voyageurs National Park, on Lake of the Woods, on Rainy Lake,
18 and on the following lakes in St. Louis County: Burntside,
19 Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;

20 (2) for acquisition, development, and maintenance of state
21 recreational snowmobile trails;

22 (3) for snowmobile safety programs; and

23 (4) for the administration and enforcement of sections
24 84.81 to 84.91 and appropriated grants to local law enforcement
25 agencies.

26 Sec. 72. Minnesota Statutes 2002, section 84.83,
27 subdivision 4, is amended to read:

28 Subd. 4. [PROVISIONS APPLICABLE TO FUNDING RECIPIENTS.]

29 (a) Recipients of Minnesota trail assistance program funds must
30 be afforded the same protection and be held to the same standard
31 of liability as a political subdivision under chapter 466 for
32 activities associated with the administration, design,
33 construction, maintenance, and grooming of snowmobile trails.

34 (b) Recipients of Minnesota trail assistance program funds
35 who maintain ice trails on public waters listed under
36 subdivision 3, clause (1), or on waters of Voyageurs Na

1 Park are expressly immune from liability under section 466.03,
2 subdivision 6e.

3 Sec. 73. Minnesota Statutes 2004, section 84.86,
4 subdivision 1, is amended to read:

5 Subdivision 1. [REQUIRED RULES.] With a view of achieving
6 maximum use of snowmobiles consistent with protection of the
7 environment the commissioner of natural resources shall adopt
8 rules in the manner provided by chapter 14, for the following
9 purposes:

10 (1) Registration of snowmobiles and display of registration
11 numbers.

12 (2) Use of snowmobiles insofar as game and fish resources
13 are affected.

14 (3) Use of snowmobiles on public lands and waters, or on
15 grant-in-aid trails.

16 (4) Uniform signs to be used by the state, counties, and
17 cities, which are necessary or desirable to control, direct, or
18 regulate the operation and use of snowmobiles.

19 (5) Specifications relating to snowmobile mufflers.

20 (6) A comprehensive snowmobile information and safety
21 education and training program, including but not limited to the
22 preparation and dissemination of snowmobile information and
23 safety advice to the public, the training of snowmobile
24 operators, and the issuance of snowmobile safety certificates to
25 snowmobile operators who successfully complete the snowmobile
26 safety education and training course. For the purpose of
27 administering such program and to defray expenses of training
28 and certifying snowmobile operators, the commissioner shall
29 collect a fee from each person who receives the youth or adult
30 training. The commissioner shall collect a fee, to include a \$1
31 issuing fee for licensing agents, for issuing a duplicate
32 snowmobile safety certificate. The commissioner shall establish
33 both fees in a manner that neither significantly overrecovers
34 nor underrecovers costs, including overhead costs, involved in
35 providing the services. The fees are not subject to the
36 rulemaking provisions of chapter 14 and section 14.386 does not

1 apply. The fees may be established by the commissioner
2 notwithstanding section 16A.1283. The fees must, except for the
3 issuing fee for licensing agents under this subdivision, shall
4 be deposited in the snowmobile trails and enforcement account in
5 the natural resources fund and the amount thereof, except for
6 the electronic licensing system commission established by the
7 commissioner under section 84.027, subdivision 15, and issuing
8 fees collected by the commissioner, is appropriated annually to
9 the Enforcement Division of the Department of Natural Resources
10 for the administration of such programs. In addition to the fee
11 established by the commissioner, instructors may charge each
12 person up to the established fee amount for class materials and
13 expenses. The commissioner shall cooperate with private
14 organizations and associations, private and public corporations,
15 and local governmental units in furtherance of the program
16 established under this clause. School districts may cooperate
17 with the commissioner and volunteer instructors to provide space
18 for the classroom portion of the training. The commissioner
19 shall consult with the commissioner of public safety in regard
20 to training program subject matter and performance testing that
21 leads to the certification of snowmobile operators.

22 (7) The operator of any snowmobile involved in an accident
23 resulting in injury requiring medical attention or
24 hospitalization to or death of any person or total damage to an
25 extent of \$500 or more, shall forward a written report of the
26 accident to the commissioner on such form as the commissioner
27 shall prescribe. If the operator is killed or is unable to file
28 a report due to incapacitation, any peace officer investigating
29 the accident shall file the accident report within ten business
30 days.

31 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

32 Sec. 74. Minnesota Statutes 2004, section 84.922,
33 subdivision 2, is amended to read:

34 Subd. 2. [APPLICATION, ISSUANCE, REPORTS.] (a) Application
35 for registration or continued registration shall be made to the
36 ~~commissioner of natural resources, the commissioner of public~~

1 safety or an authorized deputy registrar of motor vehicles in a
2 form prescribed by the commissioner. The form must state the
3 name and address of every owner of the vehicle.

4 (b) A person who purchases an all-terrain vehicle from a
5 retail dealer shall make application for registration to the
6 dealer at the point of sale. The dealer shall issue a dealer
7 temporary ten-day registration permit to each purchaser who
8 applies to the dealer for registration. The dealer shall submit
9 the completed registration application and fees to the deputy
10 registrar at least once each week. No fee may be charged by a
11 dealer to a purchaser for providing the temporary permit.

12 (c) Upon receipt of the application and the appropriate
13 fee, the commissioner or deputy registrar shall issue to the
14 applicant, or provide to the dealer, a-60-day-temporary-reeceipt
15 ~~and-shall-assign-a~~ an assigned registration number ~~that~~ or a
16 commissioner or deputy registrar temporary ten-day permit. Once
17 issued, the registration number must be affixed to the vehicle
18 in a manner prescribed by the commissioner. A dealer subject to
19 paragraph (b) shall provide the registration materials ~~and~~ or
20 temporary ~~reeceipt~~ permit to the purchaser within the ten-day
21 temporary permit period. The commissioner shall use the
22 snowmobile registration system to register vehicles under this
23 section.

24 (d) Each deputy registrar of motor vehicles acting under
25 section 168.33, is also a deputy registrar of all-terrain
26 vehicles. The commissioner of natural resources in agreement
27 with the commissioner of public safety may prescribe the
28 accounting and procedural requirements necessary to assure
29 efficient handling of registrations and registration fees.
30 Deputy registrars shall strictly comply with the accounting and
31 procedural requirements.

32 (e) In addition to other fees prescribed by law, a filing
33 fee of \$4.50 is charged for each all-terrain vehicle
34 registration renewal, duplicate or replacement registration
35 card, and replacement decal and a filing fee of \$7 is charged
36 for each all-terrain vehicle registration and registration

1 transfer issued by:

2 (1) a deputy registrar and shall be deposited in the
3 treasury of the jurisdiction where the deputy is appointed, or
4 retained if the deputy is not a public official; or

5 (2) the commissioner and shall be deposited to the state
6 treasury and credited to the all-terrain vehicle account in the
7 natural resources fund.

8 Sec. 75. Minnesota Statutes 2004, section 84.922, is
9 amended by adding a subdivision to read:

10 Subd. 12. [REFUNDS.] The commissioner may issue a refund
11 on a registration, not including any issuing fees paid under
12 subdivision 2, paragraph (e), or section 84.027, subdivision 15,
13 paragraph (a), clause (3), if the refund request is received
14 within 12 months of the original registration and:

15 (1) the vehicle was registered incorrectly by the
16 commissioner or the deputy registrar; or

17 (2) the vehicle was registered twice, once by the dealer
18 and once by the customer.

19 Sec. 76. Minnesota Statutes 2004, section 84.925,
20 subdivision 1, is amended to read:

21 Subdivision 1. [PROGRAM ESTABLISHED.] (a) The commissioner
22 shall establish a comprehensive all-terrain vehicle
23 environmental and safety education and training program,
24 including the preparation and dissemination of vehicle
25 information and safety advice to the public, the training of
26 all-terrain vehicle operators, and the issuance of all-terrain
27 vehicle safety certificates to vehicle operators over the age of
28 12 years who successfully complete the all-terrain vehicle
29 environmental and safety education and training course.

30 (b) For the purpose of administering the program and to
31 defray a portion of the expenses of training and certifying
32 vehicle operators, the commissioner shall collect a fee of \$15
33 from each person who receives the training. The commissioner
34 shall collect a fee, to include a \$1 issuing fee for licensing
35 agents, for issuing a duplicate all-terrain vehicle safety
36 certificate. The commissioner shall establish the fee for a

1 duplicate all-terrain vehicle safety certificate that neither
2 significantly overrecovers nor underrecovers costs, including
3 overhead costs, involved in providing the service. Fee
4 proceeds, except for the issuing fee for licensing agents under
5 this subdivision, shall be deposited in the all-terrain vehicle
6 account in the natural resources fund.

7 (c) The commissioner shall cooperate with private
8 organizations and associations, private and public corporations,
9 and local governmental units in furtherance of the program
10 established under this section. School districts may cooperate
11 with the commissioner and volunteer instructors to provide space
12 for the classroom portion of the training. The commissioner
13 shall consult with the commissioner of public safety in regard
14 to training program subject matter and performance testing that
15 leads to the certification of vehicle operators. By June 30,
16 2003, the commissioner shall incorporate a riding component in
17 the safety education and training program.

18 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

19 Sec. 77. Minnesota Statutes 2004, section 84D.03,
20 subdivision 4, is amended to read:

21 Subd. 4. [COMMERCIAL FISHING AND TURTLE, FROG, AND
22 CRAYFISH HARVESTING RESTRICTIONS IN INFESTED AND NONINFESTED
23 WATERS.] (a) All nets, traps, buoys, anchors, stakes, and lines
24 used for commercial fishing or turtle, frog, or crayfish
25 harvesting in an infested waters, water that is designated
26 because the-waters-contain it contains invasive fish or
27 invertebrates, may not be used in noninfested any other waters.
28 If a commercial licensee operates in both noninfested-waters-and
29 an infested waters water designated because the-waters-contain
30 it contains invasive fish or invertebrates and other waters, all
31 nets, traps, buoys, anchors, stakes, and lines used for
32 commercial fishing or turtle, frog, or crayfish harvesting in
33 noninfested waters not designated as infested with invasive fish
34 or invertebrates must be tagged with tags provided by the
35 commissioner, as specified in the commercial licensee's license
36 or permit, and may not be used in infested waters designated

1 because the waters contain invasive fish or invertebrates.

2 (b) ~~In-infested-waters-designated-solely-because-the-waters~~
3 ~~contain-Eurasian-water-milfoil~~; All nets, traps, buoys, anchors,
4 stakes, and lines used for commercial fishing or turtle, frog,
5 or crayfish harvesting in an infested water that is designated
6 solely because it contains Eurasian water milfoil must be dried
7 for a minimum of ten days or frozen for a minimum of two days
8 before they are used in ~~noninfested~~ any other waters, except as
9 provided in this paragraph. Commercial operators licensees must
10 notify the department's regional or area fisheries office or a
11 conservation officer when before removing nets or equipment from
12 an infested waters water designated solely because it contains
13 Eurasian water milfoil and before resetting those nets or
14 equipment in ~~noninfested~~ any other waters. ~~All-aquatic~~
15 ~~macrophytes~~ Upon notification, the commissioner may authorize a
16 commercial licensee to move nets or equipment to another water
17 without freezing or drying, if that water is designated as
18 infested solely because it contains Eurasian water milfoil.

19 (c) A commercial licensee must be-removed remove all
20 aquatic macrophytes from nets and other equipment when the nets
21 and equipment are removed from ~~infested~~ waters of the state.

22 (d) The commissioner shall provide a commercial licensee
23 with a current listing of designated infested waters at the time
24 that a license or permit is issued.

25 Sec. 78. Minnesota Statutes 2004, section 85.054,
26 subdivision 1, is amended to read:

27 Subdivision 1. [STATE PARK OPEN HOUSE DAY.] (a) A state
28 park permit is not required for a motor vehicle to enter a state
29 park, state monument, state recreation area, or state wayside,
30 on one day each calendar year at each park, which the
31 commissioner may designate as State Park Open House Day. The
32 commissioner may designate two consecutive days as State Park
33 Open House Day, if the open house is held in conjunction with a
34 special pageant described in section 85.052, subdivision 2.

35 (b) The commissioner shall announce the date of each state
36 park open house day at least 30 days in advance of the date it

1 occurs.

2 (c) The state park open house day is to acquaint the
3 public with state parks, recreation areas, and waysides.

4 Sec. 79. Minnesota Statutes 2004, section 85.054, is
5 amended by adding a subdivision to read:

6 Subd. 11. [BIG BOG STATE RECREATION AREA.] A state park
7 permit is not required and a fee may not be charged for motor
8 vehicle entry or parking at the parking area located north of
9 Tamarac River in the southern unit of Big Bog State Recreation
10 Area, Beltrami County.

11 Sec. 80. Minnesota Statutes 2004, section 85.055, is
12 amended by adding a subdivision to read:

13 Subd. 1b. [DISCOUNTS.] Except as otherwise specified in
14 law, and notwithstanding section 16A.1285, subdivision 2, the
15 commissioner may by written order authorize waiver or reduction
16 of state park entrance fees.

17 Sec. 81. Minnesota Statutes 2004, section 85.055,
18 subdivision 2, is amended to read:

19 Subd. 2. [FEE DEPOSIT AND APPROPRIATION.] The fees
20 collected under this section shall be deposited in the natural
21 resources fund and credited to a the state parks account. Money
22 in the account, except for the electronic licensing system
23 commission established by the commissioner under section 84.027,
24 subdivision 15, is annually appropriated to the commissioner to
25 operate and maintain the state park system.

26 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

27 Sec. 82. Minnesota Statutes 2004, section 85.43, is
28 amended to read:

29 85.43 [DISPOSITION OF RECEIPTS; PURPOSE.]

30 {a} Fees from cross-country ski passes shall be deposited
31 in the state treasury and credited to a cross-country ski
32 account in the natural resources fund and, ~~except as provided in~~
33 paragraph-(b) for the electronic licensing system commission
34 established by the commissioner under section 84.027,
35 subdivision 15, are appropriated to the commissioner of natural
36 resources for:

1 (1) grants-in-aid for cross-country ski trails sponsored by
2 local units of government and special park districts as provided
3 in section 85.44; and

4 (2) maintenance, winter grooming, and associated
5 administrative costs for cross-country ski trails under the
6 jurisdiction of the commissioner.

7 ~~(b)-The-commissioner-shall-retain-for-the-operation-of-the~~
8 ~~electronic-licensing-system-a-commission-of-4.7-percent-of-all~~
9 ~~cross-country-ski-pass-fees-collected.~~

10 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

11 Sec. 83. Minnesota Statutes 2004, section 86B.415, is
12 amended by adding a subdivision to read:

13 Subd. 11. [REFUNDS.] The commissioner may issue a refund
14 on a license or title, not including any issuing fees paid under
15 subdivision 8 or section 84.027, subdivision 15, paragraph (a),
16 clause (3), or 86B.870, subdivision 1, paragraph (b), if the
17 refund request is received within 12 months of the original
18 license or title and:

19 (1) the watercraft was licensed or titled incorrectly by
20 the commissioner or the deputy registrar;

21 (2) the customer was incorrectly charged a title fee; or

22 (3) the watercraft was licensed or titled twice, once by
23 the dealer and once by the customer.

24 Sec. 84. [86B.706] [WATER RECREATION ACCOUNT; RECEIPTS AND
25 PURPOSE.]

26 Subdivision 1. [CREATION.] The water recreation account is
27 created in the state treasury in the natural resources fund.

28 Subd. 2. [MONEY DEPOSITED IN ACCOUNT.] The following shall
29 be deposited in the state treasury and credited to the water
30 recreation account:

31 (1) fees and surcharges from titling and licensing of
32 watercraft under this chapter;

33 (2) fines, installment payments, and forfeited bail
34 according to section 86B.705, subdivision 2;

35 (3) civil penalties according to section 84D.13;

36 (4) mooring fees and receipts from the sale of marine gas

1 at state-operated or state-assisted small craft harbors and
2 mooring facilities according to section 86A.21;

3 (5) the unrefunded gasoline tax attributable to watercraft
4 use under section 296A.18; and

5 (6) fees for permits issued to control or harvest aquatic
6 plants other than wild rice under section 103G.615, subdivision
7 2.

8 Subd. 3. [PURPOSES.] The money in the account may be
9 expended only as appropriated by law for the following purposes:

10 (1) as directed under section 296A.18, subdivision 2, for
11 acquisition, development, maintenance, and rehabilitation of
12 public water access and boating facilities on public waters;
13 lake and river improvements; and boat and water safety;

14 (2) from the fees collected at state-operated or
15 state-assisted small craft harbors and mooring facilities from
16 daily and seasonal moorings and the sale of marine gas, for
17 maintenance, operation, replacement, and expansion of these
18 facilities and for the debt service on state bonds sold to
19 finance these facilities;

20 (3) for administration and enforcement of this chapter as
21 it pertains to titling and licensing of watercraft and use and
22 safe operation of watercraft; grants for county-sponsored and
23 administered boat and water safety programs; and state boat and
24 water safety efforts;

25 (4) for management of aquatic invasive species and the
26 implementation of chapter 84D as it pertains to aquatic invasive
27 species, including control, public awareness, law enforcement,
28 assessment and monitoring, management planning, and research;
29 and

30 (5) for management of aquatic plants and the implementation
31 of section 103G.615 as it pertains to aquatic plants, including
32 plant removal permitting, control, public awareness, law
33 enforcement, assessment and monitoring, management planning, and
34 research.

35 Sec. 85. Minnesota Statutes 2004, section 88.6435,
36 subdivision 4, is amended to read:

1 Subd. 4. [FOREST BOUGH ACCOUNT; DISPOSITION OF PERMIT FEES
2 AND-PENALTIES.] (a) The forest bough account is established in
3 the state treasury within the natural resources fund.

4 (b) Fees for permits issued under this section shall be
5 deposited in the state treasury and credited to the ~~special~~
6 revenue-fund forest bough account and, except for the electronic
7 licensing system commission established by the commissioner
8 under section 84.027, subdivision 15, are annually appropriated
9 to the commissioner of natural resources for costs associated
10 with balsam bough educational programs for harvesters and buyers.

11 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

12 Sec. 86. Minnesota Statutes 2004, section 89.039,
13 subdivision 1, is amended to read:

14 Subdivision 1. [ACCOUNT ESTABLISHED; SOURCES.] The forest
15 management investment account is created in the natural
16 resources fund in the state treasury and money in the account
17 may be spent only for the purposes provided in subdivision 2.
18 The following revenue shall be deposited in the forest
19 management investment account:

20 (1) timber sales receipts transferred from the consolidated
21 conservation areas account as provided in section 84A.51,
22 subdivision 2;

23 (2) timber sales receipts from forest lands as provided in
24 section 89.035; and

25 (3) money transferred from the forest suspense account
26 according to section 16A.125, subdivision 5; and

27 (4) interest accruing from investment of the account.

28 Sec. 87. Minnesota Statutes 2004, section 89.37, is
29 amended by adding a subdivision to read:

30 Subd. 4a. [SURCHARGE.] For tree seedlings sold according
31 to this section, the commissioner may assess a 2.5 cent
32 surcharge on each tree seedling. All surcharges collected under
33 this subdivision must be deposited in the state treasury and
34 credited to the forest nursery account and are annually
35 appropriated to the commissioner for the purpose of forestry
36 education and technical assistance.

1 Sec. 88. Minnesota Statutes 2004, section 90.195, is
2 amended to read:

3 90.195 [SPECIAL USE PERMIT.]

4 The commissioner may issue a permit to salvage or cut not
5 to exceed 12 cords of fuelwood per year for personal use from
6 either or both of the following sources: (1) dead, down, and
7 diseased trees; (2) other trees that are of negative value under
8 good forest management practices. The permits may be issued for
9 a period not to exceed one year. The commissioner shall charge
10 a fee, ~~not less than \$5, in an amount up to the stumpage~~ for the
11 permit that shall cover the commissioner's cost of issuing the
12 permit and shall not exceed the current market value of fuelwood
13 of similar species, grade, and volume that is being sold in the
14 area where the salvage or cutting is authorized under the permit.

15 Sec. 89. [93.2236] [MINERALS MANAGEMENT ACCOUNT.]

16 (a) The minerals management account is created as an
17 account in the natural resources fund. Interest earned on money
18 in the account accrues to the account. Money in the account may
19 be spent or distributed only as provided in paragraphs (b) and
20 (c).

21 (b) If the balance in the minerals management account
22 exceeds \$3,000,000 on June 30, the amount exceeding \$3,000,000
23 must be distributed to the permanent school fund and the
24 permanent university fund. The amount distributed to each fund
25 must be in the same proportion as the total mineral lease
26 revenue received in the previous biennium from school trust
27 lands and university lands.

28 (c) Subject to appropriation by the legislature, money in
29 the minerals management account may be spent by the commissioner
30 of natural resources for mineral resource management and
31 projects to enhance future mineral income and promote new
32 mineral resource opportunities.

33 Sec. 90. Minnesota Statutes 2004, section 97A.055,
34 subdivision 4b, is amended to read:

35 Subd. 4b. [CITIZEN OVERSIGHT SUBCOMMITTEES.] (a) The
36 commissioner shall appoint subcommittees of affected persons to

1 review the reports prepared under subdivision 4; review the
2 proposed work plans and budgets for the coming year; propose
3 changes in policies, activities, and revenue enhancements or
4 reductions; review other relevant information; and make
5 recommendations to the legislature and the commissioner for
6 improvements in the management and use of money in the game and
7 fish fund.

8 (b) The commissioner shall appoint the following
9 subcommittees, each comprised of at least three affected persons:

10 (1) a Fisheries Operations Subcommittee to review fisheries
11 funding, excluding activities related to trout and salmon stamp
12 funding;

13 (2) a Wildlife Operations Subcommittee to review wildlife
14 funding, excluding activities related to migratory waterfowl,
15 pheasant, and turkey stamp funding and excluding review of the
16 amounts available under section 97A.075, subdivision 1,
17 paragraphs (b) and (c);

18 (3) a Big Game Subcommittee to review the report required
19 in subdivision 4, paragraph (a), clause (2);

20 (4) an Ecological Services Operations Subcommittee to
21 review ecological services funding;

22 (5) a subcommittee to review game and fish fund funding of
23 enforcement, support services, and Department of Natural
24 Resources administration;

25 (6) a subcommittee to review the trout and salmon stamp
26 report and address funding issues related to trout and salmon;

27 (7) a subcommittee to review the report on the migratory
28 waterfowl stamp and address funding issues related to migratory
29 waterfowl;

30 (8) a subcommittee to review the report on the pheasant
31 stamp and address funding issues related to pheasants; and

32 (9) a subcommittee to review the report on the turkey stamp
33 and address funding issues related to wild turkeys.

34 (c) The chairs of each of the subcommittees shall form a
35 Budgetary Oversight Committee to coordinate the integration of
36 the subcommittee reports into an annual report to the

1 legislature; recommend changes on a broad level in policies,
2 activities, and revenue enhancements or reductions; provide a
3 forum to address issues that transcend the subcommittees; and
4 submit a report for any subcommittee that fails to submit its
5 report in a timely manner.

6 (d) The Budgetary Oversight Committee shall develop
7 recommendations for a biennial budget plan and report for
8 expenditures on game and fish activities. By August 15 of each
9 even-numbered year, the committee shall submit the budget plan
10 recommendations to the commissioner.

11 (e) Each subcommittee shall choose its own chair, except
12 that the chair of the Budgetary Oversight Committee shall be
13 appointed by the commissioner and may not be the chair of any of
14 the subcommittees.

15 (f) The Budgetary Oversight Committee must make
16 recommendations to the commissioner for outcome goals from
17 expenditures.

18 (g) Notwithstanding section 15.059, subdivision 5, or other
19 law to the contrary, the Budgetary Oversight Committee and
20 subcommittees do not expire until June 30, ~~2005~~ 2010.

21 [EFFECTIVE DATE.] This section is effective the day
22 following final enactment.

23 Sec. 91. Minnesota Statutes 2004, section 97A.061,
24 subdivision 1, is amended to read:

25 Subdivision 1. [APPLICABILITY; AMOUNT.] (a) The
26 commissioner shall annually make a payment to each county having
27 public hunting areas and game refuges. Money to make the
28 payments is annually appropriated for that purpose from the
29 general fund. Except as provided in paragraph (b), this section
30 does not apply to state trust fund land and other state land not
31 purchased for game refuge or public hunting purposes. Except as
32 provided in paragraph (b), the payment shall be the greatest of:

33 (1) 35 percent of the gross receipts from all special use
34 permits and leases of land acquired for public hunting and game
35 refuges;

36 (2) 50 cents per acre on land purchased actually used for

1 public hunting or game refuges; or

2 (3) three-fourths of one percent of the appraised value of
3 purchased land actually used for public hunting and game refuges.

4 (b) The payment shall be 50 percent of the dollar amount
5 adjusted for inflation as determined under section 477A.12,
6 subdivision 1, paragraph (a), clause (1), multiplied by the
7 number of acres of land in the county that are owned by another
8 state agency for military purposes and designated as a game
9 refuge under section 97A.085.

10 (c) The payment must be reduced by the amount paid under
11 subdivision 3 for croplands managed for wild geese.

12 ~~(e)~~ (d) The appraised value is the purchase price for five
13 years after acquisition. The appraised value shall be
14 determined by the county assessor every five years after
15 acquisition.

16 [EFFECTIVE DATE.] This section is effective for aids paid
17 in calendar year 2007 and thereafter.

18 Sec. 92. Minnesota Statutes 2004, section 97A.075,
19 subdivision 3, is amended to read:

20 Subd. 3. [TROUT AND SALMON STAMP.] (a) Ninety percent of
21 the revenue from trout and salmon stamps must be credited to the
22 trout and salmon management account. Money in the account may
23 be used only for:

24 (1) the development, restoration, maintenance, improvement,
25 protection, and preservation of habitat for trout and salmon in
26 trout streams and lakes, including, but not limited to,
27 evaluating habitat; stabilizing eroding stream banks; adding
28 fish cover; modifying stream channels; managing vegetation to
29 protect, shade, or reduce runoff on stream banks; and purchasing
30 equipment to accomplish these tasks;

31 (2) rearing of trout and salmon ~~and,~~ including utility and
32 service costs associated with coldwater hatchery buildings and
33 systems; stocking of trout and salmon in streams and lakes and
34 Lake Superior; and monitoring and evaluating stocked trout and
35 salmon;

36 (3) acquisition of easements and fee title along trout

1 waters;

2 (4) identifying easement and fee title areas along trout
3 waters; and

4 (5) research and special management projects on trout
5 streams, trout lakes, and Lake Superior and the-anadromous
6 portions of its tributaries.

7 (b) Money in the account may not be used for costs unless
8 they are directly related to a specific parcel of land or body
9 of water under paragraph (a) ~~or~~, to specific fish rearing
10 activities under paragraph (a), clause (2), or for costs
11 associated with supplies and equipment to implement trout and
12 salmon management activities under paragraph (a).

13 Sec. 93. Minnesota Statutes 2004, section 97A.4742,
14 subdivision 4, is amended to read:

15 Subd. 4. [ANNUAL REPORT.] By December 15 each year, the
16 commissioner shall submit a report to the legislative committees
17 having jurisdiction over environment and natural resources
18 appropriations and environment and natural resources policy.
19 The report shall state the amount of revenue received in and
20 expenditures made from revenue transferred from the lifetime
21 fish and wildlife trust fund to the game and fish fund ~~and shall~~
22 ~~describe-projects-funded,-locations-of-the-projects,-and-results~~
23 ~~and-benefits-from-the-projects.~~ The report may be included in
24 the game and fish fund report required by section 97A.055,
25 subdivision 4. The commissioner shall make the annual report
26 available to the public.

27 Sec. 94. Minnesota Statutes 2003 Supplement, section
28 97A.482, is amended to read:

29 97A.482 [LICENSE APPLICATIONS; COLLECTION OF SOCIAL
30 SECURITY NUMBERS.]

31 (a) All applicants for individual noncommercial game and
32 fish licenses under this chapter and chapters 97B and 97C must
33 include the applicant's social security number on the license
34 application. If an applicant does not have a Social Security
35 number, the applicant must certify that the applicant does not
36 have a Social Security number.

1 (b) The Social Security numbers collected by the
2 commissioner on game and fish license applications are private
3 data under section 13.49, subdivision 1, and must be provided by
4 the commissioner to the commissioner of human services for child
5 support enforcement purposes. Title IV-D of the Social Security
6 Act, United States Code, title 42, section 666(a)(13), requires
7 the collection of Social Security numbers on game and fish
8 license applications for child support enforcement purposes.

9 (c) The commissioners of human services and natural
10 resources shall request a waiver from the secretary of health
11 and human services to exclude any applicant under the age of 16
12 from the requirement under this section to provide the
13 applicant's Social Security number. If a waiver is granted,
14 this section will be so amended effective January 1, 2006, or
15 upon the effective date of the waiver, whichever is later.

16 Sec. 95. Minnesota Statutes 2004, section 97A.485,
17 subdivision 7, is amended to read:

18 Subd. 7. [ELECTRONIC LICENSING SYSTEM COMMISSION.] The
19 commissioner shall retain for the operation of the electronic
20 licensing system ~~a-commission-of-4.7-percent-of~~ the commission
21 established under section 84.027, subdivision 15, and issuing
22 fees collected by the commissioner on all license fees
23 collected, excluding:

24 (1) the small game surcharge; and
25 (2) ~~all-issuing-fees,~~ and
26 ~~{3}~~ \$2.50 of the license fee for the licenses in section
27 97A.475, subdivisions 6, clauses (1), (2), and (4), 7, 8, 12,
28 and 13.

29 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

30 Sec. 96. Minnesota Statutes 2004, section 97A.551, is
31 amended by adding a subdivision to read:

32 Subd. 6. [TAGGING AND REGISTRATION.] The commissioner may,
33 by rule, require persons taking, possessing, and transporting
34 certain species of fish to tag the fish with a special fish
35 management tag and may require registration of tagged fish. A
36 person may not possess or transport a fish species taken in the

1 state for which a special fish management tag is required unless
2 a tag is attached to the fish in a manner prescribed by the
3 commissioner. The commissioner shall prescribe the manner of
4 issuance and the type of tag as authorized under section
5 97C.087. The tag must be attached to the fish as prescribed by
6 the commissioner immediately upon reducing the fish to
7 possession and must remain attached to the fish until the fish
8 is processed or consumed. Species for which a special fish
9 management tag is required must be transported undressed.

10 Sec. 97. Minnesota Statutes 2004, section 97B.015,
11 subdivision 7, is amended to read:

12 Subd. 7. [FEE FOR DUPLICATE CERTIFICATE.] The commissioner
13 shall collect a fee, to include a \$1 issuing fee for licensing
14 agents, for issuing a duplicate firearms safety certificate.
15 The commissioner shall establish a fee that neither
16 significantly overrecovers nor underrecovers costs, including
17 overhead costs, involved in providing the service. The fee is
18 not subject to the rulemaking provisions of chapter 14 and
19 section 14.386 does not apply. The commissioner may establish
20 the fee notwithstanding section 16A.1283. The duplicate
21 certificate fees, except for the issuing fee for licensing
22 agents under this subdivision, shall be deposited in the game
23 and fish fund and, except for the electronic licensing system
24 commission established by the commissioner under section 84.027,
25 subdivision 15, and issuing fees collected by the commissioner,
26 are appropriated annually to the Enforcement Division of the
27 Department of Natural Resources for the administration of the
28 firearm safety course program.

29 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

30 Sec. 98. Minnesota Statutes 2004, section 97B.025, is
31 amended to read:

32 97B.025 [HUNTER AND TRAPPER EDUCATION.]

33 (a) The commissioner may establish education courses for
34 hunters and trappers. The commissioner shall collect a fee from
35 each person attending a course. A fee, to include a \$1 issuing
36 fee for licensing agents, shall be collected for issuing a

1 duplicate certificate. The commissioner shall establish the
2 fees in a manner that neither significantly overrecovers nor
3 underrecovers costs, including overhead costs, involved in
4 providing the services. The fees are not subject to the
5 rulemaking provisions of chapter 14 and section 14.386 does not
6 apply. The commissioner may establish the fees notwithstanding
7 section 16A.1283. The fees, except for the issuing fee for
8 licensing agents under this subdivision, shall be deposited in
9 the game and fish fund and the amount thereof, except for the
10 electronic licensing system commission established by the
11 commissioner under section 84.027, subdivision 15, is
12 appropriated annually to the Enforcement Division of the
13 Department of Natural Resources for the administration of the
14 program. In addition to the fee established by the commissioner
15 for each course, instructors may charge each person up to the
16 established fee amount for class materials and expenses. School
17 districts may cooperate with the commissioner and volunteer
18 instructors to provide space for the classroom portion of the
19 training.

20 (b) The commissioner shall enter into an agreement with a
21 statewide nonprofit trappers association to conduct a trapper
22 education program. At a minimum, the program must include at
23 least six hours of classroom and in the field training. The
24 program must include a review of state trapping laws and
25 regulations, trapping ethics, the setting and tending of traps
26 and snares, tagging and registration requirements, and the
27 preparation of pelts. The association shall be responsible for
28 all costs of conducting the education program, and shall not
29 charge any fee for attending the course.

30 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

31 Sec. 99. Minnesota Statutes 2004, section 97C.085, is
32 amended to read:

33 97C.085 [PERMIT REQUIRED FOR TAGGING FISH.]

34 A person may not tag or otherwise mark a live fish for
35 identification without a permit from the commissioner, except
36 for special fish management tags as authorized under section

1 97A.551.

2 Sec. 100. [97C.087] [SPECIAL FISH MANAGEMENT TAGS.]

3 Subdivision 1. [TAGS TO BE ISSUED.] If the commissioner
4 determines it is necessary to require that a species of fish be
5 tagged with a special fish management tag, the commissioner
6 shall prescribe, by rule, the species to be tagged, tagging
7 procedures, and eligibility requirements.

8 Subd. 2. [APPLICATION FOR TAG.] Application for special
9 fish management tags must be accompanied by a \$5, nonrefundable
10 application fee for each tag. A person may not make more than
11 one tag application each year. If a person makes more than one
12 application, the person is ineligible for a special fish
13 management tag for that season after determination by the
14 commissioner, without a hearing.

15 Sec. 101. Minnesota Statutes 2004, section 103E.081, is
16 amended by adding a subdivision to read:

17 Subd 2a. [PLANTING TREES OVER PUBLIC TILE.] A person must
18 not knowingly plant trees over a public drain tile, unless the
19 person planting the trees receives permission from the drainage
20 authority.

21 Sec. 102. Minnesota Statutes 2004, section 103E.081, is
22 amended by adding a subdivision to read:

23 Subd. 2b. [PLANTING TREES OVER PRIVATE TILE.] A person
24 must not knowingly plant trees over a private drain tile that
25 provides for the drainage of land owned or leased by another
26 person, unless the person planting the trees receives permission
27 from all persons who receive drainage benefits from the drain
28 tile.

29 Sec. 103. [103F.950] [BEAVER DAMAGE CONTROL GRANTS.]

30 Subdivision 1. [ESTABLISHMENT.] The Board of Water and
31 Soil Resources shall establish a beaver damage control grant
32 program to provide grants for the control of beaver activities
33 causing damage to public waters, roads, and ditches and adjacent
34 private property. The grants may be made to:

35 (1) a joint powers board established under section 471.59
36 by two or more governmental units;

1 (2) soil and water conservation districts; and

2 (3) Indian tribal governments.

3 Subd. 2. [GRANT AMOUNT.] The board may provide up to 50
4 percent of the costs of implementing a beaver damage control
5 program by a joint powers board.

6 Subd. 3. [AWARDING OF GRANTS.] Applications for grants
7 must be made to the board on forms prescribed by the
8 commissioner. The board shall consult with town supervisors and
9 county commissioners representing different areas of the state
10 in developing the application form. A joint powers board
11 seeking a grant may be required to supply information on the
12 beaver control program it has adopted, the extent of the problem
13 in the geographic area covered by the joint powers agreement,
14 and the ability of the joint powers board to match the state
15 grant. The board may prioritize the grant applications based
16 upon the information requested as part of the grant application.

17 Subd. 4. [REPORT.] (a) Within one year after receiving a
18 grant under this section, a joint powers board must report to
19 the Board of Water and Soil Resources on the joint powers
20 board's efforts to control beaver in the area.

21 (b) By December 15 of each even-numbered year, the board
22 shall report to the senate and house environment and natural
23 resources policy and finance committees on the efforts under
24 this section to control beaver.

25 Sec. 104. Minnesota Statutes 2004, section 103G.271,
26 subdivision 6, is amended to read:

27 Subd. 6. [WATER USE PERMIT PROCESSING FEE.] (a) Except as
28 described in paragraphs (b) to (f), a water use permit
29 processing fee must be prescribed by the commissioner in
30 accordance with the schedule of fees in this subdivision for
31 each water use permit in force at any time during the year. The
32 schedule is as follows, with the stated fee in each clause
33 applied to the total amount appropriated:

34 (1) \$101 for amounts not exceeding 50,000,000 gallons per

35 (2) \$3 per 1,000,000 gallons for amounts greater than
36 50,000,000 gallons but less than 100,000,000 gallons per year;

1 (3) \$3.50 per 1,000,000 gallons for amounts greater than
2 100,000,000 gallons but less than 150,000,000 gallons per year;

3 (4) \$4 per 1,000,000 gallons for amounts greater than
4 150,000,000 gallons but less than 200,000,000 gallons per year;

5 (5) \$4.50 per 1,000,000 gallons for amounts greater than
6 200,000,000 gallons but less than 250,000,000 gallons per year;

7 (6) \$5 per 1,000,000 gallons for amounts greater than
8 250,000,000 gallons but less than 300,000,000 gallons per year;

9 (7) \$5.50 per 1,000,000 gallons for amounts greater than
10 300,000,000 gallons but less than 350,000,000 gallons per year;

11 (8) \$6 per 1,000,000 gallons for amounts greater than
12 350,000,000 gallons but less than 400,000,000 gallons per year;

13 (9) \$6.50 per 1,000,000 gallons for amounts greater than
14 400,000,000 gallons but less than 450,000,000 gallons per year;

15 (10) \$7 per 1,000,000 gallons for amounts greater than
16 450,000,000 gallons but less than 500,000,000 gallons per year;

17 and

18 (11) \$7.50 per 1,000,000 gallons for amounts greater than
19 500,000,000 gallons per year.

20 (b) For once-through cooling systems, a water use
21 processing fee must be prescribed by the commissioner in
22 accordance with the following schedule of fees for each water
23 use permit in force at any time during the year:

24 (1) for nonprofit corporations and school districts, \$150
25 per 1,000,000 gallons; and

26 (2) for all other users, ~~\$200~~ \$300 per 1,000,000 gallons.

27 (c) The fee is payable based on the amount of water
28 appropriated during the year and, except as provided in
29 paragraph (f), the minimum fee is \$100.

30 (d) For water use processing fees other than once-through
31 cooling systems:

32 (1) the fee for a city of the first class may not exceed
33 \$250,000 per year;

34 (2) the fee for other entities for any permitted use may
35 not exceed:

36 (i) \$50,000 per year for an entity holding three or fewer

1 permits;

2 (ii) \$75,000 per year for an entity holding four or five
3 permits;

4 (iii) \$250,000 per year for an entity holding more than
5 five permits;

6 (3) the fee for agricultural irrigation may not exceed \$750
7 per year;

8 (4) the fee for a municipality that furnishes electric
9 service and cogenerates steam for home heating may not exceed
10 \$10,000 for its permit for water use related to the cogeneration
11 of electricity and steam; and

12 (5) no fee is required for a project involving the
13 appropriation of surface water to prevent flood damage or to
14 remove flood waters during a period of flooding, as determined
15 by the commissioner.

16 (e) Failure to pay the fee is sufficient cause for revoking
17 a permit. A penalty of two percent per month calculated from
18 the original due date must be imposed on the unpaid balance of
19 fees remaining 30 days after the sending of a second notice of
20 fees due. A fee may not be imposed on an agency, as defined in
21 section 16B.01, subdivision 2, or federal governmental agency
22 holding a water appropriation permit.

23 (f) The minimum water use processing fee for a permit
24 issued for irrigation of agricultural land is \$20 for years in
25 which:

26 (1) there is no appropriation of water under the permit; or
27 (2) the permit is suspended for more than seven consecutive
28 days between May 1 and October 1.

29 (g) A surcharge of \$20 per million gallons in addition to
30 the fee prescribed in paragraph (a) shall be applied to the
31 volume of water used in June, July, and August that exceeds the
32 volume of water used in January for municipal water use,
33 irrigation of golf courses, and landscape irrigation.

34 Sec. 105. Minnesota Statutes 2004, section 103G.301,
35 subdivision 2, is amended to read:

36 Subd. 2. [PERMIT APPLICATION FEES.] (a) An application for

1 a permit authorized under this chapter, and each request to
2 amend or transfer an existing permit, must be accompanied by a
3 permit application fee to defray the costs of receiving,
4 recording, and processing the application or request to amend or
5 transfer.

6 (b) The fee to apply for a permit to appropriate water, a
7 permit to construct or repair a dam that is subject to dam
8 safety inspection, or a state general permit or to apply for the
9 state water bank program is \$75 \$150. The application fee for a
10 permit to work in public waters or to divert waters for mining
11 must be at least \$75 \$150, but not more than \$500 \$1,000,
12 according to a schedule of fees adopted under section 16A.1285.

13 Sec. 106. Minnesota Statutes 2004, section 103G.615,
14 subdivision 2, is amended to read:

15 Subd. 2. [FEES.] (a) The commissioner shall establish a
16 fee schedule for permits to control or harvest aquatic plants
17 other than wild rice. The fees must be set by rule, and section
18 16A.1283 does not apply. The fees may not exceed \$750 per
19 permit based upon the cost of receiving, processing, analyzing,
20 and issuing the permit, and additional costs incurred after the
21 application to inspect and monitor the activities authorized by
22 the permit, and enforce aquatic plant management rules and
23 permit requirements.

24 (b) The fee for a permit for the control of rooted aquatic
25 vegetation is \$35 for each contiguous parcel of shoreline owned
26 by an owner. This fee may not be charged for permits issued in
27 connection with purple loosestrife control or lakewide Eurasian
28 water milfoil control programs.

29 (c) A fee may not be charged to the state or a federal
30 governmental agency applying for a permit.

31 (d) The money received for the permits under this
32 subdivision shall be deposited in the treasury and credited to
33 the ~~game-and-fish-fund~~ water recreation account.

34 Sec. 107. Minnesota Statutes 2004, section 103I.681,
35 subdivision 11, is amended to read:

36 Subd. 11. [PERMIT FEE SCHEDULE.] (a) The commissioner of

1 natural resources shall adopt a permit fee schedule under
2 chapter 14. The schedule may provide minimum fees for various
3 classes of permits, and additional fees, which may be imposed
4 subsequent to the application, based on the cost of receiving,
5 processing, analyzing, and issuing the permit, and the actual
6 inspecting and monitoring of the activities authorized by the
7 permit, including costs of consulting services.

8 (b) A fee may not be imposed on a state or federal
9 governmental agency applying for a permit.

10 (c) The fee schedule may provide for the refund of a fee,
11 in whole or in part, under circumstances prescribed by the
12 commissioner of natural resources. ~~Permit Fees~~ received must be
13 deposited in the state treasury and credited to the general
14 fund. ~~The amount of money necessary to pay the refunds is~~
15 Permit fees received are appropriated annually from the general
16 fund to the commissioner of natural resources for the costs of
17 inspecting and monitoring the activities authorized by the
18 permit, including costs of consulting services.

19 Sec. 108. Minnesota Statutes 2004, section 115.03,
20 subdivision 4a, is amended to read:

21 Subd. 4a. [SECTION 401 CERTIFICATIONS.] (a) The following
22 definitions apply to this subdivision:

23 (1) "section 401 certification" means a water quality
24 certification required under section 401 of the federal Clean
25 Water Act, United States Code, title 33, section 1341; and

26 (2) "nationwide federal general permit" means a nationwide
27 general permit issued by the United States Army Corps of
28 Engineers ~~and listed in Code of Federal Regulations, title 40,~~
29 ~~part 330, appendix A~~ under section 404 of the federal Clean
30 Water Act, United States Code, title 33, section 1344; and

31 (3) "professional review" means review of federal permits
32 or licenses that require section 401 certification before
33 issuance by professional or technical agency staff experienced
34 with 401 water quality certification.

35 (b) The agency commissioner is responsible for providing
36 section 401 certifications for nationwide federal permits or

1 licenses that require section 401 certification before issuance
2 of the federal permit or license.

3 (c) Before making a final decision on a section 401
4 certification for regional conditions on a nationwide federal
5 general permit, the agency commissioner shall hold at least one
6 public meeting outside the seven-county metropolitan area.

7 (d) In addition to other notice required by law, the agency
8 shall provide written notice of a meeting at which the agency
9 will be considering a section 401 certification for regional
10 conditions on a nationwide federal general permit at least 21
11 days before the date of the meeting to the members of the senate
12 and house ~~of representatives environment and natural resources~~
13 ~~committees, the senate Agriculture and Rural Development~~
14 ~~Committee, and the house of representatives Agriculture~~
15 committee policy committees with jurisdiction over environment
16 and agriculture.

17 (e) Beginning July 1, 2005, the commissioner shall collect
18 a fee on individual section 401 certifications that are not
19 subject to a federal general permit or a letter of permission in
20 the amount of \$350 per certification and an additional \$200 for
21 each acre of wetland or surface water that is subject to the
22 section 401 certification. All fees collected by the
23 commissioner under this section shall be deposited in the
24 environmental fund and are appropriated to the agency for the
25 purpose of providing professional review and notification.

26 (f) A decision by the commissioner to waive review of
27 section 401 certification must include a written notice to
28 project applicants that they remain responsible for complying
29 with all water quality standards and other applicable statutes
30 and rules and that the commissioner retains the authority to
31 enforce violations of applicable standards, statutes, and rules,
32 including assessment of penalties.

33 (g) The commissioner shall provide access to all public
34 notices of applications for section 401 certification, their
35 status, and the decision to certify, deny, or waive any
36 application on the agency's Internet Web site, and may publish

1 these documents in any other appropriate public medium. All
2 public comments must be attached to the official public record
3 waiver decision and be available for review upon request. All
4 publications shall include the project's location, including
5 county, township, range and section, street address or
6 directions.

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

9 Sec. 109. Minnesota Statutes 2003 Supplement, section
10 115.551, is amended to read:

11 115.551 [TANK FEE.]

12 (a) An installer shall pay a fee of \$25 for each septic
13 system tank installed in the previous calendar year. The fees
14 required under this section must be paid to the commissioner by
15 January 30 of each year. The revenue derived from the fee
16 imposed under this section shall be deposited in the
17 environmental fund and is exempt from section 16A.1285.

18 (b) Notwithstanding paragraph (a), for the purposes of
19 performance based individual sewage treatment systems, the tank
20 fee is limited to \$25 per household system installation.

21 Sec. 110. [115A.9165] [DEFINITIONS.]

22 Subdivision 1. [APPLICABILITY.] For the purposes of
23 sections 115A.9165 to 115A.9169, the following terms have the
24 meanings given them.

25 Subd. 2. [END-OF-LIFE MOTOR VEHICLE.] "End-of-life motor
26 vehicle" means any motor vehicle that is sold, given, or
27 otherwise conveyed to a motor vehicle crusher, recycler, or
28 scrap recycling facility for the purpose of recycling.

29 Subd. 3. [MANUFACTURER.] "Manufacturer" means any person,
30 firm, association, partnership, corporation, governmental
31 entity, organization, combination, or joint venture that
32 produces or assembles motor vehicles, or in the case of an
33 imported motor vehicle, the importer or domestic distributor of
34 the motor vehicle.

35 Subd. 4. [MERCURY SWITCH.] "Mercury switch" means a light
36 switch or an antilock brake system switch installed by an

1 automotive manufacturer in a motor vehicle.

2 Subd. 5. [MOTOR VEHICLE RECYCLER.] "Motor vehicle recycler"
3 means any person or entity engaged in the business of acquiring,
4 dismantling, or crushing six or more motor vehicles in a
5 calendar year for the primary purpose of resale of their parts
6 or materials.

7 Sec. 111. [115A.9166] [MERCURY SWITCH COLLECTION PROGRAM.]

8 Subdivision 1. [OFFICE OF ENVIRONMENTAL ASSISTANCE.] (a)
9 By January 1, 2006, the Office of Environmental Assistance shall
10 implement a program to remove, collect, transport, recycle, and
11 appropriately dispose of mercury switches before crushing or
12 shredding of motor vehicles. Every manufacturer of motor
13 vehicles who has sold new motor vehicles containing mercury
14 switches in this state after January 1, 1980, shall, either
15 individually or as part of a group, pay the cost of the program
16 up to a total maximum annual cost of \$300,000.

17 (b) The manufacturers may allocate the cost among
18 themselves based on the number of motor vehicles containing
19 mercury switches sold in this state or other factors as they may
20 determine. The Office of Environmental Assistance shall
21 annually certify to the commissioner of finance the annual cost
22 to operate the program. The cost must not overfund or underfund
23 the program. The commissioner of finance, in consultation with
24 the Office of Environmental Assistance, shall inform the
25 manufacturers of the costs to be paid and deposit the money in
26 the environmental fund. The money is appropriated to the Office
27 of Environmental Assistance for the purposes of the program.
28 The Office of Environmental Assistance may use up to \$150,000
29 annually to pay the \$1 fee to motor vehicle recyclers for each
30 mercury switch or pellet collected. Not more than \$150,000 may
31 be used for other program costs.

32 Subd. 2. [PROGRAM COMPONENTS.] The mercury switch
33 collection program, at a minimum, must include:

34 (1) a mercury switch capture rate of at least 90 percent
35 from end-of-life motor vehicles, consistent with the principle
36 that the mercury switch must be recovered unless it is

1 inaccessible due to significant damage to the motor vehicle in
2 the area surrounding the switch;

3 (2) a method for marking motor vehicles processed for
4 shredding or crushing to indicate removal of switches, absence
5 of switches, or presence of switches that could not be removed;

6 (3) a system to track switch removal, including the number
7 of end-of-life motor vehicles and the number of switches;

8 (4) appropriate containers for collection and transporting
9 of mercury switches;

10 (5) a system to track mercury switches from the point of
11 collection to disposal;

12 (6) a requirement that mercury switches collected be
13 processed, recycled, stored, and disposed of as a hazardous
14 waste, or, if applicable, a universal waste, under state and
15 federal hazardous waste regulations and may not be disposed of
16 as hazardous debris as defined in federal regulations and
17 similar state regulations;

18 (7) training and assistance to motor vehicle recyclers and
19 other businesses dealing with end-of-life motor vehicles; and

20 (8) a fee of \$1 paid to motor vehicle recyclers for each
21 mercury switch or mercury pellet collected.

22 Sec. 112. [115A.9167] [ANNUAL REPORT.]

23 Beginning January 15, 2006, the Office of Environmental
24 Assistance shall annually report on the mercury switch
25 collection program to the legislative committees with
26 jurisdiction over the environment and natural resources.

27 The report must include:

28 (1) documentation of the capture rate achieved, including
29 the number of switches collected, the amount of mercury
30 collected, and the number of end-of-life motor vehicles;

31 (2) a description of how the mercury was recycled and
32 otherwise appropriately managed; and

33 (3) a plan of action to improve the capture rate, if
34 necessary.

35 Sec. 113. [115A.9168] [REPRESENTATIONS.]

36 It is unlawful for any person to represent that mercury

1 switches have been removed from a motor vehicle or motor vehicle
2 hulk being sold, given, or otherwise conveyed for recycling or
3 crushing, if the mercury switches have not been removed.

4 Sec. 114. [115A.9169] [PHASE-OUT OF MERCURY-ADDED
5 COMPONENTS IN MOTOR VEHICLES AND EXEMPTIONS.]

6 Subdivision 1. [PHASE-OUT OF MERCURY-ADDED COMPONENTS.] To
7 prevent emissions or other releases of mercury from motor
8 vehicles, by January 1, 2008, no new motor vehicle offered for
9 sale in this state may contain any mercury-added component,
10 except as provided in subdivision 2.

11 Subd. 2. [EXEMPTION AND LABELING.] (a) A manufacturer may
12 obtain an exemption to install a mercury-added component in a
13 motor vehicle if the manufacturer submits a written application
14 to the commissioner describing:

15 (1) how the manufacturer will ensure that a system exists,
16 and how the manufacturer will fund a system for the removal,
17 collection, and recovery of the mercury-added component upon
18 failure of the component or at the end of the motor vehicle's
19 useful life; and

20 (2) certification by the manufacturer that the motor
21 vehicle will be labeled so as to clearly inform purchasers that
22 mercury is present in the motor vehicle, and that the
23 mercury-added component may not be disposed of or placed in a
24 waste stream destined for disposal until the mercury is removed
25 or reused, recovered, or properly disposed of as a hazardous
26 waste, or otherwise managed to ensure that the mercury does not
27 become mixed with other solid waste or released to the
28 environment. The label must identify the component with
29 sufficient detail so that it can be readily located for
30 removal. The label shall be placed on the doorpost and be
31 sufficiently durable to remain legible for the useful life of
32 the motor vehicle.

33 (b) Subject to the issuance of public notice and
34 solicitation of public comment, the commissioner shall, within
35 90 days, accept or reject the application for exemption.

36 (c) The commissioner may grant an exemption only upon a

1 clear demonstration that the system for removal, collection, and
2 recovery of the mercury-added component will ensure recovery of
3 the mercury and prevent its release to the environment.

4 (d) An exemption granted under this section is valid for a
5 period not to exceed two years and may be renewed for periods
6 not to exceed two years.

7 Sec. 115. Minnesota Statutes 2004, section 115B.48,
8 subdivision 8, is amended to read:

9 Subd. 8. [FULL-TIME EQUIVALENCE.] "Full-time equivalence"
10 means 2,000 hours worked by employees, owners, and others in a
11 dry cleaning facility during a 12-month period beginning July 1
12 of the preceding year and running through June 30 of the year in
13 which the annual registration fee is due. For those dry
14 cleaning facilities that were in business less than the 12-month
15 period, full-time equivalence means the total of all of the
16 hours worked in the dry cleaning facility, divided by 2,000 and
17 multiplied by a fraction, the numerator of which is 50 and the
18 denominator of which is the number of weeks in business during
19 the reporting period. For the purposes of section 115B.49, an
20 owner working 2,000 hours or more shall be considered as one
21 full-time equivalent.

22 Sec. 116. Minnesota Statutes 2004, section 115B.49, is
23 amended by adding a subdivision to read:

24 Subd. 4b. [FEE ADJUSTMENT.] Notwithstanding section
25 16A.1285, each fiscal year the commissioner shall adjust the
26 fees in subdivision 4 as necessary to maintain an annual income
27 to the account of \$650,000.

28 Sec. 117. Minnesota Statutes 2002, section 116.92,
29 subdivision 3, is amended to read:

30 Subd. 3. [LABELING; PRODUCTS CONTAINING MERCURY.] A
31 manufacturer or wholesaler may not sell and a retailer may not
32 knowingly sell any of the following items in this state that
33 contain mercury unless the item is labeled in a manner to
34 clearly inform a purchaser ~~or~~, consumer, or motor vehicle
35 recycler that mercury is present in the item and that the item
36 may not be placed in the garbage or otherwise disposed of until

1 the mercury is removed and reused, recycled, or otherwise
2 managed to ensure that it does not become part of solid waste or
3 wastewater:

4 (1) a thermostat or thermometer;

5 (2) an electric switch or mercury-added component of a
6 motor vehicle, individually or as part of another product, ~~or other~~
7 ~~than-a-motor-vehicle~~;

8 (3) an appliance;

9 (4) a medical or scientific instrument; and

10 (5) an electric relay or other electrical device.

11 Sec. 118. Minnesota Statutes 2002, section 116.92,
12 subdivision 4, is amended to read:

13 Subd. 4. [REMOVAL FROM SERVICE; PRODUCTS CONTAINING
14 MERCURY.] (a) When an item listed in subdivision 3 is removed
15 from service the mercury in the item must be reused, recycled,
16 or otherwise managed to ensure compliance with section 115A.932.

17 (b) A person who is in the business of replacing or
18 repairing an item listed in subdivision 3 in households shall
19 ensure, or deliver the item to a facility that will ensure, that
20 the mercury contained in an item that is replaced or repaired is
21 reused or recycled or otherwise managed in compliance with
22 section 115A.932.

23 (c) ~~A person may not crush a motor vehicle unless the~~
24 ~~person has first made a good faith effort to~~ recycler must
25 remove all of the mercury switches in the motor vehicle before
26 it is crushed.

27 Sec. 119. Minnesota Statutes 2004, section 1160.09,
28 subdivision 1a, is amended to read:

29 Subd. 1a. [BOARD OF DIRECTORS.] The board of directors of
30 the Agricultural Utilization Research Institute is comprised of:

31 (1) the chairs of the senate and the house of
32 representatives standing committees with jurisdiction over
33 agriculture finance or the chair's designee;

34 (2) two representatives of statewide farm organizations;

35 (3) two representatives of agribusiness; and

36 (4) three representatives of the commodity promotion

1 councils.

2 ~~A member of the board of directors under clauses (2) to~~
3 ~~(4), including a member serving on July 1, 2003, may serve for a~~
4 ~~maximum of two three-year terms. The board's compensation is~~
5 ~~governed by section 15.0575, subdivision 3.~~

6 Sec. 120. Minnesota Statutes 2004, section 116P.05,
7 subdivision 2, is amended to read:

8 Subd. 2. [DUTIES.] (a) The commission shall recommend a
9 budget plan for expenditures from the environment and natural
10 resources trust fund and shall adopt a strategic plan as
11 provided in section 116P.08.

12 (b) The commission shall recommend expenditures to the
13 legislature from the state land and water conservation account
14 in the natural resources fund.

15 (c) It is a condition of acceptance of the appropriations
16 made from the Minnesota environment and natural resources trust
17 fund, and oil overcharge money under section 4.071, subdivision
18 2, that the agency or entity receiving the appropriation must
19 submit a work program and semiannual progress reports in the
20 form determined by the Legislative Commission on Minnesota
21 Resources, and comply with applicable reporting requirements
22 under section 116P.16. None of the money provided may be spent
23 unless the commission has approved the pertinent work program.

24 (d) The peer review panel created under section 116P.08
25 must also review, comment, and report to the commission on
26 research proposals applying for an appropriation from the oil
27 overcharge money under section 4.071, subdivision 2.

28 (e) The commission may adopt operating procedures to
29 fulfill its duties under chapter 116P.

30 [EFFECTIVE DATE.] This section is effective for interests
31 in land acquired after June 30, 2005.

32 Sec. 121. [116P.16] [REAL PROPERTY INTEREST REPORT.]

33 By December 1 each year, a recipient of an appropriation
34 from the trust fund, that is used for the acquisition of an
35 interest in real property, must submit annual reports on the
36 status of the real property to the Legislative Commission on

1 Minnesota Resources in a form determined by the commission. The
2 responsibility for reporting under this section may be
3 transferred by the recipient of the appropriation to another
4 person who holds the interest in the real property. To complete
5 the transfer of reporting responsibility, the recipient of the
6 appropriation must:

7 (1) inform the person to whom the responsibility is
8 transferred of that person's reporting responsibility;

9 (2) inform the person to whom the responsibility is
10 transferred of the property restrictions under section 116P.15;
11 and

12 (3) provide written notice to the commission of the
13 transfer of reporting responsibility, including contact
14 information for the person to whom the responsibility is
15 transferred.

16 After the transfer, the person who holds the interest in the
17 real property is responsible for reporting requirements under
18 this section.

19 [EFFECTIVE DATE.] This section is effective for interests
20 in land acquired after June 30, 2005.

21 Sec. 122. Minnesota Statutes 2004, section 160.232, is
22 amended to read:

23 160.232 [MOWING DITCHES OUTSIDE CITIES.]

24 (a) To provide enhanced roadside habitat for nesting birds
25 and other small wildlife, road authorities may not mow or till
26 the right-of-way of a highway located outside of a home rule
27 charter or statutory city except as allowed in this section and
28 section 160.23.

29 (b) On any highway, the first eight feet away from the road
30 surface, or shoulder if one exists, may be mowed at any time.

31 (c) An entire right-of-way may be mowed after July 31.
32 From August 31 to the following July 31, the entire right-of-way
33 may only be mowed if necessary for safety reasons, and but may
34 not be mowed to a height of less than 12 inches.

35 (d) A right-of-way may be mowed as necessary to maintain
36 sight distance for safety and may be mowed at other times under

1 rules of the commissioner, or by ordinance of a local road
2 authority not conflicting with the rules of the commissioner.

3 (e) A right-of-way may be mowed, burned, or tilled to
4 prepare the right-of-way for the establishment of permanent
5 vegetative cover or for prairie vegetation management.

6 (f) When feasible, road authorities are encouraged to
7 utilize low maintenance, native vegetation that reduces the need
8 to mow, provides wildlife habitat, and maintains public safety.

9 (g) The commissioner of natural resources shall cooperate
10 with the commissioner of transportation to provide enhanced
11 roadside habitat for nesting birds and other small wildlife.

12 Sec. 123. Minnesota Statutes 2004, section 168.1296,
13 subdivision 1, is amended to read:

14 Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a)
15 The registrar shall issue special critical habitat license
16 plates to an applicant who:

17 (1) is an owner or joint owner of a passenger automobile,
18 pickup truck, ~~or van,~~ or recreational equipment;

19 (2) pays a fee of \$10 to cover the costs of handling and
20 manufacturing the plates;

21 (3) pays the registration tax required under section
22 168.013;

23 (4) pays the fees required under this chapter;

24 (5) contributes a minimum of \$30 annually to the Minnesota
25 critical habitat private sector matching account established in
26 section 84.943; and

27 (6) complies with laws and rules governing registration and
28 licensing of vehicles and drivers.

29 (b) The critical habitat license application form must
30 clearly indicate that the annual contribution specified under
31 paragraph (a), clause (5), is a minimum contribution to receive
32 the license plate and that the applicant may make an additional
33 contribution to the account.

34 (c) Owners of recreational equipment under paragraph (a),
35 clause (1), are eligible only for special critical habitat
36 license plates for which the designs are selected under

1 subdivision 2, on or after January 1, 2006.

2 (d) Special critical habitat license plates, the designs
3 for which are selected under subdivision 2, on or after January
4 1, 2006, may be personalized according to section 168.12,
5 subdivision 2a.

6 Sec. 124. Minnesota Statutes 2004, section 223.17,
7 subdivision 3, is amended to read:

8 Subd. 3. [GRAIN BUYERS AND STORAGE ACCOUNT; FEES.] The
9 commissioner shall set the fees for inspections under sections
10 223.15 to 223.22 at levels necessary to pay the expenses of
11 administering and enforcing sections 223.15 to 223.22.

12 The fee for any license issued or renewed after June 30,
13 ~~2005~~ 2005, shall be set according to the following schedule:

14 (a) ~~\$125~~ \$140 plus ~~\$100~~ \$110 for each additional location
15 for grain buyers whose gross annual purchases are less than
16 \$100,000;

17 (b) ~~\$250~~ \$275 plus ~~\$100~~ \$110 for each additional location
18 for grain buyers whose gross annual purchases are at least
19 \$100,000, but not more than \$750,000;

20 (c) ~~\$375~~ \$415 plus ~~\$200~~ \$220 for each additional location
21 for grain buyers whose gross annual purchases are more than
22 \$750,000 but not more than \$1,500,000;

23 (d) ~~\$500~~ \$550 plus ~~\$200~~ \$220 for each additional location
24 for grain buyers whose gross annual purchases are more than
25 \$1,500,000 but not more than \$3,000,000; and

26 (e) ~~\$625~~ \$700 plus ~~\$200~~ \$220 for each additional location
27 for grain buyers whose gross annual purchases are more than
28 \$3,000,000.

29 A penalty amount not to exceed ten percent of the fees due
30 may be imposed by the commissioner for each month for which the
31 fees are delinquent.

32 There is created the grain buyers and storage account in
33 the agricultural fund. Money collected pursuant to sections
34 223.15 to 223.19 shall be paid into the state treasury and
35 credited to the grain buyers and storage account and is
36 appropriated to the commissioner for the administration and

1 enforcement of sections 223.15 to 223.22.

2 Sec. 125. Minnesota Statutes 2004, section 231.16, is
3 amended to read:

4 231.16 [WAREHOUSE OPERATOR OR HOUSEHOLD GOODS WAREHOUSE
5 OPERATOR TO OBTAIN LICENSE.]

6 A warehouse operator or household goods warehouse operator
7 must be licensed annually by the department. The department
8 shall prescribe the form of the written application. If the
9 department approves the license application and the applicant
10 files with the department the necessary bond, in the case of
11 household goods warehouse operators, or proof of warehouse
12 operators legal liability insurance coverage in an amount of
13 \$50,000 or more, as provided for in this chapter, the department
14 shall issue the license upon payment of the license fee required
15 in this section. A warehouse operator or household goods
16 warehouse operator to whom a license is issued shall pay a fee
17 as follows:

18	Building square footage used for public storage	
19	(1) 5,000 or less	\$100 <u>\$110</u>
20	(2) 5,001 to 10,000	\$200 <u>\$220</u>
21	(3) 10,001 to 20,000	\$300 <u>\$330</u>
22	(4) 20,001 to 100,000	\$400 <u>\$440</u>
23	(5) 100,001 to 200,000	\$500 <u>\$550</u>
24	(6) over 200,000	\$600

25 A penalty amount not to exceed ten percent of the fees due
26 may be imposed by the commissioner for each month for which the
27 fees are delinquent.

28 Fees collected under this chapter must be paid into the
29 grain buyers and storage account established in section 232.22.

30 The license must be renewed annually on or before July 1,
31 and always upon payment of the full license fee required in this
32 section. No license shall be issued for any portion of a year
33 for less than the full amount of the license fee required in
34 this section. Each license obtained under this chapter must be
35 publicly displayed in the main office of the place of business
36 of the warehouse operator or household goods warehouse operator

1 to whom it is issued. The license authorizes the warehouse
2 operator or household goods warehouse operator to carry on the
3 business of warehousing only in the one city or town named in
4 the application and in the buildings therein described. The
5 department, without requiring an additional bond and license,
6 may issue permits from time to time to any warehouse operator
7 already duly licensed under the provisions of this chapter to
8 operate an additional warehouse in the same city or town for
9 which the original license was issued during the term thereof,
10 upon the filing an application for a permit in the form
11 prescribed by the department.

12 A license may be refused for good cause shown and revoked
13 by the department for violation of law or of any rule adopted by
14 the department, upon notice and after hearing.

15 Sec. 126. Minnesota Statutes 2004, section 232.22,
16 subdivision 3, is amended to read:

17 Subd. 3. [FEES; GRAIN BUYERS AND STORAGE ACCOUNT.] There
18 is created in the agricultural fund an account known as the
19 grain buyers and storage account. The commissioner shall set
20 the fees for inspections, certifications and licenses under
21 sections 232.20 to 232.25 at levels necessary to pay the costs
22 of administering and enforcing sections 232.20 to 232.25. All
23 money collected pursuant to sections 232.20 to 232.25 and
24 chapters 233 and 236 shall be paid by the commissioner into the
25 state treasury and credited to the grain buyers and storage
26 account and is appropriated to the commissioner for the
27 administration and enforcement of sections 232.20 to 232.25 and
28 chapters 233 and 236. All money collected pursuant to chapter
29 231 shall be paid by the commissioner into the grain buyers and
30 storage account and is appropriated to the commissioner for the
31 administration and enforcement of chapter 231.

32 The fees for a license to store grain are as follows:

33 (a) For a license to store grain, \$110 for each home rule
34 charter or statutory city or town in which a public grain
35 warehouse is operated.

36 (b) A person with a license to store grain in a public

1 grain warehouse is subject to an examination fee for each
 2 licensed location, based on the following schedule for one
 3 examination:

4	<u>Bushel Capacity</u>	<u>Examination Fee</u>
5	<u>Less than 150,001</u>	<u>\$300</u>
6	<u>150,001 to 250,000</u>	<u>\$425</u>
7	<u>250,001 to 500,000</u>	<u>\$545</u>
8	<u>500,001 to 750,000</u>	<u>\$700</u>
9	<u>750,001 to 1,000,000</u>	<u>\$865</u>
10	<u>1,000,001 to 1,200,000</u>	<u>\$1,040</u>
11	<u>1,200,001 to 1,500,000</u>	<u>\$1,205</u>
12	<u>1,500,001 to 2,000,000</u>	<u>\$1,380</u>
13	<u>More than 2,000,000</u>	<u>\$1,555</u>

14 (c) The fee for the second examination is \$55 per hour per
 15 examiner for warehouse operators who choose to have it performed
 16 by the commissioner.

17 (d) A penalty amount not to exceed ten percent of the fees
 18 due may be imposed by the commissioner for each month for which
 19 the fees are delinquent.

20 Sec. 127. Minnesota Statutes 2004, section 236.02,
 21 subdivision 4, is amended to read:

22 Subd. 4. [FEES.] The license fee is \$140 for each home
 23 rule charter or statutory city or town in which a private grain
 24 warehouse is operated and which will be used to operate a grain
 25 bank. A penalty amount not to exceed ten percent of the fees
 26 due may be imposed by the commissioner for each month for which
 27 the fees are delinquent. The license fee must be set by the
 28 commissioner in an amount sufficient to cover the costs of
 29 administering and enforcing this chapter. Fees collected under
 30 this chapter must be paid into the grain buyers and storage
 31 account established in section 232.22.

32 Sec. 128. Minnesota Statutes 2004, section 282.08, is
 33 amended to read:

34 282.08 [APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.]

35 The net proceeds from the sale or rental of any parcel of
 36 forfeited land, or from the sale of products from the forfeited

1 land, must be apportioned by the county auditor to the taxing
2 districts interested in the land, as follows:

3 (1) the amounts necessary to pay the state general tax levy
4 against the parcel for taxes payable in the year for which the
5 tax judgment was entered, and for each subsequent payable year
6 up to and including the year of forfeiture, must be apportioned
7 to the state;

8 (2) the portion required to pay any amounts included in the
9 appraised value under section 282.01, subdivision 3, as
10 representing increased value due to any public improvement made
11 after forfeiture of the parcel to the state, but not exceeding
12 the amount certified by the clerk of the municipality must be
13 apportioned to the municipal subdivision entitled to it;

14 (3) the portion required to pay any amount included in the
15 appraised value under section 282.019, subdivision 5,
16 representing increased value due to response actions taken after
17 forfeiture of the parcel to the state, but not exceeding the
18 amount of expenses certified by the Pollution Control Agency or
19 the commissioner of agriculture, must be apportioned to the
20 agency or the commissioner of agriculture and deposited in the
21 fund from which the expenses were paid;

22 (4) the portion of the remainder required to discharge any
23 special assessment chargeable against the parcel for drainage or
24 other purpose whether due or deferred at the time of forfeiture,
25 must be apportioned to the municipal subdivision entitled to it;
26 and

27 (5) any balance must be apportioned as follows:

28 (i) The county board may annually by resolution set aside
29 no more than 30 percent of the receipts remaining to be used for
30 ~~timber forest~~ development on tax-forfeited land and dedicated
31 memorial forests, to be expended under the supervision of the
32 county board. It must be expended only on projects ~~approved-by~~
33 ~~the-commissioner-of-natural-resources~~ improving the health and
34 management of the forest resource.

35 (ii) The county board may annually by resolution set aside
36 no more than 20 percent of the receipts remaining to be used for

1 the acquisition and maintenance of county parks or recreational
2 areas as defined in sections 398.31 to 398.36, to be expended
3 under the supervision of the county board.

4 (iii) Any balance remaining must be apportioned as
5 follows: county, 40 percent; town or city, 20 percent; and
6 school district, 40 percent, provided, however, that in
7 unorganized territory that portion which would have accrued to
8 the township must be administered by the county board of
9 commissioners.

10 Sec. 129. Minnesota Statutes 2004, section 282.38,
11 subdivision 1, is amended to read:

12 Subdivision 1. [DEVELOPMENT.] In any county where the
13 county board by proper resolution sets aside funds for ~~timber~~
14 forest development pursuant to section 282.08,
15 clause ~~(3)(a)~~ (5), item (i), or section 459.06, subdivision 2,
16 the ~~Commission~~ commissioner of Iron Range resources and
17 rehabilitation with the approval of the board may upon request
18 of the county board assist said county in carrying out any
19 project for the long range development of its ~~timber~~ forest
20 resources through matching of funds or otherwise, ~~provided that~~
21 ~~any such project shall first be approved by the commissioner of~~
22 ~~natural resources.~~

23 Sec. 130. Minnesota Statutes 2004, section 296A.18,
24 subdivision 2, is amended to read:

25 Subd. 2. [MOTORBOAT.] Approximately 1-1/2 percent of all
26 gasoline received in this state and 1-1/2 percent of all
27 gasoline produced or brought into this state, except gasoline
28 used for aviation purposes, is being used as fuel for the
29 operation of motorboats on the waters of this state and of the
30 total revenue derived from the imposition of the gasoline fuel
31 tax for uses other than for aviation purposes, 1-1/2 percent of
32 ~~such revenues~~ the revenue is the amount of tax on fuel used in
33 motorboats operated on the waters of this state. The amount of
34 unrefunded tax paid on gasoline used for motor boat purposes as
35 computed in this chapter shall be paid into the state treasury
36 and credited to a water recreation account in the special

1 revenue fund for acquisition, development, maintenance, and
2 rehabilitation of sites for public access and boating facilities
3 on public waters; lake and river improvement; state-park
4 development; and boat and water safety.

5 Sec. 131. Minnesota Statutes 2004, section 462.357,
6 subdivision 1e, is amended to read:

7 Subd. 1e. [NONCONFORMITIES.] (a) Any nonconformity,
8 including the lawful use or occupation of land or premises
9 existing at the time of the adoption of an additional control
10 under this chapter, may be continued, including through repair,
11 replacement, restoration, maintenance, or improvement, but not
12 including expansion, unless:

13 (1) the nonconformity or occupancy is discontinued for a
14 period of more than one year; or

15 (2) any nonconforming use is destroyed by fire or other
16 peril to the extent of greater than 50 percent of its market
17 value, and no building permit has been applied for within 180
18 days of when the property is damaged. In this case, a
19 municipality may impose reasonable conditions upon a building
20 permit in order to mitigate any newly created impact on adjacent
21 property.

22 (b) Any subsequent use or occupancy of the land or premises
23 shall be a conforming use or occupancy. A municipality may, by
24 ordinance, permit an expansion or impose upon nonconformities
25 reasonable regulations to prevent and abate nuisances and to
26 protect the public health, welfare, or safety. This subdivision
27 does not prohibit a municipality from enforcing an ordinance
28 that applies to adults-only bookstores, adults-only theaters, or
29 similar adults-only businesses, as defined by ordinance.

30 (c) Notwithstanding paragraph (a), a municipality shall
31 regulate the repair, replacement, maintenance, improvement, or
32 expansion of nonconforming uses and structures in floodplain
33 areas to the extent necessary to maintain eligibility in the
34 National Flood Insurance Program and not increase flood damage
35 potential or increase the degree of obstruction to flood flows
36 in the floodway.

1 Sec. 132. [473.1565] [METROPOLITAN AREA WATER SUPPLY
2 PLANNING ACTIVITIES; ADVISORY COMMITTEE.]

3 Subdivision 1. [PLANNING ACTIVITIES.] (a) The Metropolitan
4 Council must carry out planning activities addressing the water
5 supply needs of the metropolitan area as defined in section
6 473.121, subdivision 2. The planning activities must include,
7 at a minimum:

8 (1) development and maintenance of a base of technical
9 information needed for sound water supply decisions including
10 surface and groundwater availability analyses, water demand
11 projections, water withdrawal and use impact analyses, modeling,
12 and similar studies;

13 (2) development and periodic update of a metropolitan area
14 master water supply plan that:

15 (i) provides guidance for local water supply systems and
16 future regional investments;

17 (ii) emphasizes conservation, interjurisdictional
18 cooperation, and long-term sustainability; and

19 (iii) addresses the reliability, security, and
20 cost-effectiveness of the metropolitan area water supply system
21 and its local and subregional components;

22 (3) recommendations for clarifying the appropriate roles
23 and responsibilities of local, regional, and state government in
24 metropolitan area water supply;

25 (4) recommendations for streamlining and consolidating
26 metropolitan area water supply decision-making and approval
27 processes; and

28 (5) recommendations for the ongoing and long-term funding
29 of metropolitan area water supply planning activities and
30 capital investments.

31 (b) The council must carry out the planning activities in
32 this subdivision in consultation with the metropolitan area
33 water supply advisory committee established in subdivision 2.

34 Subd. 2. [ADVISORY COMMITTEE.] (a) A metropolitan area
35 water supply advisory committee is established to assist the
36 council in its planning activities in subdivision 1. The

1 advisory committee has the following membership:

2 (1) the commissioner of agriculture or the commissioner's
3 designee;

4 (2) the commissioner of health or the commissioner's
5 designee;

6 (3) the commissioner of natural resources or the
7 commissioner's designee;

8 (4) the commissioner of the pollution control agency or the
9 commissioner's designee;

10 (5) two officials of counties that are located in the
11 metropolitan area, appointed by the governor;

12 (6) six officials of noncounty local governmental units
13 that are located in the metropolitan area, appointed by the
14 governor; and

15 (7) the chair of the Metropolitan Council or the chair's
16 designee, who is chair of the advisory committee.

17 (b) Members of the advisory committee appointed by the
18 governor serve at the pleasure of the governor and their terms
19 end with the term of the governor. Members of the advisory
20 committee serve without compensation but may be reimbursed for
21 their reasonable expenses as determined by the Metropolitan
22 Council. The advisory committee does not expire until repealed
23 by law.

24 Subd. 3. [REPORTS TO LEGISLATURE.] The council must submit
25 reports to the legislature regarding its continuing planning
26 activities under subdivision 1. The first report must be
27 submitted to the legislature by the date the legislature
28 convenes in 2007 and subsequent reports must be submitted by
29 such date every five years thereafter.

30 [EFFECTIVE DATE.] This section is effective the day
31 following final enactment.

32 Sec. 133. Minnesota Statutes 2004, section 473.197,
33 subdivision 4, is amended to read:

34 Subd. 4. [DEBT RESERVE; LEVY.] To provide money to pay
35 debt service on bonds issued under the credit enhancement
36 program if-pledged-revenues-are-insufficient-to-pay-debt-service

1 in repealed subdivision 1 of Minnesota Statutes 2004, section
 2 473.197, the council must maintain a debt reserve fund in the
 3 ~~manner and with the effect provided by section 118A.04 for~~
 4 ~~public funds~~ until the reserve is no longer pledged or otherwise
 5 needed to pay debt service on such bonds. To provide funds for
 6 ~~the debt reserve fund, the council may use up to \$3,000,000 of~~
 7 ~~the proceeds of solid waste bonds issued by the council under~~
 8 ~~section 473.831 before its repeal. To provide additional funds~~
 9 ~~for the debt reserve fund, the council may levy a tax on all~~
 10 ~~taxable property in the metropolitan area and must levy the tax~~
 11 If sums in the debt reserve fund are insufficient to cure any
 12 deficiency in the debt service fund established for the bonds,
 13 the council must levy a tax on all taxable property in the
 14 metropolitan area in the amount needed to liquidate the
 15 deficiency. The tax authorized by this section does not affect
 16 the amount or rate of taxes that may be levied by the council
 17 for other purposes and is not subject to limit as to rate or
 18 amount.

19 [EFFECTIVE DATE.] This section is effective the day
 20 following final enactment.

21 Sec. 134. Laws 2003, chapter 128, article 1, section 9,
 22 subdivision 6, is amended to read:

23 Subd. 6. Recreation 7,622,000 5,870,000

24 Summary by Fund

25 Trust Fund 5,622,000 5,870,000

26 State Land and Conservation
 27 Account (LAWCON) 2,000,000

28 (a) State Park and Recreation Area Land
 29 Acquisition

30 \$750,000 the first year and \$750,000
 31 the second year are from the trust fund
 32 to the commissioner of natural
 33 resources to acquire in-holdings for
 34 state park and recreation areas. Land
 35 acquired with this appropriation must
 36 be sufficiently improved to meet at
 37 least minimum management standards as
 38 determined by the commissioner of
 39 natural resources. This appropriation
 40 is available until June 30, 2006, at
 41 which time the project must be
 42 completed and final products delivered,
 43 unless an earlier date is specified in
 44 the work program.

1 (b) LAWCON Federal Reimbursements

2 \$2,000,000 is from the state land and
3 water conservation account (LAWCON) in
4 the natural resources fund to the
5 commissioner of natural resources for
6 eligible state projects and
7 administrative and planning activities
8 consistent with Minnesota Statutes,
9 section 116P.14, and the federal Land
10 and Water Conservation Fund Act. This
11 appropriation is contingent upon
12 receipt of the federal obligation and
13 remains available until June 30, 2006,
14 at which time the project must be
15 completed and final products delivered,
16 unless an earlier date is specified in
17 the work program.

18 (c) Local Initiative Grants-Parks and
19 Natural Areas

20 \$1,290,000 the first year and
21 \$1,289,000 the second year are from the
22 trust fund to the commissioner of
23 natural resources for matching grants
24 to local governments for acquisition
25 and development of natural and scenic
26 areas and local parks as provided in
27 Minnesota Statutes, section 85.019,
28 subdivisions 2 and 4a, and regional
29 parks outside of the metropolitan
30 area. Grants may provide up to 50
31 percent of the nonfederal share of the
32 project cost, except nonmetropolitan
33 regional park grants may provide up to
34 60 percent of the nonfederal share of
35 the project cost. The commission will
36 monitor the grants for approximate
37 balance over extended periods of time
38 between the metropolitan area, under
39 Minnesota Statutes, section 473.121,
40 subdivision 2, and the nonmetropolitan
41 area through work program oversight and
42 periodic allocation decisions. For the
43 purposes of this paragraph, the match
44 must be a nonstate contribution, but
45 may be either cash or qualifying
46 in-kind. Recipients may receive
47 funding for more than one project in
48 any given grant period. This
49 appropriation is available until June
50 30, 2006, at which time the project
51 must be completed and final products
52 delivered.

53 (d) Metropolitan Regional Parks
54 Acquisition, Rehabilitation, and
55 Development

56 \$1,670,000 the first year and
57 \$1,669,000 the second year are from the
58 trust fund to the commissioner of
59 natural resources for an agreement with
60 the metropolitan council for subgrants
61 for the acquisition, development, and
62 rehabilitation in the metropolitan
63 regional park system, consistent with
64 the metropolitan council regional
65 recreation open space capital
66 improvement plan. This appropriation

1 may not be used for the purchase of
2 residential structures. This
3 appropriation may be used to reimburse
4 implementing agencies for acquisition
5 of nonresidential property as expressly
6 approved in the work program. This
7 appropriation is available until June
8 30, 2006, at which time the project
9 must be completed and final products
10 delivered, unless an earlier date is
11 specified in the work program. In
12 addition, if a project financed under
13 this program receives a federal grant,
14 the availability of the financing from
15 this paragraph for that project is
16 extended to equal the period of the
17 federal grant.

18 (e) Local and Regional Trail Grant
19 Initiative Program

20 \$160,000 the first year and \$160,000
21 the second year are from the trust fund
22 to the commissioner of natural
23 resources to provide matching grants to
24 local units of government for the cost
25 of acquisition, development,
26 engineering services, and enhancement
27 of existing and new trail facilities.
28 This appropriation is available until
29 June 30, 2006, at which time the
30 project must be completed and final
31 products delivered, unless an earlier
32 date is specified in the work program.
33 In addition, if a project financed
34 under this program receives a federal
35 grant, the availability of the
36 financing from this paragraph for that
37 project is extended to equal the period
38 of the federal grant.

39 (f) Gitchi-Gami State Trail

40 \$650,000 the first year and \$650,000
41 the second year are from the trust fund
42 to the commissioner of natural
43 resources, in cooperation with the
44 Gitchi-Gami Trail Association, for the
45 third biennium, to design and construct
46 approximately five miles of Gitchi-Gami
47 state trail segments. This
48 appropriation must be matched by at
49 least \$400,000 of nonstate money. The
50 availability of the financing from this
51 paragraph is extended to equal the
52 period of any federal money received.

53 (g) Water Recreation: Boat Access,
54 Fishing Piers, and Shore-fishing

55 \$450,000 the first year and \$700,000
56 the second year are from the trust fund
57 to the commissioner of natural
58 resources to acquire and develop public
59 water access sites statewide, construct
60 shore-fishing and pier sites, and
61 restore shorelands at public accesses.
62 This appropriation is available until
63 June 30, 2006, at which time the
64 project must be completed and final
65 products delivered, unless an earlier

1 date is specified in the work program.

2 (h) Mesabi Trail

3 \$190,000 the first year and \$190,000
4 the second year are from the trust fund
5 to the commissioner of natural
6 resources for an agreement with St.
7 Louis and Lake Counties Regional Rail
8 Authority for the sixth biennium to
9 acquire and develop segments of the
10 Mesabi trail. If a federal grant is
11 received, the availability of the
12 financing from this paragraph is
13 extended to equal the period of the
14 federal grant.

15 (i) Linking Communities Design,
16 Technology, and DNR Trail Resources

17 \$92,000 the first year and \$92,000 the
18 second year are from the trust fund to
19 the commissioner of natural resources
20 for an agreement with the University of
21 Minnesota to provide designs for up to
22 three state trails incorporating
23 recreation, natural, and cultural
24 features.

25 (j) Ft. Ridgley Historic Site
26 Interpretive Trail

27 \$75,000 the first year and \$75,000 the
28 second year are from the trust fund to
29 the Minnesota historical society to
30 construct a trail through the original
31 fort site and install interpretive
32 markers. This appropriation is
33 available until June 30, 2006, at which
34 time the project must be completed and
35 final products delivered, unless an
36 earlier date is specified in the work
37 program.

38 (k) Development and Rehabilitation of
39 Minnesota Shooting Ranges

40 \$120,000 the first year and \$120,000
41 the second year are from the trust fund
42 to the commissioner of natural
43 resources to provide technical
44 assistance and matching cost-share
45 grants to local recreational shooting
46 and archery clubs for the purpose of
47 developing or rehabilitating shooting
48 and archery facilities for public use.
49 Recipient facilities must be open to
50 the general public at reasonable times
51 and for a reasonable fee on a walk-in
52 basis. This appropriation is available
53 until June 30, 2006, at which time the
54 project must be completed and final
55 products delivered, unless an earlier
56 date is specified in the work program.

57 (l) Land Acquisition, Minnesota
58 Landscape Arboretum

59 \$175,000 the first year and \$175,000
60 the second year are from the trust fund
61 to the University of Minnesota for an

1 agreement with the University of
2 Minnesota Landscape Arboretum
3 Foundation for the fifth biennium to
4 ~~acquire in-holdings-within-the~~
5 ~~arboretum's-boundary~~ land from willing
6 sellers. This appropriation must be
7 matched by an equal amount of nonstate
8 money. This appropriation is available
9 until June 30, 2006, at which time the
10 project must be completed and final
11 products delivered, unless an earlier
12 date is specified in the work program.

13 Sec. 135. [CONTINUATION OF AGREEMENTS.]

14 An agreement entered into between the Metropolitan Council
15 and a participant in the credit enhancement program under
16 Minnesota Statutes 2004, section 473.197, subdivision 5, with
17 respect to bonds issued prior to the effective date of this act,
18 shall continue in effect in accordance with its terms; provided
19 that no provision in the agreement shall be construed to require
20 or allow the council to pledge its full faith and credit and
21 taxing powers to the payment of additional bonds issued after
22 the effective date of this act.

23 [EFFECTIVE DATE.] This section is effective the day
24 following final enactment.

25 Sec. 136. [USE OF CREDIT ENHANCEMENT PROGRAM FUNDS.]

26 The Metropolitan Council must transfer any funds
27 originating from the proceeds of solid waste bonds and available
28 for the credit enhancement program under Minnesota Statutes
29 2004, section 473.197, subdivision 4, to the council's general
30 fund to the extent that the funds are no longer pledged or
31 otherwise needed by the council to maintain a debt reserve fund
32 as provided for in ongoing Minnesota Statutes, section 473.197,
33 subdivision 4. The council must first use the transferred funds
34 for carrying out the metropolitan area water supply planning
35 activities required by section 1, for staff support of the
36 advisory committee established under that section, and for
37 related purposes. If the council determines that the
38 transferred funds are no longer needed for those purposes, the
39 council may use any of the funds for any general purposes of the
40 council.

41 [EFFECTIVE DATE.] This section is effective the day

1 following final enactment.

2 Sec. 137. [TRANSFER OF FUNDS; DEPOSIT OF REPAYMENTS.]

3 The remaining balances in the revolving accounts in
4 Minnesota Statutes, sections 41B.046 and 41B.049, that are
5 dedicated to rural finance authority loan programs under those
6 sections, are transferred to the revolving loan account
7 established in Minnesota Statutes, section 41B.06, on the
8 effective date of this section. All future receipts from
9 value-added agricultural product loans and methane digester
10 loans originated under Minnesota Statutes, sections 41B.046 and
11 41B.049, must be deposited in the revolving loan account
12 established in Minnesota Statutes, section 41B.06.

13 Sec. 138. [REPEALER.]

14 (a) Minnesota Statutes 2004, sections 18B.065, subdivision
15 5; 19.64, subdivision 4a; 41B.046, subdivision 3; 84.901; and
16 115B.49, subdivision 4a, are repealed.

17 (b) Minnesota Statutes 2004, sections 473.156 and 473.197,
18 subdivisions 1, 2, 3, and 5, are repealed, effective the day
19 following final enactment.

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY 2006	SENATE FY 2007	2006-07	+ / (-) Sen-Base	+ / (-) Sen-Gov
3							
4	Agency by Fund	Fund Type					
6	POLLUTION CONTROL AGENCY; Direct after SF1879						
7	General	GEN dir	14,715	14,715	29,430	-	
8	State Government Special Revenue	SGSR dir	48	48	96	-	
9	Environmental	ENV dir	26,812	26,812	53,624	-	
10	Remediation	REM dir	11,404	11,404	22,808	-	
11	PCA - total direct after SF1879		52,979	52,979	105,958	-	
13	Change Items:						
14	PCA - Water Div						
15	General Fund Reduction	GEN dir	(2,004)	(2,004)	(4,008)		1,092
16	Transfer from Remediation Fund (Land)	ENV dir	8,300	8,300	16,600		(18,509)
17	PCA - Air Div						
18	Air Fee Increase	ENV dir	532	839	1,371		-
19	PCA - Land Div						
20	Transfer to ENV Fund	REM stat	(11,700)	(11,700)	(23,400)		-
21	Remain in Land Program for Superfund Sites	REM stat	3,400	3,400	6,800		6,800
22	PCA - Admin						
23	General Fund Reduction	GEN dir	(400)	(400)	(800)		-
24							
25							
26	Total Change Items:		(2,404)	(2,404)	(4,808)		
27		ENV dir	8,832	9,139	17,971		
28		REM stat	(8,300)	(8,300)	(16,600)		
29	Total Change Items:		(1,872)	(1,565)	(3,437)		
30							
31	POLLUTION CONTROL AGENCY; Direct all						
32	General	GEN dir	12,311	12,311	24,622	(4,808)	
33	State Government Special Revenue	SGSR dir	48	48	96	-	
34	Environmental	ENV dir	35,644	35,951	71,595	17,971	
35	Remediation	REM dir	11,404	11,404	22,808	-	
36	PCA - total direct all		59,407	59,714	119,121	13,163	
37							
39	OFFICE OF ENV ASSISTANCE; Direct after SF1879						
40	General	GEN dir	11,760	11,760	23,520	-	
41	Environmental	ENV dir	7,994	7,994	15,988	-	
42	OEA- total direct after SF1879		19,754	19,754	39,508	-	
43							
44	Change Items:						
45	none						
46							
47							
48	MINNESOTA ZOO; Direct after SF1879						
49	General	GEN dir	6,557	6,557	13,114	-	
50	Natural Resources	NRF dir	124	124	248	248	
51	MN Zoo - total direct after SF1879		6,681	6,681	13,362	248	
52							
53	Change Items:						
54	Lottery in Lieu - MN Zoo Forecast Adjustment	NRF dir	8	10	18		18
55							
56	MINNESOTA ZOO; Direct all						
57	General	GEN dir	6,557	6,557	13,114	13,114	
58	Natural Resources	NRF dir	132	134	266	266	
59	MN Zoo - total direct all		6,689	6,691	13,380	13,380	
60							

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY 2006	SENATE		2006-07	+ / (-) || Sen-Base	+ / (-) || Sen-Gov
				FY 2006	FY 2007			
3								
4	Agency by Fund	Fund Type						
61	DEPT OF NATURAL RESOURCES; Direct after SF1879							
62	General	GEN dir	77,941	77,941	155,882	(9,394)		
63	Natural Resources	NRF dir	52,067	52,067	104,134	3,892		
64	Game and Fish	G&F dir	82,050	82,050	164,100	-		
65	Permanent School	PS dir	-	-	-	-		
66	Remediation	REM dir	100	100	200	-		
67	DNR- total direct after SF1879		212,158	212,158	424,316	(5,502)		
68								
69								
70	Change Items:							
71	DNR - Lands & Minerals							
72	Operations Support Reallocation	GEN dir	343	343	686	-		
73	Tower-Sudan Mine Drilling (Bakk)	GEN dir	250	-	250		250	
74	Operations Support Reallocation	NRF dir	20	20	40	-		
75	Operations Support Reallocation	G&F dir	74	74	148	-		
76	Aggregate Inventory on School Trust Land	PS dir	50	50	100	-		
77	DNR - Water Resources							
78	Operations Support Reallocation	GEN dir	398	398	796	-		
79	Water Permit Fee Increase	GEN dir	10	10	20	-		
80	DNR-Forest Management							
81	Operations Support Reallocation	GEN dir	1,789	1,789	3,578	-		
82	Trust Land Management Costs (SF790-Saxhaug)	GEN dir	(3,500)	(3,500)	(7,000)	-		
83	Reallocation from Enforcement (Senate)	GEN dir	250	250	500		500	
84	Silviculture-Timber Fiber Quality (SF875-Solon)	GEN dir	200	200	400		400	
85	Trust Land Management Costs (SF790-Saxhaug)	NRF dir	3,500	3,500	7,000	-		
86	Appropriation from Forestry Mgmt Investment Acct (Senate)	NRF dir	300	300	600		600	
87	State Forestry Nursery Stock Surcharge (SF710-Bakk)	SR stat	250	250	500	-		
88	Heritage Enhancement	G&F dir	250	250	500	-		
89	DNR-Parks & Recreation							
90	Operations Support Reallocation	GEN dir	3,068	3,068	6,136	-		
91	Gen Fund Reallocation from Ecological Services (Senate)	GEN dir	250	250	500		500	
92	Increase State Parks Funding (Senate)	GEN dir	200	200	400		400	
93	Lottery in-Lieu Sales Tax adjustment	NRF dir	246	318	564		318	
94	DNR-Trails & Waterways							
95	Operations Support Reallocation	GEN dir	50	50	100	-		
96	Duluth Port Authority (SF33-Solon)	GEN dir	100	-	100		100	
97	Mesaba Trail Facilities (Tomassoni)	GEN dir	300	-	300		300	
98	Lottery in-Lieu Sales Tax adjustment	NRF dir	1,332	1,357	2,689		(90)	
99	Operations Support Reallocation	NRF dir	866	866	1,732	-		
100	Water Recreation Funding	NRF dir	650	650	1,300	-		
101	Fishing Pier Adjustments	NRF dir	(154)	(154)	(308)	-		
102	Off-Highway Vehicle	NRF dir	(100)	(100)	(200)	-		
103	ATV Gas Tax Study	NRF dir	75	-	75	-		
104	Expansion Snowmobile Trail Acct (SF610-Bakk)	NRF dir	57	57	114		114	
105	Snowmobile Sticker/Easement & New Position (SF1534-Bakk)	NRF dir	500	500	1,000		1,000	
106	Fishing Pier Adjustments	G&F dir	154	154	308	-		
107	Wallop-Breaux Water Access Funding	G&F dir	253	249	502	-		
108	DNR-Fish & Wildlife							
109	Lets Go Fishing Promotion (SF665-Johnson)	GEN dir	325	-	325		325	
110	Roadside Habitat (SF1937-Chaudhary)	GEN dir	100	100	200		200	
111	Water Recreation Funding	NRF dir	460	460	920	-		
112	Operations Support Reallocation	G&F dir	2,719	2,719	5,438	-		
113	Water Recreation Funding	G&F dir	(460)	(460)	(920)	-		
114	Red Lake Fish Management	G&F dir	100	100	200	-		
115	Comprehensive Lakes Management	G&F dir	85	85	170	-		
116	Shoreland Habitat Management Program	G&F dir	200	200	400	-		
117	Sturgeon Tagging	G&F dir	25	28	53	-		
118	Increase Stamp Acct Spending	G&F dir	1,591	1,441	3,032	-		
119	Heritage Enhancement-Wolf Delisting	G&F dir	75	75	150	-		
120	Heritage: Prairie Wetland Complexes & Monitoring	G&F dir	600	600	1,200	-		
121	Statewide Electronic Registration	G&F stat	312	312	624	-		
122	Full Funding ELS Costs	G&F stat	75	75	150	-		
123	Expand Critical Habitat Plate Sales	RIM stat	111	111	222	-		

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes	FY	SENATE			+ / (-) || Sen-Base	+ / (-) || Sen-Gov
			FY 2006	FY 2007	2006-07		
3							
4	Agency by Fund	Fund Type					
124	DNR-Ecological Services						-
125	General Fund Reallocation to Parks (Senate)	GEN dir	(250)	(250)	(500)		(500)
126	Operations Support Reallocation	GEN dir	171	171	342		-
127	Invasive Species Prevention (SF1434-Olson)	GEN dir	154	154	308		308
128	Operations Support Reallocation	NRF dir	60	60	120		-
129	Water Recreation Funding (includes invasive species)	NRF dir	204	204	408		-
130	Nongame Wildlife Ed., Info. & Promo. (one time)	NRF dir	100	100	200		-
131	Operations Support Reallocation	G&F dir	111	111	222		-
132	Water Recreation Funding	G&F dir	(50)	(50)	(100)		-
133	Heritage: Prairie Wetland Complexes & Monitoring	G&F dir	325	325	650		-
134	Stream Restoration	G&F dir	64	64	128		-
135	DNR-Enforcement						-
136	Operations Support Reallocation	GEN dir	10	10	20		-
137	Gen Fund Reallocation to Forest Div (Senate)	GEN dir	(250)	(250)	(500)		(500)
138	Operations Support Reallocation	NRF dir	147	147	294		-
139	OHV Funding Levels	NRF dir	200	200	400		-
140	Operations Support Reallocation	G&F dir	628	628	1,256		-
141	DNR-Operations						-
142	Operations Support Reallocation	GEN dir	(5,829)	(5,829)	(11,658)		-
143	Operations Support Reallocation	NRF dir	(1,093)	(1,093)	(2,186)		-
144	Lottery in-Lieu Sales Tax adjustment, zoos	NRF dir	18	22	40		40
145	Operations Support Reallocation	G&F dir	(3,532)	(3,532)	(7,064)		-
146							
147	Total Change Items:	GEN dir	(1,861)	(2,836)	(4,697)		
148		NRF dir	7,388	7,414	14,802		
149		G&F dir	3,212	3,061	6,273		
150		PS dir	50	50	100		
151		SR stat	250	250	500		
152		G&F stat	387	387	774		
153		RIM stat	111	111	222		
154	Total Change Items:		9,537	8,437	17,974		
155							
156	DEPT OF NATURAL RESOURCES; Direct all						
157	General	GEN dir	76,080	75,105	151,185	(14,091)	
158	Natural Resources	NRF dir	59,455	59,481	118,936	18,694	
159	Game and Fish	G&F dir	85,262	85,111	170,373	6,273	
160	Permanent School	PS dir	50	50	100	100	
161	Remediation	REM dir	100	100	200	-	
162	DNR- total direct all		220,947	219,847	440,794	10,976	
163							
164							
165	MET COUNCIL-REGIONAL PARKS; Direct after SF1879						
166	General	GEN dir	3,300	3,300	6,600	-	
167	Natural Resources	NRF dir	4,152	4,152	8,304	(676)	
168	Met Council Regional Parks - total direct after SF1879		7,452	7,452	14,904	(676)	
169							
170	Change Items:						
171	Increase Metro Parks Funding	GEN dir	200	200	400		400
172	Forecast Adjustment	NRF dir	295	381	676		676
173							
174	MET COUNCIL-REGIONAL PARKS; Direct all						
175	General	GEN dir	3,500	3,500	7,000	400	
176	Natural Resources	NRF dir	4,447	4,533	8,980	-	
177	Met Council Regional Parks - total direct all		7,947	8,033	15,980	400	
178							
179							
180	MN CONSERVATION CORPS; Direct after SF1879						
181	General	GEN dir	350	350	700	-	
182	Natural Resources	NRF dir	490	490	980	-	
183	MN Conservation Corps - total direct after SF1879		840	840	1,680	-	
184							
185	Change Items:						
186	none						
187							
188							

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY 2006	SENATE		2006-07	+ / (-) ||	+ / (-) ||
				FY 2006	FY 2007				2006-07	Sen-Base	Sen-Gov
3								
4	Agency by Fund		Fund Type					
189	BRD. OF WATER & SOIL RES; Direct after SF1879							
190	General	GEN dir	15,131	15,131	30,262		(600)	
191	BWSR- total direct after SF1879		15,131	15,131	30,262		(600)	
192								
193	Change Items:							
194	Additional Floodplain Management (SF405-Vickerman)	GEN dir	35	35	70			70
195	Beaver Damage Control Grants (SF1418-Skoe)	GEN dir	50	50	100			100
196	Public Drainage System Buffer Study (SF876-Hottinger)	GEN dir	109	-	109			9
197								
198	BRD. OF WATER & SOIL RES; Direct all							
199	General	GEN dir	15,325	15,216	30,541		(321)	
200	BWSR- total direct all		15,325	15,216	30,541		(321)	
201								
202								
203	SCIENCE MUSEUM; Direct after SF1879							
204	General	GEN dir	750	750	1,500		-	
205	Science Museum- total direct after SF1879		750	750	1,500		-	
206								
207	Change Items:							
208	none							
209								
210								
211	AGRICULTURE DEPARTMENT; Direct after SF1879							
212	General	GEN dir	37,511	34,034	71,545		-	
213	Remediation	REM dir	353	353	706		-	
214	Agriculture- total direct after SF1879		37,864	34,387	72,251		-	
215								
216	Change Items:							
217	<u>AG-Protection Services</u>							
218	Agronomy Program Fees	AG stat	437	449	886		-	
219	Nursery and Phytosanitary Fees	AG stat	152	152	304		-	
220	ACRRA Administration	AG stat	50	50	100		-	
221	MERLA Administration	REM dir	35	35	70		-	
222	<u>AG-Promotion and Marketing</u>							
223	Grain Buyer and Storage Fees	AG stat	55	55	110		-	
224	<u>AG-Ethanol</u>							
225	E85 Pump Grant Program (SF1213-Sams)	GEN dir	500	-	500			500
226	Ethanol Efficiency Grants (SF1893-Murphy)	GEN dir	100	100	200			200
227	<u>AG-Admin Services</u>							
228	Ag BMP Loan Application Fees	AG stat	9	11	20		-	
229	New Building Lease Costs	GEN dir	1,815	2,934	4,749		-	
230	Rail Studies (Wilmar & Clara City)	GEN dir	85	-	85			85
231	Cold Climate Research (SF1754-Stumpf)	GEN dir	75	75	150			150
232	Livestock Siting Assistance and Training (Dille)	GEN dir	100	100	200		-	
233	Livestock Odor and Air Research (Dille)	GEN dir	220	-	220		-	
234	MN Horticulture Society (SF1357-Kubly)	GEN dir	35	35	70			70
235	Mental Health Grants (SF691-Sams)	GEN dir	100	100	200			200
236	Second Harvest Food Banks Milk Program (SF1202-Dille)	GEN dir	625	625	1,250			1,250
237	Rural Finance Authority Bonds	RFA bond	18,000	-	18,000			18,000
238								
239	Total Change Items:							
240		GEN dir	3,655	3,969	7,624			
241		REM dir	35	35	70			
242		RFA bond	18,000	-	18,000			
243		AG stat	703	717	1,420			
244	Total Change Items:		22,393	4,721	27,114			
245	AGRICULTURE DEPARTMENT; Direct all							
246	General	GEN dir	41,166	38,003	79,169		7,624	
247	Remediation	REM dir	388	388	776		70	
248	Rural Finance Authority; Bonds	RFA bond	18,000	-	18,000		18,000	
249	Agriculture- total direct all		59,554	38,391	97,945		25,694	
250								
251								

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY	SENATE			+ / (-) ||	+ / (-) ||
				FY 2006	FY 2007	2006-07			Sen-Base	Sen-Gov
3								
4	Agency by Fund	Fund Type						
252	ANIMAL HEALTH BOARD; Direct after SF1879							
253	General	GEN dir		2,803	2,803	5,606	-	
254	AHB- total direct after SF1879			2,803	2,803	5,606	-	
255	Change Items:							
256	New Building Lease Costs							
257		GEN dir		156	158	314		
258								
259	ANIMAL HEALTH BOARD; Direct all							
260	General	GEN dir		2,959	2,961	5,920	314	
261	AHB- total direct all			2,959	2,961	5,920	314	
262								
263								
264	AG. UTILIZATION RESEARCH; Direct after SF1879							
265	General	GEN dir		1,600	1,600	3,200	-	
266	AURI- total direct SF1879			1,600	1,600	3,200	-	
267	Change Items:							
268	none							
269								
270								
271								
272	LCMR; Direct after SF1879							
273	LAWCON Acct	NRF dir		-	-	-		
274	Env & Nat Res Trust Fund	TF dir		-	-	-		
275	Great Lakes Protection Acct	GLP dir		-	-	-		
276	LCMR- total direct after SF1879			-	-	-		
277	Change Items:							
278								
279	LAWCON Acct	NRF dir		1,600	-	1,600		
280	Env & Nat Res Trust Fund	TF dir		18,829	18,829	37,658		
281	Great Lakes Protection Acct	GLP dir		28	-	28		
282	LCMR- total direct			20,457	18,829	39,286		

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	agency	GOVERNOR'S BUDGET			SENATE-			Sen - Gov	
		FY 2006	FY 2007	2006-07	FY 2006	FY 2007	2006-07		
3		REVENUES, REDIRECTIONS, TRANSFERS							
4									
5		General Fund *							
6	Apiary (Beekeepers) Fee Increase	AG	29	29	58	29	29	58	-
7	Administrative Penalty Order	DNR	2	5	7	-	-	-	(7)
8	Surcharge on Summer Water Use	DNR	330	330	660	330	330	660	-
9	Water Permit Fee Increase	DNR	261	261	522	213	213	426	(96)
10	Minerals Management Fee (transfer)	DNR	(137)	(112)	(249)	(137)	(112)	(249)	-
11	Trust Land Management Costs (transfer)	DNR	(3,500)	(3,500)	(7,000)	(3,500)	(3,500)	(7,000)	-
12	Create Dept. Env. Assistance	PCA	40	40	80	-	-	-	(80)
13	Create Dept. Env. Assistance	OEA	(40)	(40)	(80)	-	-	-	-
14	Solid Waste Tax Change	PCA	(12,171)	(12,442)	(24,613)	-	-	-	2
15	Cancel ENV Fund to General Fund (no inflation)	PCA	-	-	-	-	-	-	-
16									
17									
18		General Fund- total	(15,186)	(15,429)	(30,615)	(3,065)	(3,040)	(6,105)	24,510
19									
20									
21		Environmental Fund*							
22	Air Fee Increase	PCA	532	839	1,371	532	839	1,371	-
23	Solid Waste Tax Change	PCA	12,171	12,442	24,613	-	-	-	(24,613)
24	Clean Water Sec 401 Waivers (SF1123-Hottinger)	PCA	-	-	-	140	140	280	280
25	Limiting Fees for Performance-Based (SF748-Bakk)	PCA	-	-	-	(8)	(8)	(16)	(16)
26	Create Dept. Env. Assistance	PCA	1,281	1,281	2,562	-	-	-	(2,562)
27	Create Dept. Env. Assistance	OEA	(1,281)	(1,281)	(2,562)	-	-	-	2,562
28									
29		Environmental Fund- total	12,703	13,281	25,984	664	971	1,635	(24,349)
30									
31									
32		Special Revenue / SGR Fund							
33	Special Fuelwood Permits Fee Increase	DNR	1	1	2	1	1	2	-
34	State Forestry Nursery Stock Surcharge	DNR	250	250	500	250	250	500	-
35	Create Dept. Env. Assistance	PCA	128	128	256	-	-	-	(256)
36	Create Dept. Env. Assistance	OEA	(128)	(128)	(256)	-	-	-	256
37									
38		Special Revenue Fund- total	251	251	502	251	251	502	-
39									
40									
41		Permanent University Fund							
42	Minerals Mgmt Fee (transfer)	DNR	(1,134)	(1,389)	(2,523)	(1,134)	(1,389)	(2,523)	-
43									
44									
45		Misc Agency Fund- total	(1,134)	(1,389)	(2,523)	(1,134)	(1,389)	(2,523)	-
46									
47									
48		Game and Fish Fund							
49	Sturgeon Tagging	DNR	25	28	53	25	28	53	-
50	Aquatic Plant Management (SF1098-Dibble)	DNR	(260)	(260)	(520)	(260)	(260)	(520)	-
51									
52		Game and Fish Fund- total	(235)	(232)	(467)	(235)	(232)	(467)	-
53									
54									
55		Natural Resources Fund							
56	Cross-Country Ski Pass Increase	DNR	140	140	280	-	-	-	(280)
57	Electronic Open Burning Permits	DNR	80	80	160	-	-	-	(160)
58	Special Fuelwood Permits Fee Increase	DNR	2	2	4	2	2	4	-
59	Road Easement Application Fee	DNR	20	20	40	-	-	-	(40)
60	Sale of Tax-forfeited Riparian Lands	DNR	500	500	1,000	-	-	-	(1,000)
61	Minerals Mgmt Fee (transfer)	DNR	3,112	3,644	6,756	3,112	3,644	6,756	-
62	Trust Land Management Costs (transfer)	DNR	3,500	3,500	7,000	3,500	3,500	7,000	-
63	Aquatic Plant Management (SF1098-Dibble)	DNR	260	260	520	260	260	520	-
64									
65		Natural Resources Fund- total	7,614	8,146	15,760	6,874	7,406	14,280	(1,480)
66									
67									
68		Agricultural Fund							
69	Agronomy Program Fees	AG	437	449	886	437	449	886	-
70	Nursery and Phytosanitary Fees	AG	152	152	304	152	152	304	-
71	Grain Buyer and Storage Fees	AG	55	55	110	55	55	110	-
72	Ag BMP Loan Application Fees	AG	9	11	20	9	11	20	-
73									
74									
75		Agricultural Fund- total	653	667	1,320	653	667	1,320	-
76									
77									

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	agency	GOVERNOR'S BUDGET			SENATE-			Sen - Gov	
		FY 2006	FY 2007	2006-07	FY 2006	FY 2007	2006-07		
78	Reinvest in Minnesota								
79	Expand Critical Habitat Plate Sales	DNR	111	111	222	111	111	222	-
80									-
81									-
82	Reinvest in Minnesota Fund- total		111	111	222	111	111	222	-
83									
84	Permanent School Fund								
85									
86	Special Fuelwood Permits Fee Increase	DNR	3	3	6	3	3	6	-
87	Revenue Enhancements on School Lands	DNR	-	200	200	-	200	200	-
88	Minerals Mgmt Fee (transfer)	DNR	(1,841)	(2,143)	(3,984)	(1,841)	(2,143)	(3,984)	-
89									-
90									-
91	Permanent School Fund - total		(1,838)	(1,940)	(3,778)	(1,838)	(1,940)	(3,778)	-
92									
93									
94	Gift Fund								
95	Create Dept. Env. Assistance	OEA	(11)	(11)	(22)				22
96	Create Dept. Env. Assistance	PCA	11	11	22				(22)
97									-
98	Gift Fund- total		-	-	-	-	-	-	-
99									
100									
101									
102	TOTAL FUNDING CHANGES		2,939	3,466	6,405	2,281	2,805	5,086	(1,319)

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET
 (\$thousands)

line	fund	LCMR - Senate			
		FY 2006	FY 2007	2006-07	
3	MINNESOTA RESOURCES- LCMR				
4					
5	Administration				
6	LCMR Administrative Budget	TF	449	450	899
7	Contract Administration	TF	75	75	150
8	LCMR Study on Park Systems	TF	-	-	-
9		total TF	524	525	1,049
10		all	524	525	1,0
11	Citizen Advisory Committee for Trust Fund				
12	Citizen Advisory Committee Budget	TF	10	10	20
13	(does not include \$15,000 Carryforward)				-
14		total TF	10	10	20
15		all	10	10	20
16					
17	Fish and Wildlife Habitat				
18	Restoring Fish and Wildlife Corridors II	TF	2,031	2,031	4,062
19	Metropolitan Area Wildlife Corridors II	TF	1,765	1,765	3,530
20	Acqn & Devel of Sci and Natl Areas	TF	67	67	134
21	Forest & Prairie Stewardship	TF	50	50	100
22	Local Initiative Grants (partnerships)	TF	250	250	500
23	Minnesota ReLeaf Community Forests	TF	250	250	500
24	Pheromones for Carp Control	TF	275	275	550
25	Bio Control of Buckthorn & Knapweed	TF	100	100	200
26	Land Exchange Revolving Fund	TF	250	250	500
27	Restoring RIM Match	TF	-	-	-
28	Redevel of BrownFields & Grnspace	TF	-	-	-
29		total TF	5,038	5,038	10,076
30		all	5,038	5,038	10,0
31	Recreation				
32	State Park and Rec Area Land Acqn	TF	1,000	1,000	2,000
33	LAWCON Federal Reimbursements	LAWCON	1,600	-	1,600
34	State Park and Rec Area Rev Enhancing	TF	100	100	200
35	Best Management Practices for Parks & Rec	TF	100	100	200
36	Loc Initiative Grants (Parks, N Areas)	TF	600	600	1,200
37	Metropolitan Regional Parks Acquisition,	TF	1,000	1,000	2,000
38	Local and Regional Trail Grant Initiative Program	TF	350	350	700
39	Gitchi-Gami State Trail: Silver Bay Marina segment	TF	250	250	500
40	Casey Jones State Trail	TF	600	600	1,200
41	Paul Bunyan State Trail	TF	200	200	400
42	Minnesota River Trail Planning	TF	100	100	200
43	Regional Park Planning for Nonmetro Urban Areas	TF	43	43	86
44	Cannon Valley Trail Bridge Replacement	TF	150	150	300
45	Arrowhead Regional Bike Trail Connections	TF	42	41	83
46	Mesabi Trail segment(s)	TF	500	500	1,000
47	Devel and Rehab of Shooting Ranges	TF	150	150	300
48	Landscape Arboretum Land Acqn	TF	325	325	650
49	Birding Maps	TF	50	50	100
50	Boat Access, Piers, Shorefishing	TF	-	-	-
51	Linking Communities Trail Design	TF	-	-	-
52	Ft. Ridgely Site Interpretive Trail	TF	-	-	-
53		total LAWCON	1,600	-	1,600
54		total TF	5,560	5,559	11,119
55		all	7,160	5,559	12,719
56	Water Resources				
57	Local Water Planning Matching Grants	TF	500	500	1,000

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET

(\$thousands)

line	fund	LCMR - Senate		
		FY 2006	FY 2007	2006-07
58	TF	300	300	600
59	TF	150	150	300
60	TF	150	150	300
61	TF	150	150	300
62	TF	125	125	250
63	TF	175	175	350
64	TF	135	135	270
65	TF	294	293	587
66	TF	150	150	300
67	TF	250	250	500
68	TF	50	50	100
69	TF	250	250	500
70	GLP	28	-	28
71	TF	133	134	267
72	TF	87	88	175
73	TF	100	100	200
74	TF	-	-	-
75	TF	-	-	-
76	TF	-	-	-
77	TF	-	-	-
78	total TF	2,999	3,000	5,999
79	total GLP	28	-	28
80	all	3,027	3,000	6,027
81	Land Use and Natural Resources Info	-	-	-
82	TF	500	500	1,000
83	TF	250	250	500
84	TF	125	125	250
85	TF	125	125	250
86	TF	-	-	-
87	total TF	1,000	1,000	2,000
88	all	1,000	1,000	2,000
89	Agriculture and Natural Resource Industries			
90	TF	125	125	250
91	TF	188	188	376
92	TF	437	437	874
93	TF	167	166	333
94	TF	250	250	500
95	TF	175	175	350
96	total TF	1,342	1,341	2,683
97	all	1,342	1,341	2,683
98	Energy			
99	TF	350	350	700
100	TF	120	120	240
101	TF	50	50	100
102	TF	168	168	336
103	TF	400	400	800
104	TF	50	50	100
105	TF	75	75	150
106	TF	450	450	900
107	TF	233	233	466
108	total TF	1,896	1,896	3,792
109	all	1,896	1,896	3,792
110	Environmental Education			
111	TF	75	75	150
112	TF	200	200	400
113	TF	38	37	75

Dan Mueller, Senate Fiscal Analyst

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET
 (\$thousands)

line	fund	LCMR - Senate			
		FY 2006	FY 2007	2006-07	
114	Tamarack Nature Center Exhibits	TF	47	48	95
115	Dodge Nature Center - Restoration Plan	TF	-	-	-
116	Bucks and Buckthorn: Young Hunters in Restoration	TF	-	-	-
117	Putting Green Sustainability Education	TF	-	-	-
118		total TF	360	360	720
119		all	360	360	720
120	Children's Environmental Health				
121	MN Children's Pesticide Exposure Reduction	TF	100	100	200
122	Healthy Schools: Indoor Air Quality and Asthma	TF	-	-	-
123	Econ Analysis Children's Env Risks	TF	-	-	-
124	Air Quality Monitoring in Schools	TF	-	-	-
125		total TF	100	100	200
126		all	100	100	200
127	SUMMARY LCMR				
128		LAWCON/NRF	1,600	-	1,600
129		TF	18,829	18,829	37,658
130		GLP	28	-	28
131		all	20,457	18,829	39,286
132					

Env and Ag Area: Gen Fund Detail Changes

Senate Changes in SF1879

Gen Fund Forecast Base	416,193
DNR: Minerals Management Fee	(3,052)
DNR: Gen Fund Reduction	(6,342)
DNR: Debt Service for Tankers	(2,292)
<u>BWSR: Reallocations</u>	<u>(600)</u>
Base after SF1879	403,907

Gov Cuts NOT Adopted in SF1879

PCA Gen Fund Reduction	(4,808)
DNR: Freeze PILT Payments	(3,000)
MN Cons Corps Cut	(700)
BWSR: Area II Joint Powers Cut	(210)
	(8,718)

Proposed Appropriation Changes in Phase II

PCA: Gen Fund Reduction (Gov Rec)	(4,808)	
DNR: Water Permit Fee Increase (expense) (Gov Rec)	20	
DNR: Invasive Species Prevention (SF1434-Olson)	308	
DNR: Trust Land Management Costs (Gov Rec)	(7,000)	shift cost to Nat Res Fund
DNR: Duluth Port Authority (SF33-Solon)	100	
DNR: Lets Go Fishing Promotion (SF665-Johnson)	325	
DNR: Silviculture-Timber Fiber Quality (SF875-Solon)	400	
DNR: Roadside Habitat (SF1937-Chaudhary)	200	
DNR: Tower-Soudan Mine Drilling (SF1642-Bakk)	250	
DNR: Mesaba State Trail Facility (Tomassoni)	300	
DNR: State Parks Increase (Senate)	400	
Met Council: Metro Parks Increase (Senate)	400	
BWSR:Additional Floodplain Management (SF405-Vickerman)	70	
BWSR:Beaver Damage Control Grants (SF1418-Skoe)	100	
BWSR:Public Drainage Sysytem Buffer (SF876-Hottinger)	109	
Ag:Rail Studies for Willmar & Clara City(Johnson & Kubly)	85	
Ag:Livestock Siting Asstance and Training (Gov Rec)	200	
Ag:Livestock Odor and Air Research (Gov Rec)	220	
Ag:MN Horticulture Society (SF1357-Kubly)	70	
Ag:Cold Climate Research (SF1754-Stumpf)	150	
Ag:Mental Health Grants (SF691-Sams)	200	
Ag:Second Harvest Food Banks (SF1202-Dille)	1,250	
Ag:New Building Lease Costs (Gov Rec)	4,749	
Ag: E85 Pump Grants (SF1213-Sams)	500	
Ag: Ethanol Efficiency Grants (SF1893-Murphy)	200	
<u>Animal Health Brd:New Building Lease Costs (Gov Rec)</u>	<u>314</u>	
Net Gen Fund Appropriation Changes-Phase II	(888)	

Revenue Changes Phase II

DNR: Minerals Management Fee from SF1879	(249)	missed lost revenue from SF1879
DNR: Trust Land Management Costs (Gov Rec)	(7,000)	shift revenue to Nat Res Fund
DNR: Surcharge on Summer Water (Gov Rec)	660	new revenue
DNR: Summer Water Permit Fee (Gov Rec)	426	new revenue
<u>Ag: Apiary Fee Increase (Gov Rec)</u>	<u>58</u>	new revenue
Net Gen Fund Revenue Changes-Phase II	(6,105)	

Ag & Env Phase II Spending Less Revenues	5,217
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ARTICLE 2

ECONOMIC DEVELOPMENT

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

SUMMARY BY FUND

	2006	2007	TOTAL
General	\$ 9,213,000	\$ 2,738,000	\$ 11,951,000
Workers' Compensation	25,000	25,000	50,000
Workforce Development	4,150,000	6,900,000	11,050,000
Special Revenue	643,000	848,000	1,491,000
TOTAL	\$ 14,031,000	\$ 10,511,000	\$ 24,542,000

APPROPRIATIONS

		Available for the Year	
		Ending June 30	
		2006	2007
4	Sec. 2. EMPLOYMENT AND		
5	ECONOMIC DEVELOPMENT		
6	Subdivision 1. Total		
7	Appropriation	\$ 11,328,000	\$ 5,808,000
8	Summary by Fund		
9	General	7,935,000	460,000
10	Workforce		
11	Development	2,750,000	4,500,000
12	Special		
13	Revenue	643,000	848,000

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

17 Subd. 2. Business and Community
 18 Development

19 7,930,000 455,000

20 \$7,000,000 the first year is for the
 21 direct and indirect expenses of the
 22 collaborative research partnership
 23 between the University of Minnesota and
 24 the Mayo Foundation for research in
 25 biotechnology and medical genomics.
 26 This is a onetime appropriation. An
 27 annual report on the expenditure of
 28 this appropriation must be submitted to
 29 the governor and the chairs of the
 30 senate Higher Education Budget
 31 Division, the house of representatives
 32 Higher Education Finance Committee, the
 33 senate Environment, Agriculture, and
 34 Economic Development Budget Division,
 35 and the house of representatives Jobs
 36 and Economic Opportunity Policy and
 37 Finance Committee, by June 30 of each
 38 fiscal year until the appropriation is
 39 expended. This appropriation is
 40 available until expended.

41 \$100,000 the first year and \$100,000
 42 the second year are to help small
 43 businesses access federal funds through
 44 the federal Small Business Innovation
 45 Research Program and the federal Small
 46 Business Technology Transfer Program.
 47 Department services must include
 48 maintaining connections to 11 federal
 49 programs, assessment of specific
 50 funding opportunities, review of
 51 funding proposals, referral to specific
 52 consulting services, and training
 53 workshops throughout the state. The
 54 appropriation is added to the agency's
 55 base. The department must implement
 56 fees for services that help companies
 57 seek federal Phase II Small Business
 58 Innovation Research grants. The
 59 recommended fee schedule must be
 60 reported to the chairs of the house of

1 representatives finance committee and
2 senate budget division with
3 jurisdiction over economic development
4 by February 1, 2006.

5 \$50,000 the first year and \$50,000 the
6 second year are for a grant to the
7 Minnesota Inventors Congress.

8 \$250,000 the first year and \$250,000
9 the second year are to establish a
10 methamphetamine laboratory cleanup
11 revolving loan fund pursuant to
12 proposed Minnesota Statutes, section
13 446A.083. This appropriation is
14 available until spent.

15 \$125,000 the first year is for a grant
16 to the Northwest Regional Development
17 Commission at Warren to do field
18 research on the planting and production
19 of cold-hardy grape cultivars. This is
20 a onetime appropriation and is
21 available until expended.

22 This vineyard production research
23 project is to select cold-hardy
24 cultivars and cultural practices that
25 can diversify the agricultural
26 landscape of Minnesota and stimulate
27 economic development with subsequent
28 expansion into value-added businesses
29 and the winery industry. Treatments
30 used in this research project must
31 focus on development of cultural and
32 management practices that include
33 trials on planting depths, vine root
34 care, cultivation techniques, mulching,
35 and other methods that will enhance
36 productivity and winter survival in
37 subzero temperatures.

38 An annual report is required, including
39 an economic assessment that compares
40 the input requirements and feasibility
41 of each overwintering technique and its
42 contribution to the success of the
43 vines. The report must be submitted to
44 the chairs of the house of
45 representatives and senate policy
46 committees with jurisdiction over
47 agriculture. The Northwest Regional
48 Development Commission is encouraged to
49 work with the University of Minnesota
50 and the North Dakota State University
51 experiment stations and on-farm sites
52 to evaluate the suitability of
53 regionally developed grape cultivars in
54 areas of harsh winters and short
55 growing seasons.

56 \$55,000 the first year and \$55,000 the
57 second year are for a grant to the
58 Metropolitan Economic Development
59 Association for continuing minority
60 business development programs in the
61 metropolitan area. These programs
62 include one-on-one business consulting,
63 marketing assistance, providing and
64 arranging financing, and training and
65 leadership development. These

1 appropriations are part of the
2 department's budget base.

3 \$250,000 the first year is for a grant
4 to the Blandin Foundation for the "get
5 broadband" program. This appropriation
6 must be matched equally by nonstate
7 funds and is available until expended.
8 Expenditures made by the Blandin
9 Foundation beginning December 1, 2004,
10 may be used as match for this
11 appropriation. The "get broadband"
12 program must be designed to increase
13 the use of broadband-based technologies
14 by businesses, schools, health care
15 organizations, government
16 organizations, and the general public.

17 \$100,000 the first year is for a grant
18 to the Children's Discovery Museum for
19 furnishing and equipping the new
20 Children's Discovery Museum in Grand
21 Rapids.

22 Subd. 3. Workforce Partnerships

23 3,148,000 5,103,000

24 Summary by Fund

25	General	5,000	5,000
26	Workforce		
27	Development	2,500,000	4,250,000
28	Special Revenue	643,000	848,000

29 \$1,000,000 the first year and
30 \$2,000,000 the second year are from the
31 workforce development fund for a grant
32 to the Minnesota Alliance of Boys and
33 Girls Clubs to administer a statewide
34 project of youth job skills
35 development. This project, which may
36 have career guidance components, is to
37 encourage, train, and assist youth in
38 job-seeking skills, workplace
39 orientation, and job-site knowledge
40 through coaching. This grant requires
41 a 25 percent match from nonstate
42 resources.

43 \$5,000 the first year and \$5,000 the
44 second year are for a grant to the
45 Northwest Regional Curfew Center under
46 the youth intervention program in
47 Minnesota Statutes, section 116L.30.

48 \$500,000 the first year and \$500,000
49 the second year are from the workforce
50 development fund for a grant to the
51 Minnesota Opportunities
52 Industrialization Centers State
53 Council. The grant shall be used by
54 the American Indian Opportunities
55 Industrialization Centers of
56 Minneapolis, and the Northwestern
57 Opportunities Industrialization Centers
58 of Bemidji, to provide training to
59 American Indians on personal financial
60 management and investment and to become

1 small businesspersons. The
 2 opportunities industrialization centers
 3 may contract with any accredited state
 4 or private educational institution to
 5 deliver training. This appropriation
 6 is in addition to the base level
 7 funding and shall become part of the
 8 agency's budget base.

9 \$500,000 the first year and \$1,000,000
 10 the second year are from the workforce
 11 development fund for a grant to the
 12 Minnesota OIC State Council. The grant
 13 shall be used to initiate and expand
 14 health occupation training at Minnesota
 15 Opportunity Industrialization Centers.
 16 The grant shall be distributed evenly
 17 among those Minnesota Opportunity
 18 Industrialization Centers that have
 19 plans to either initiate or expand
 20 health occupations and career ladder
 21 training programs for individuals
 22 seeking employment as nurses, nursing
 23 assistants, home health aides,
 24 phlebotomists, or in the field of
 25 medical coding. This appropriation is
 26 in addition to the base level funding
 27 and shall become part of the agency's
 28 budget base.

29 Notwithstanding 2005 S.F. No. 1879,
 30 article 7, section 2, subdivision 3,
 31 paragraph (d), if enacted, of the
 32 appropriation in that subdivision,
 33 \$843,000 the first year and \$1,048,000
 34 the second year are for displaced
 35 homemaker programs under Minnesota
 36 Statutes, section 116L.96. These
 37 appropriations are from the special
 38 revenue fund and are part of agency
 39 budget base. The commissioner of
 40 economic security shall report to the
 41 legislature by February 15, 2007, on
 42 the outcome of grants under this
 43 paragraph.

14 \$750,000 the first year is from the
 45 workforce development fund for a grant
 46 to provide training to implement the
 47 Ford Motor Company Ford Production
 48 System at the Twin Cities Ford Assembly
 49 Plant.

50 \$500,000 the first year and \$1,500,000
 51 the second year are from the workforce
 52 development fund for youth intervention
 53 programs under Minnesota Statutes,
 54 section 116L.30. This funding must be
 55 used to help existing programs serve
 56 unmet needs in their communities, and
 57 to create new programs in underserved
 58 areas of the state. This appropriation
 59 is part of the department's budget
 60 base. The appropriations are available
 61 until expended.

62 Subd. 4. Workforce Services

63 250,000 250,000

64 This appropriation is from the

1 workforce development fund for a grant
 2 to Lifetrack Resources for its
 3 immigrant/refugee collaborative
 4 programs, including those related to
 5 job-seeking skills and workplace
 6 orientation, intensive job development,
 7 functional work English, and on-site
 8 job coaching.

9 Sec. 3. MINNESOTA CONSERVATION CORPS 1,400,000 2,400,000

10 This appropriation is from the
 11 workforce development fund for the
 12 purposes of Minnesota Statutes, section
 13 84.991.

14 Sec. 4. EXPLORE MINNESOTA TOURISM 125,000 1,125,000

15 Notwithstanding 2005 S.F. No. 1879,
 16 article 7, section 3, if enacted, the
 17 appropriation in that section, plus the
 18 appropriation in this section, must be
 19 spent as provided in this section.

20 \$1,000,000 in the second year is to
 21 enhance the public/private funding
 22 partnership. To develop maximum
 23 private sector involvement in tourism,
 24 \$4,000,000 the first year and
 25 \$4,000,000 the second year of the
 26 amounts appropriated for marketing
 27 activities are contingent upon receipt
 28 of an equal contribution from nonstate
 29 sources that have been certified by the
 30 director. Up to one-half of the match
 31 may be given in in-kind contributions.

32 In order to maximize marketing grant
 33 benefits, the director must give
 34 priority for joint venture marketing
 35 grants to organizations with year-round
 36 sustained tourism activities. For
 37 programs and projects submitted, the
 38 director must give priority to those
 39 that encompass two or more areas or
 40 that attract nonresident travelers to
 41 the state.

42 If an appropriation for either year for
 43 grants is not sufficient, the
 44 appropriation for the other year is
 45 available for it.

46 The director may use grant dollars or
 47 the value of in-kind services to
 48 provide the state contribution for the
 49 partnership program.

50 Any unexpended money from general fund
 51 appropriations governed by this section
 52 does not cancel but must be placed in a
 53 special advertising account for use by
 54 Explore Minnesota Tourism to purchase
 55 additional media.

56 \$125,000 the first year and \$125,000
 57 the second year of the appropriation in
 58 this section are for the Minnesota Film
 59 Board. The appropriation in each year
 60 is available only upon receipt by the
 61 board of \$1 in matching contributions

1 of money or in kind from nonstate
2 sources for every \$3 provided by this
3 appropriation.

4 Sec. 5. HOUSING FINANCE AGENCY

5 As provided in Minnesota Statutes,
6 section 462A.20, subdivision 3, the
7 agency may transfer unencumbered
8 balances from one appropriated account
9 to another as necessary to implement
10 the business plan of the working group
11 on long-term homelessness established
12 in Laws 2003, chapter 128, article 15,
13 section 9.

14 Sec. 6. LABOR AND INDUSTRY

15 Subdivision 1. Total
16 Appropriation 703,000 703,000

17 Summary by Fund

18	General	378,000	378,000
19	Workers'		
20	Compensation	25,000	25,000
21	Workforce		
22	Development	300,000	300,000

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

26 Subd. 2. Workers' Compensation

27	25,000	25,000
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28 This appropriation is from the workers'
29 compensation fund for grants to the
30 Vinland Center for rehabilitation
31 service. These grants include the
32 Vinland employment program and must
33 address multiple barriers to
34 employment, a self-sufficiency
35 lifestyle, and physical, mental,
36 emotional, or cognitive work injuries
37 or disabilities. This appropriation is
38 part of the budget base for the
39 Department of Labor and Industry.

40 Subd. 3. Workplace Services

41	678,000	678,000
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42 Summary by Fund

43	General	378,000	378,000
44	Workforce		
45	Development	300,000	300,000

46 \$378,000 the first year and \$378,000
47 the second year are to improve the
48 regulatory enforcement and safety of
49 boilers and high-pressure-piping
50 systems.

51 \$300,000 each year is from the
52 workforce development fund for the

1 apprenticeship program under Minnesota
2 Statutes, chapter 178.

3 Subd. 4. General Support

4 The commissioner of labor and industry
5 shall report to the 2006 legislature on
6 the safety and education program for
7 Minnesota loggers under Minnesota
8 Statutes, section 176.130.

9 Sec. 7. MINNESOTA HISTORICAL
10 SOCIETY 775,000 775,000

11 \$75,000 the first year and \$75,000 the
12 second year are for a grant to the
13 Minnesota Sesquicentennial Commission
14 for planning and support of its mission.
15 This is a onetime appropriation and is
16 available until January 30, 2009.

17 \$700,000 the first year and \$700,000
18 the second year are for grants to
19 operate historic sites including:
20 Kelley Farm, Hill House, Lower Sioux
21 Agency, Fort Ridgely, Historic
22 Forestville, the Forest History Center,
23 and the Comstock House. Grants to
24 these sites must be matched on a \$1 of
25 nonstate money to \$1 of state money
26 basis. This appropriation is in
27 addition to any other appropriation and
28 is part of the Minnesota Historical
29 Society's budget base.

30 Sec. 8. Minnesota Statutes 2004, section 41A.09,
31 subdivision 2a, is amended to read:

32 Subd. 2a. [DEFINITIONS.] For the purposes of this section,
33 the terms defined in this subdivision have the meanings given
34 them.

35 (a) "Ethanol" means fermentation ethyl alcohol derived from
36 agricultural products, including potatoes, cereal grains, cheese
37 whey, and sugar beets; forest products; or other renewable
38 resources, including residue and waste generated from the
39 production, processing, and marketing of agricultural products,
40 forest products, and other renewable resources, that:

41 (1) meets all of the specifications in ASTM specification
42 ~~D4806-01~~ D4806-04a; and

43 (2) is denatured as specified in Code of Federal
44 Regulations, title 27, parts 20 and 21.

45 (b) "Ethanol plant" means a plant at which ethanol is
46 produced.

47 (c) "Commissioner" means the commissioner of agriculture.

1 Sec. 9. [45.22] [LICENSE EDUCATION.]

2 The following fees must be paid to the commissioner:

3 (1) initial course approval, \$10 for each hour or fraction
4 of one hour of education course approval sought. Initial course
5 approval expires on the last day of the 24th month after the
6 course is approved;

7 (2) renewal of course approval, \$10 per course. Renewal of
8 course approval expires on the last day of the 24th month after
9 the course is renewed;

10 (3) initial coordinator approval, \$100. Initial
11 coordinator approval expires on the last day of the 24th month
12 after the coordinator is approved; and

13 (4) renewal of coordinator approval, \$10. Renewal of
14 coordinator approval expires on the last day of the 24th month
15 after the coordinator is renewed.

16 Sec. 10. Minnesota Statutes 2004, section 60A.14,
17 subdivision 1, is amended to read:

18 Subdivision 1. [FEES OTHER THAN EXAMINATION FEES.] In
19 addition to the fees and charges provided for examinations, the
20 following fees must be paid to the commissioner for deposit in
21 the general fund:

22 (a) by township mutual fire insurance companies;

23 (1) for filing certificate of incorporation \$25 and
4 amendments thereto, \$10;

25 (2) for filing annual statements, \$15;

26 (3) for each annual certificate of authority, \$15;

27 (4) for filing bylaws \$25 and amendments thereto, \$10;

28 (b) by other domestic and foreign companies including
29 fraternal and reciprocal exchanges;

30 (1) for filing an application for an initial certification
31 of authority to be admitted to transact business in this state,
32 \$1,500;

33 (2) for filing certified copy of certificate of articles of
34 incorporation, \$100;

35 ~~(2)~~ (3) for filing annual statement, \$225;

36 ~~(3)~~ (4) for filing certified copy of amendment to

1 certificate or articles of incorporation, \$100;

2 ~~(4)~~ (5) for filing bylaws, \$75 or amendments thereto, \$75;

3 ~~(5)~~ (6) for each company's certificate of authority, \$575,
4 annually;

5 (c) the following general fees apply:

6 (1) for each certificate, including certified copy of
7 certificate of authority, renewal, valuation of life policies,
8 corporate condition or qualification, \$25;

9 (2) for each copy of paper on file in the commissioner's
10 office 50 cents per page, and \$2.50 for certifying the same;

11 (3) for license to procure insurance in unadmitted foreign
12 companies, \$575;

13 (4) for valuing the policies of life insurance companies,
14 one cent per \$1,000 of insurance so valued, provided that the
15 fee shall not exceed \$13,000 per year for any company. The
16 commissioner may, in lieu of a valuation of the policies of any
17 foreign life insurance company admitted, or applying for
18 admission, to do business in this state, accept a certificate of
19 valuation from the company's own actuary or from the
20 commissioner of insurance of the state or territory in which the
21 company is domiciled;

22 (5) for receiving and filing certificates of policies by
23 the company's actuary, or by the commissioner of insurance of
24 any other state or territory, \$50;

25 (6) for each appointment of an agent filed with the
26 commissioner, \$10;

27 (7) for filing forms and rates, \$75 per filing, which may
28 be paid on a quarterly basis in response to an invoice. Billing
29 and payment may be made electronically;

30 (8) for annual renewal of surplus lines insurer license,
31 \$300;

32 (9) \$250 filing fee for a large risk alternative rating
33 option plan that meets the \$250,000 threshold requirement.

34 The commissioner shall adopt rules to define filings that
35 are subject to a fee.

36 Sec. 11. Minnesota Statutes 2004, section 60K.55,

1 subdivision 2, is amended to read:

2 Subd. 2. [LICENSING FEES.] (a) In addition to fees
3 provided for examinations, each insurance producer licensed
4 under this chapter shall pay to the commissioner a fee of:

5 (1) ~~\$40~~ \$50 for an initial life, accident and health,
6 property, or casualty license issued to an individual insurance
7 producer, and a fee of ~~\$40~~ \$50 for each renewal;

8 (2) ~~\$75~~ \$50 for an initial variable life and variable
9 annuity license issued to an individual insurance producer, and
10 a fee of \$50 for each renewal;

11 (3) ~~\$80~~ \$50 for an initial personal lines license issued to
12 an individual insurance producer, and a fee of ~~\$80~~ \$50 for each
13 renewal;

14 (4) ~~\$80~~ \$50 for an initial limited lines license issued to
15 an individual insurance producer, and a fee of ~~\$80~~ \$50 for each
16 renewal;

17 (5) \$200 for an initial license issued to a business
18 entity, and a fee of ~~\$150~~ \$200 for each renewal; and

19 (6) \$500 for an initial surplus lines license, and a fee of
20 \$500 for each renewal.

21 (b) Initial licenses issued under this chapter are valid
22 for a period not to exceed 24 months and expire on October 31 of
23 the renewal year assigned by the commissioner. Each renewal
24 insurance producer license is valid for a period of 24 months.

25 Licensees who submit renewal applications postmarked or
26 delivered on or before October 15 of the renewal year may
27 continue to transact business whether or not the renewal license
28 has been received by November 1. Licensees who submit
29 applications postmarked or delivered after October 15 of the
30 renewal year must not transact business after the expiration
31 date of the license until the renewal license has been received.

32 (c) All fees are nonreturnable, except that an overpayment
33 of any fee may be refunded upon proper application.

34 Sec. 12. Minnesota Statutes 2004, section 72B.04,

5 subdivision 10, is amended to read:

36 Subd. 10. [FEES.] A fee of ~~\$80~~ \$50 is imposed for each

1 initial license or temporary permit and ~~\$80~~ \$50 for each renewal
2 thereof or amendment thereto. A fee of \$20 is imposed for the
3 registration of each nonlicensed adjuster who is required to
4 register under section 72B.06. All fees shall be transmitted to
5 the commissioner and shall be payable to the Department of
6 Commerce.

7 Sec. 13. Minnesota Statutes 2004, section 82B.09,
8 subdivision 1, is amended to read:

9 Subdivision 1. [AMOUNTS.] The following fees must be paid
10 to the commissioner:

11 (1) \$150 for each initial individual real estate
12 appraiser's license: ~~---\$150-if-the-license-expires-more-than-12~~
13 ~~months-after-issuance, \$100-if-the-license-expires-less-than-12~~
14 ~~months-after-issuance; and a fee of~~

15 (2) \$100 for each renewal.

16 Sec. 14. Minnesota Statutes 2004, section 115C.07,
17 subdivision 3, is amended to read:

18 Subd. 3. [RULES.] (a) The board shall adopt rules
19 regarding its practices and procedures, the form and procedure
20 for applications for compensation from the fund, procedures for
21 investigation of claims and specifying the costs that are
22 eligible for reimbursement from the fund.

23 (b) The board may adopt rules requiring certification of
24 environmental consultants.

25 (c) The board may adopt other rules necessary to implement
26 this chapter.

27 (d) The board may use section 14.389 to adopt rules
28 specifying the competitive bidding requirements for consultant
29 services proposals.

30 (e) The board may use section 14.389 to adopt rules
31 specifying the written proposal and invoice requirements for
32 consultant services.

33 Sec. 15. Minnesota Statutes 2004, section 115C.09,
34 subdivision 3h, is amended to read:

35 Subd. 3h. [REIMBURSEMENT; ABOVEGROUND TANKS IN BULK
36 PLANTS.] (a) As used in this subdivision, "bulk plant" means an

1 aboveground or underground tank facility with a storage capacity
2 of more than 1,100 gallons but less than 1,000,000 gallons that
3 is used to dispense petroleum into cargo tanks for
4 transportation and sale at another location.

5 (b) Notwithstanding any other provision in this chapter and
6 any rules adopted pursuant to this chapter, the board shall
7 reimburse 90 percent of an applicant's cost for bulk plant
8 upgrades or closures completed between June 1, 1998, and
9 November 1, 2003, to comply with Minnesota Rules, chapter 7151,
10 provided that the board determines the costs were incurred and
11 reasonable. The reimbursement may not exceed \$10,000 per bulk
12 plant. The board may provide reimbursement under this paragraph
13 for work completed after November 1, 2003, if the work was
14 contracted for prior to that date and was not completed by that
15 date as a result of an unanticipated situation, provided that an
16 application for reimbursement under this sentence, which may be
17 a renewal of an application previously denied, is submitted
18 prior to December 31, 2005.

19 (c) For corrective action at a bulk plant located on what
20 is or was railroad right-of-way, the board shall reimburse 90
21 percent of total reimbursable costs on the first \$40,000 of
22 reimbursable costs and 100 percent of any remaining reimbursable
23 costs when the applicant can document that more than one bulk
24 plant was operated on the same section of right-of-way, as
25 determined by the commissioner of commerce.

26 Sec. 16. Minnesota Statutes 2004, section 115C.09,
27 subdivision 3j, is amended to read:

28 Subd. 3j. [RETAIL LOCATIONS AND TRANSPORT VEHICLES.] (a)
29 As used in this subdivision, "retail location" means a facility
30 located in the metropolitan area as defined in section 473.121,
31 subdivision 2, where gasoline is offered for sale to the general
32 public for use in automobiles and trucks. "Transport vehicle"
33 means a liquid fuel cargo tank used to deliver gasoline into
34 underground storage tanks during 2002 and 2003 at a retail
35 location.

36 (b) Notwithstanding any other provision in this chapter,

1 and any rules adopted under this chapter, the board shall
2 reimburse 90 percent of an applicant's cost for retrofits of
3 retail locations and transport vehicles completed between
4 January 1, 2001, and January 1, 2006, to comply with section
5 116.49, subdivisions 3 and 4, provided that the board determines
6 the costs were incurred and reasonable. The reimbursement may
7 not exceed \$3,000 per retail location and \$3,000 per transport
8 vehicle.

9 Sec. 17. Minnesota Statutes 2004, section 115C.13, is
10 amended to read:

11 115C.13 [REPEALER.]

12 Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04,
13 115C.045, 115C.05, 115C.06, 115C.065, 115C.07, 115C.08, 115C.09,
14 115C.093, 115C.094, 115C.10, 115C.11, 115C.111, 115C.112,
15 115C.113, 115C.12, and 115C.13, are repealed effective June 30,
16 ~~2007~~ 2012.

17 Sec. 18. Minnesota Statutes 2004, section 116L.20,
18 subdivision 1, is amended to read:

19 Subdivision 1. [DETERMINATION AND COLLECTION OF SPECIAL
20 ASSESSMENT.] (a) In addition to amounts due from an employer
21 under the Minnesota unemployment insurance program, each
22 employer, except an employer making reimbursements is liable for
23 a special assessment levied at the rate of ~~seven-hundredths~~
24 one-tenth of one percent per year on all taxable wages, as
25 defined in section 268.035, subdivision 24. If the commissioner
26 of trade and economic development determines that the need for
27 services under the dislocated worker program substantially
28 exceeds the resources that will be available for that program,
29 the commissioner may increase the fee to no more than
30 twelve-hundredths of one percent of taxable wages. The
31 assessment shall become due and be paid by each employer on the
32 same schedule and in the same manner as other amounts due from
33 an employer under section 268.051, subdivision 1.

34 (b) The special assessment levied under this section shall
35 be subject to the same requirements and collection procedures as
36 any amounts due from an employer under the Minnesota

1 unemployment insurance program.

2 [EFFECTIVE DATE.] This section is effective January 1, 2006.

3 Sec. 19. Minnesota Statutes 2004, section 116L.30,
4 subdivision 1, is amended to read:

5 Subdivision 1. [GRANTS.] The commissioner may make grants
6 to nonprofit agencies administering youth intervention programs
7 in communities where the programs are or may be established.

8 "Youth intervention program" means a nonresidential
9 community-based program providing advocacy, education,
10 counseling, mentoring, and referral services to youth and their
11 families experiencing personal, familial, school, legal, or
12 chemical problems with the goal of resolving the present
13 problems and preventing the occurrence of the problems in the
14 future. The purpose of the youth intervention program is to
15 provide an ongoing, stable funding source to community-based
16 early intervention programs for youth. Program design may be
17 different for the grantees depending on youth needs in the
18 communities being served.

19 Sec. 20. Minnesota Statutes 2004, section 116L.30,
20 subdivision 2, is amended to read:

21 Subd. 2. [APPLICATIONS.] Applications for a grant-in-aid
22 shall be made by the administering agency to the commissioner.
23 The grant-in-aid is contingent upon the agency having obtained
24 from the community in which the youth intervention program is
25 established local matching money two times the amount of the
26 grant that is sought. The purpose of the matching requirement
27 is to leverage the investment of state and community dollars in
28 supporting the efforts of the grantees to provide early
29 intervention services to youth and their families.

30 The commissioner shall provide the application form,
31 procedures for making ~~application-form~~ applications, criteria
32 for review of the application, and kinds of contributions in
33 addition to cash that qualify as local matching money. No grant
34 to any agency may exceed \$50,000.

35 Sec. 21. Minnesota Statutes 2004, section 116L.30, is
36 amended by adding a subdivision to read:

1 Subd. 3. [GRANT ALLOCATION FORMULA.] Up to one percent of
2 the appropriations to the grants-in-aid to the youth
3 intervention program may be used for a grant to the Minnesota
4 Youth Intervention Programs Association for expenses in
5 providing collaborative training and technical assistance to
6 community-based grantees.

7 Sec. 22. Minnesota Statutes 2004, section 116L.30, is
8 amended by adding a subdivision to read:

9 Subd. 4. [ADMINISTRATIVE COSTS.] The commissioner may use
10 up to two percent of the biennial appropriation for
11 grants-in-aid to the youth intervention program to pay costs
12 incurred by the department in administering the grants.

13 Sec. 23. Minnesota Statutes 2004, section 176.136,
14 subdivision 1a, is amended to read:

15 Subd. 1a. [RELATIVE VALUE FEE SCHEDULE.] The liability of
16 an employer for services included in the medical fee schedule is
17 limited to the maximum fee allowed by the schedule in effect on
18 the date of the medical service, or the provider's actual fee,
19 whichever is lower. The medical fee schedule effective on
20 October 1, 1991, remains in effect until the commissioner adopts
21 a new schedule by permanent rule. The commissioner shall adopt
22 permanent rules regulating fees allowable for medical,
23 chiropractic, podiatric, surgical, and other health care
24 provider treatment or service, including those provided to
25 hospital outpatients, by implementing a relative value fee
26 schedule to be effective on October 1, 1993. The commissioner
27 may adopt by reference the relative value fee schedule adopted
28 for the federal Medicare program or a relative value fee
29 schedule adopted by other federal or state agencies. The
30 relative value fee schedule ~~must~~ may contain reasonable
31 classifications including, but not limited to, classifications
32 that differentiate among health care provider disciplines. The
33 ~~conversion-factors-for-the-original-relative-value-fee-schedule~~
34 ~~must-reasonably-reflect-a-15-percent-overall-reduction-from-the~~
35 ~~medical-fee-schedule-most-recently-in-effect.--The-reduction~~
36 ~~need-not-be-applied-equally-to-all-treatment-or-services,-but~~

1 ~~must-represent-a-gross-15-percent-reduction~~ The rules must
2 provide that chiropractors and physical therapists have the same
3 provider group designation as medical physicians and have the
4 same maximum fee allowed as medical physicians for the same
5 patient interventions.

6 After permanent rules have been adopted to implement this
7 section, the conversion factors must be adjusted annually on
8 October 1 by no more than the percentage change computed under
9 section 176.645, but without the annual cap provided by that
10 section. The commissioner shall annually give notice in the
11 State Register of the adjusted conversion factors and may also
12 give annual notice of any additions, deletions, or changes to
13 the relative value units or service codes adopted by the federal
14 Medicare program. The relative value units may be statistically
15 adjusted in the same manner as for the original workers'
16 compensation relative value fee schedule. The notices of the
17 adjusted conversion factors and additions, deletions, or changes
18 to the relative value units and service codes is in lieu of the
19 requirements of chapter 14. The commissioner shall follow the
20 requirements of section 14.386, paragraph (a). The annual
21 adjustments to the conversion factors and the medical fee
22 schedules adopted under this section, including all previous fee
23 schedules, are not subject to expiration under section 14.386,
24 paragraph (b).

25 Sec. 24. [181.722] [MISREPRESENTATION OF EMPLOYMENT
26 RELATIONSHIP PROHIBITED.]

27 Subdivision 1. [PROHIBITION.] No employer shall
28 misrepresent the nature of its employment relationship with its
29 employees to any federal, state, or local government unit, to
30 other employers or to its employees. An employer misrepresents
31 the nature of its employment relationship with its employees if
32 it makes any statement regarding the nature of the relationship
33 that the employer knows or has reason to know is untrue and if
34 it fails to report individuals as employees when legally
35 required to do so.

36 Subd. 2. [AGREEMENTS TO MISCLASSIFY PROHIBITED.] No

1 employer shall require or request any employee to enter into any
2 agreement, or sign any document, that results in
3 misclassification of the employee as an independent contractor
4 or otherwise does not accurately reflect the employment
5 relationship with the employer.

6 Subd. 3. [DETERMINATION OF EMPLOYMENT RELATIONSHIP.] For
7 purposes of this section, the nature of an employment
8 relationship is determined using the same tests and in the same
9 manner as employee status is determined under the applicable
10 workers' compensation and unemployment insurance program laws
11 and rules.

12 Subd. 4. [REPORTING OF VIOLATIONS.] Any court finding that
13 a violation of this section has occurred shall transmit a copy
14 of the documentation of the finding to the commissioner of labor
15 and industry. The commissioner of labor and industry shall
16 report the finding to relevant state and federal agencies,
17 including at least the commissioner of commerce, the
18 commissioner of employment and economic development, the
19 commissioner of revenue, the federal Internal Revenue Service,
20 and the United States Department of Labor.

21 Subd. 5. [CIVIL REMEDY.] An individual not a contractor
22 injured by a violation of this section may bring an action for
23 damages against the violator. The court may award attorney
24 fees, costs, and disbursements to a party recovering under this
25 section. If the individual injured is an employee of the
26 violator of this section, the employee's representative, as
27 defined in section 179.01, subdivision 5, may bring an action
28 for damages against the violator on behalf of the employee.

29 Sec. 25. Minnesota Statutes 2004, section 183.41, is
30 amended by adding a subdivision to read:

31 Subd. 4. [ANNUAL PERMIT.] The commissioner shall issue an
32 annual permit to a boat for the purpose of carrying passengers
33 for hire on the inland waters of the state provided the boat
34 satisfies the inspection requirements of this section. A boat
35 subject to inspection under this chapter shall be registered
36 with the Division of Boiler Inspection and shall be inspected

1 before a permit may be issued.

2 Sec. 26. Minnesota Statutes 2004, section 183.411,
3 subdivision 2a, is amended to read:

4 Subd. 2a. [INSPECTION FEES.] The ~~commissioner-may-set-fees~~
5 fee for inspecting traction engines, show boilers, and show
6 engines shall be the hourly rate pursuant to section
7 ~~16A-1285~~ 183.545, subdivision 3a.

8 Sec. 27. Minnesota Statutes 2004, section 183.411,
9 subdivision 3, is amended to read:

10 Subd. 3. [LICENSES.] A license to operate steam farm
11 traction engines, portable and stationary show engines and
12 portable and stationary show boilers shall be issued to an
13 applicant who:

- 14 {a} (1) is 18 years of age or older;
- 15 {b} (2) has a licensed second class or higher class
16 engineer or steam traction (hobby) engineer sign the affidavit
17 attesting to the applicant's competence in operating said
18 devices;
- 19 {c} (3) passes a written test for competence in operating
20 said devices;
- 21 {d} (4) has at least 25 hours of actual operating
22 experience on said devices; and
- 23 {e} (5) pays the required fee.

24 A license shall be valid for the lifetime of the licensee.
25 A onetime fee ~~set-by-the-commissioner~~ pursuant to section
26 ~~16A-1285~~ 183.545, subdivision 4, shall be charged for the
27 license.

28 Sec. 28. Minnesota Statutes 2004, section 183.42, is
29 amended to read:

30 183.42 [INSPECTION EACH-YEAR AND REGISTRATION.]

31 Subdivision 1. [INSPECTION.] Every owner, lessee, or other
32 person having charge of boilers, or pressure vessels, ~~or any~~
33 ~~boat~~ subject to inspection under this chapter shall cause them
34 to be inspected by the Division of Boiler Inspection.
35 Boilers ~~and-boats~~ subject to inspection under this chapter must
36 be inspected at least annually and pressure vessels inspected at

1 least every two years except as provided under section
2 183.45. ~~A person who fails to have the inspection required by~~
3 ~~this section shall pay to the commissioner a penalty in the~~
4 ~~amount of the cost of inspection up to a maximum of \$1,000.~~ The
5 commissioner shall assess a \$250 penalty per applicable boiler
6 or pressure vessel for failure to have the inspection required
7 by this section and may seal the boiler or pressure vessel for
8 refusal to allow an inspection as required by this section.

9 Subd. 2. [REGISTRATION.] Every owner, lessee, or other
10 person having charge of boilers or pressure vessels subject to
11 inspection under this chapter shall register said objects with
12 the Division of Boiler Inspection. The registration shall be
13 renewed annually and is applicable to each object separately.
14 The fee for registration of a boiler or pressure vessel shall be
15 pursuant to section 183.545, subdivision 10. The Division of
16 Boiler Inspection may issue a billing statement for each boiler
17 and pressure vessel on record with the division, and may
18 determine a monthly schedule of billings to be followed for
19 owners, lessees, or other persons having charge of a boiler or
20 pressure vessel subject to inspection under this chapter.

21 Subd. 3. [CERTIFICATE OF REGISTRATION.] The Division of
22 Boiler Inspection shall issue a certificate of registration that
23 lists the boilers and pressure vessels at the location,
24 expiration date of the certificate of registration, last
25 inspection date of each boiler and pressure vessel, and maximum
26 allowable working pressure for each boiler and pressure vessel.
27 The commissioner may make an electronic certificate of
28 registration available to be printed by the owner, lessee, or
29 other person having charge of the boiler or pressure vessel.

30 Sec. 29. Minnesota Statutes 2004, section 183.44,
31 subdivision 1, is amended to read:

32 Subdivision 1. [MASTERS AND PILOTS.] ~~The Division of~~
33 ~~Boiler Inspection~~ commissioner or the commissioner's designee
34 shall examine all masters and pilots of boats and vessels
35 carrying passengers for hire on the inland waters of the state
36 as to their qualifications and fitness. If found trustworthy

1 qualified and competent to perform their duties as a master or
 2 pilot of a boat carrying passengers for hire, they shall be
 3 given issued a certificate license authorizing them to act as
 4 such on the inland waters of the state. The license shall be
 5 renewed annually. Fees for the original issue and renewal of
 6 the license authorized under this section shall be pursuant to
 7 section 183.545, subdivision 2.

8 Sec. 30. Minnesota Statutes 2004, section 183.51,
 9 subdivision 2, is amended to read:

10 Subd. 2. [APPLICATIONS.] Any person who desires an
 11 engineer's license shall make submit a written application, on
 12 blanks furnished by the ~~inspector~~.~~---The person shall also~~
 13 ~~successfully pass a written examination for such grade of~~
 14 ~~license applied for~~ commissioner or designee, at least 15 days
 15 before the requested exam date. The application is valid for
 16 one year from the date the commissioner or designee received the
 17 application.

18 Sec. 31. Minnesota Statutes 2004, section 183.51, is
 19 amended by adding a subdivision to read:

20 Subd. 2a. [EXAMINATIONS.] Each applicant for a license
 21 must pass an examination approved by the commissioner. The
 22 examinations shall be of sufficient scope to establish the
 23 competency of the applicant to operate a boiler of the
 24 applicable license class and grade.

25 Sec. 32. Minnesota Statutes 2004, section 183.545, is
 26 amended to read:

27 183.545 [FEES FOR INSPECTION.]

28 Subdivision 1. [FEE AMOUNT; VESSELS OPERATED ON INLAND
 29 WATERS.] The fees for the inspection of the hull, boiler,
 30 machinery, and equipments of vessels ~~are to be set by the~~
 31 ~~commissioner pursuant to section 16A.1285, for vessels of 50~~
 32 ~~tens burden or over and vessels of less than 50 tons~~
 33 ~~burden~~ operated on inland waters and that carry passengers for
 34 hire are as follows:

35 (1) annual operating permit and safety inspections shall be
 36 \$200; and

1 (2) other inspections, including dry-dock inspections, boat
 2 stability tests, and plan reviews, are billed at the hourly rate
 3 set in subdivision 3a.

4 Subd. 2. [FEE AMOUNTS; MASTERS AND PILOTS.] The
 5 ~~commissioner shall, pursuant to section 16A-1285, set~~
 6 the license and application fee for an examination of an
 7 applicant for a master's or pilot's license is \$50, for an or
 8 \$20 if the applicant possesses a valid, unlimited, current
 9 United States Coast Guard master's or pilot's license. The
 10 annual renewal of a master's or a pilot's license, and for an is
 11 \$20. The annual renewal if paid later than ten 30 days after
 12 expiration is \$35. The fee for replacement of a current, valid
 13 license is \$20.

14 Subd. 3. [BOILER AND PRESSURE VESSEL INSPECTION FEES.] The
 15 fees for the annual inspection of boilers and biennial
 16 inspection of pressure vessels are ~~to be set by the commissioner~~
 17 ~~pursuant to section 16A-1285, for~~ as follows:

18 {a} (1) boiler inaccessible for internal inspection, \$55;
 19 {b} (2) boiler accessible for internal inspection, \$55;
 20 {c} (3) boiler internal inspection over 2,000 square feet
 21 heating surface shall be billed at the hourly rate set in
 22 subdivision 3a;

23 {d} ~~(4) boiler internal inspection over 4,000 square feet~~
 24 ~~heating surface;~~

25 {e} ~~boiler internal inspection over 10,000 square feet~~
 26 ~~heating surface;~~

27 {f} boiler accessible for internal inspection requiring
 28 one-half day or more of inspection time shall be billed at the
 29 ~~established shop inspection fee~~ hourly rate set in subdivision
 30 3a;

31 {g} (5) pressure vessel for internal inspection via manhole
 32 , \$35; and

33 {h} (6) pressure vessel inaccessible for internal
 34 inspection, \$35.

35 ~~An additional fee based on the scale of fees applicable to~~
 36 ~~an inspection shall be charged when it is necessary to make a~~

1 ~~special trip for a hydrostatic test of a boiler or pressure~~
 2 ~~vessel.~~

3 Subd. 3a. [HOURLY RATE.] The commissioner shall, pursuant
 4 to section 16A-1285, set shop inspection fees hourly rate for an
 5 inspection not set elsewhere in this chapter is \$80 per hour.
 6 Inspection time includes all time related to the shop
 7 inspection. Travel time, billed at the hourly rate, and travel
 8 expenses shall be billed for shop inspections, triennial audits,
 9 boat stability tests, hydrostatic tests of a boiler or pressure
 10 vessel, or any other inspection or consultation requiring a
 11 special trip.

12 Subd. 4. [APPLICANTS BOILER ENGINEER LICENSE FEES.] The
 13 commissioner shall, pursuant to section 16A-1285, set the fee
 14 for an examination of an applicant For the following licenses,
 15 the nonrefundable license and application fee is:

16 (a) (1) chief engineer's license, \$50;
 17 (b) (2) first class engineer's license, \$50;
 18 (c) (3) second class engineer's license, \$50;
 19 (d) (4) special engineer's license, \$20; and
 20 (e) (5) traction or hobby boiler engineer's license, and,
 21 \$50.

22 (f) ~~pilot's license.~~

23 ~~If an applicant, after an examination, is entitled to~~
 24 ~~receive a license, it shall be issued without the payment of any~~
 25 ~~additional charge. Any license so issued expires one year after~~
 26 ~~the date of its issuance. An engineer's license may be renewed~~
 27 ~~upon application therefor and the payment of an annual renewal~~
 28 ~~fee as set by the commissioner pursuant to section 16A-1285 of~~
 29 \$20. The annual renewal, if paid later than 30 days after
 30 expiration, is \$35. The fee for replacement of a current, valid
 31 license is \$20.

32 Subd. 6. [NATIONAL BOARD INSPECTORS.] The fee for an
 33 examination of an applicant for a National Board of Boiler and
 34 Pressure Vessels Inspectors commission shall be set by the
 35 commissioner pursuant to section 16A-1285 is \$100.

36 Subd. 7. [NUCLEAR ENDORSEMENT.] The fee for each

1 examination of an applicant for a National Board of Boiler and
2 Pressure Vessels commissioned inspectors nuclear endorsement
3 ~~shall be set by the commissioner pursuant to section 16A.1285~~ is
4 \$100.

5 Subd. 8. [CERTIFICATE OF COMPETENCY.] The fee for issuance
6 of the original state of Minnesota certificate of competency for
7 inspectors ~~shall be set by the commissioner pursuant to section~~
8 ~~16A.1285~~ is \$50. This fee is waived for inspectors who paid the
9 examination fee. The fee for an annual renewal of the state of
10 Minnesota certificate of competency ~~shall be set by the~~
11 ~~commissioner pursuant to section 16A.1285~~ is \$35, and is due
12 January 1 of each year. The fee for replacement of a current,
13 valid license is \$35.

14 Subd. 9. [DEPOSIT OF FEES.] Fees received under this
15 section ~~and section 183.57~~ must be deposited in the state
16 treasury and credited to the general fund.

17 Subd. 10. [BOILER AND PRESSURE VESSEL REGISTRATION
18 FEE.] The annual registration fee for boilers and pressure
19 vessels in use and required to be inspected per section 183.42
20 shall be \$10 per boiler and pressure vessel.

21 Sec. 33. Minnesota Statutes 2004, section 183.57, is
22 amended to read:

23 183.57 [REPORT OF INSURER; EXEMPTION FROM INSPECTION.]

24 Subdivision 1. [REPORT REQUIRED.] Any insurance company
25 insuring boilers and pressure vessels in this state shall ~~make a~~
26 written file a report thereof showing the date of inspection,
27 the name of the person making the inspection, the condition of
28 the boiler or pressure vessel as disclosed by the inspection,
29 whether the ~~same is~~ boiler was operated by a properly licensed
30 engineer, and whether a policy of insurance has been issued by
31 the company with reference to the boiler or pressure vessel, and
32 other information as directed by the chief boiler inspector.

33 Within ~~15~~ 21 days after the inspection, the insurance company
34 shall ~~mail a copy of~~ file the report ~~to~~ with the chief boiler
35 inspector ~~and~~ or designee. The insurer shall provide a copy of
36 the report to the person, firm, or corporation owning or

1 operating the inspected boiler or pressure vessel inspected.
2 Such report shall be made annually for boilers and biennially
3 for pressure vessels.

4 Subd. 2. [EXEMPTION.] Every boiler or pressure vessel as
5 to which any insurance company authorized to do business in this
6 state has issued a policy of insurance, after the inspection
7 thereof, is exempt from inspection by the department made under
8 sections 183.375 to 183.62, while the same continues to be
9 insured and provided it continues to be inspected in accordance
10 with the inspection schedule set forth in sections 183.42 and
11 183.45, and the person, firm, or corporation owning or operating
12 the same has an unexpired certificate of exemption-from
13 inspection,--issued-by-the-chief-boiler
14 inspector registration. The-fee-set-by-the-commissioner
15 pursuant-to-section-16A-1285,-on-the-first-object-inspected-and
16 on-each-object-thereafter-shall-apply-to-each-exempt-object.--A
17 certificate-of-exemption-expires-one-year-from-date-of-issue.
18 The-certificate-of-exemption-shall-be-posted-in-a-conspicuous
19 place-near-the-boiler-or-pressure-vessel-or-in-the-plant-office
20 or-boiler-room-described-therein-and-to-which-it-relates.--Every
21 insurance-company-shall-give-written-notice-to-the-chief-boiler
22 inspector-of-the-cancellation-or-expiration-of-every-policy-of
23 insurance-issued-by-it-with-reference-to-policies-in-this-state,
24 and-the-cause-or-reason-for-the-cancellation-or-expiration.
25 These-notices-of-cancellation-or-expiration-shall-show-the-date
26 of-the-policy-and-the-date-when-the-cancellation-has-or-will
27 become-effective.

28 Subd.-4.--[CERTIFICATE-OF-EXEMPTION.]-The-Division-of
29 Boiler-Inspection-may-issue-a-billing-and-exemption-certificate
30 for-each-boiler-and-pressure-vessel-which-the-division-records
31 indicate-shall-be-or-has-been-inspected-by-an-insurance-company
32 which-is-providing-coverage-for-the-boilers-and-pressure
33 vessels.--The-division-may-determine-the-monthly-schedule-of-the
34 billings-to-be-followed-for-each-business-insured.

35 Subd. 5. [NOTICE OF INSURANCE COVERAGE.] The insurer shall
36 notify the commissioner or designee in writing of its policy to

1 insure and inspect boilers and pressure vessels at a location
2 within 30 days of the effective date of insurance coverage,
3 including binders. The insurer must also provide a duplicate of
4 the notification to the insured.

5 Subd. 6. [NOTICE OF DISCONTINUED COVERAGE.] The insurer
6 shall notify the commissioner or designee in writing, within 30
7 days of the effective date, of the discontinuation of insurance
8 coverage of the boilers and pressure vessels at a location and
9 the cause or reason for the discontinuation. This notice shall
10 show the effective date when the discontinued policy takes
11 effect.

12 Subd. 7. [PENALTIES.] The commissioner shall assess upon
13 the insurer a \$50 penalty, per applicable boiler and pressure
14 vessel, for failing to submit an inspection report or notify the
15 commissioner of insurance coverage or discontinuation of
16 insurance coverage as set forth in this section. The
17 commissioner shall assess upon the insurer a penalty of \$100,
18 per applicable boiler and pressure vessel, for failing to
19 conduct the required in-service inspection within 120 days after
20 the inspection was due in accordance with section 183.42.

21 Sec. 34. Minnesota Statutes 2004, section 216B.2424,
22 subdivision 1, is amended to read:

23 Subdivision 1. [FARM-GROWN CLOSED-LOOP BIOMASS.] (a) For
24 the purposes of this section, "farm-grown closed-loop biomass"
25 means biomass, as defined in section 216C.051, subdivision 7,
26 that:

27 (1) is intentionally cultivated, harvested, and prepared
28 for use, in whole or in part, as a fuel for the generation of
29 electricity;

30 (2) when combusted, releases an amount of carbon dioxide
31 that is less than or approximately equal to the carbon dioxide
32 absorbed by the biomass fuel during its growing cycle; and

33 (3) is fired in a new or substantially retrofitted electric
34 generating facility that is:

35 (i) located within 400 miles of the site of the biomass
36 production; and

1 (ii) designed to use biomass to meet at least 75 percent of
2 its fuel requirements.

3 (b) The legislature finds that the negative environmental
4 impacts within 400 miles of the facility resulting from
5 transporting and combusting the biomass are offset in that
6 region by the environmental benefits to air, soil, and water of
7 the biomass production.

8 (c) Among the biomass fuel sources that meet the
9 requirements of paragraph (a), ~~clause~~ clauses (1) and (2) are
10 poplar, aspen, willow, switch grass, sorghum, alfalfa, and
11 cultivated prairie grass and sustainably managed woody biomass.

12 (d) For the purpose of this section, "sustainably managed
13 woody biomass" means:

14 (1) brush, trees, and other biomass harvested from within
15 designated utility, railroad, and road rights-of-way;

16 (2) upland and lowland brush harvested from lands
17 incorporated into brushland habitat management activities of the
18 Minnesota Department of Natural Resources;

19 (3) upland and lowland brush harvested from lands managed
20 in accordance with Minnesota Department of Natural Resources
21 "Best Management Practices for Managing Brushlands";

22 (4) logging slash or waste wood that is created by harvest,
23 precommercial timber stand improvement to meet silvicultural
24 objectives, or by fire, disease, or insect control treatments,
25 and that is managed in compliance with the Minnesota Forest
26 Resources Council's "Sustaining Minnesota Forest Resources:
27 Voluntary Site-Level Forest Management Guidelines for
28 Landowners, Loggers and Resource Managers" as modified by the
29 requirement of this subdivision; and

30 (5) trees or parts of trees that do not meet the
31 utilization standards for pulpwood, posts, bolts, or sawtimber
32 as described in the Minnesota Department of Natural Resources
33 Division of Forestry Timber Sales Manual, 1998, as amended as of
34 May 1, 2005, and the Minnesota Department of Natural Resources
35 Timber Scaling Manual, 1981, as amended as of May 1, 2005,
36 except as provided in paragraph (a), clause (1), and this

1 paragraph, clauses (1) to (3).

2 Sec. 35. Minnesota Statutes 2004, section 216B.2424, is
3 amended by adding a subdivision to read:

4 Subd. 1a. [MUNICIPAL WASTE-TO-ENERGY PROJECT.] (a) This
5 subdivision applies only to a biomass project owned or
6 controlled, directly or indirectly, by two municipal utilities
7 as described in subdivision 5a, paragraph (b).

8 (b) Woody biomass from state-owned land must be harvested
9 in compliance with an adopted management plan and a program of
10 ecologically based third-party certification.

11 (c) The project must prepare a fuel plan on an annual basis
12 after commercial operation of the project as described in the
13 power contract between the project and the public utility, and
14 must also prepare annually certificates reflecting the types of
15 fuel used in the preceding year by the project, as described in
16 the power contract. The fuel plans and certificates shall also
17 be filed with the Minnesota Department of Natural Resources and
18 the Minnesota Department of Commerce within 30 days after being
19 provided to the public utility, as provided by the power
20 contract. Any person who believes the fuel plans, as amended,
21 and certificates show that the project does not or will not
22 comply with the fuel requirements of this subdivision may file a
23 petition with the commission seeking such a determination.

24 (d) The wood procurement process must utilize third-party
25 audit certification systems to verify that applicable best
26 management practices were utilized in the procurement of the
27 sustainably managed biomass. If there is a failure to so verify
28 in any two consecutive years during the original contract term,
29 the farm-grown closed-loop biomass requirements of subdivision 2
30 must be increased to 50 percent for the remaining contract term
31 period; however, if in two consecutive subsequent years after
32 the increase has been implemented, it is verified that the
33 conditions in this subdivision have been met, then for the
34 remaining original contract term the closed-loop biomass mandate
35 reverts to 25 percent. If there is a subsequent failure to
36 verify in a year after the first failure and implementation of

1 the 50 percent requirement, then the closed-loop percentage
2 shall remain at 50 percent for each remaining year of the
3 contract term.

4 (e) In the closed-loop plantation, no transgenic plants may
5 be used.

6 (f) No wood may be harvested from any lands identified by
7 the final or preliminary Minnesota County Biological Survey as
8 having statewide significance as native plant communities, large
9 populations or concentrations of rare species, or critical
10 animal habitat.

11 (g) A wood procurement plan must be prepared every five
12 years and public meetings must be held and written comments
13 taken on the plan and documentation must be provided on why or
14 why not the public inputs were used.

15 (h) Guidelines or best management practices for sustainably
16 managed woody biomass must be adopted by:

17 (1) the Minnesota Department of Natural Resources for
18 managing and maintaining brushland and open land habitat on
19 public and private lands, including, but not limited to,
20 provisions of sections 84.941, 84.942, and 97A.125; and

21 (2) the Minnesota Forest Resources Council for logging
22 slash, using the most recent available scientific information
23 regarding the removal of woody biomass from forest lands, to
24 sustain the management of forest resources as defined by section
25 89.001, subdivisions 8 and 9, with particular attention to soil
26 productivity, biological diversity as defined by section 89A.01,
27 subdivision 3, and wildlife habitat.

28 These guidelines must be completed by July 1, 2007, and the
29 process of developing them must incorporate public notification
30 and comment.

31 (i) The University of Minnesota Initiative for Renewable
32 Energy and the Environment is encouraged to solicit and fund
33 high-quality research projects to develop and consolidate
34 scientific information regarding the removal of woody biomass
35 from forest and brush lands, with particular attention to the
36 environmental impacts on soil productivity, biological

1 diversity, and sequestration of carbon. The results of this
2 research shall be made available to the public.

3 (j) The two utilities owning or controlling, directly or
4 indirectly, the biomass project described in subdivision 5a,
5 paragraph (b), shall fund or obtain funding from nonstate
6 sources of up to \$150,000 to complete the guidelines or best
7 management practices described in paragraph (h). The
8 expenditures to be funded under this paragraph do not include
9 any of the expenditures to be funded under paragraph (i).

10 Sec. 36. Minnesota Statutes 2004, section 216B.2424,
11 subdivision 2, is amended to read:

12 Subd. 2. [INTERIM EXEMPTION.] (a) A biomass project
13 proposing to use, as its primary fuel over the life of the
14 project, short-rotation woody crops, may use as an interim fuel
15 agricultural waste and other biomass which is not farm-grown
16 closed-loop biomass for up to six years after the project's
17 electric generating facility becomes operational; provided, the
18 project developer demonstrates the project will use the
19 designated short-rotation woody crops as its primary fuel after
20 the interim period and provided the location of the interim fuel
21 production meets the requirements of subdivision 1, paragraph
22 (a), clause (3).

23 (b) A biomass project proposing to use, as its primary fuel
24 over the life of the project, short-rotation woody crops, may
25 use as an interim fuel agricultural waste and other biomass
26 which is not farm-grown closed-loop biomass for up to three
27 years after the project's electric generating facility becomes
28 operational; provided, the project developer demonstrates the
29 project will use the designated short-rotation woody crops as
30 its primary fuel after the interim period.

31 (c) A biomass project that uses an interim fuel under the
32 terms of paragraph (b) may, in addition, use an interim fuel
33 under the terms of paragraph (a) for six years less the number
34 of years that an interim fuel was used under paragraph (b).

35 (d) A project developer proposing to use an exempt interim
36 fuel under paragraphs (a) and (b) must demonstrate to the public

1 utility that the project will have an adequate supply of
2 short-rotation woody crops which meet the requirements of
3 subdivision 1 to fuel the project after the interim period.

4 (e) If a biomass project using an interim fuel under this
5 subdivision is or becomes owned or controlled, directly or
6 indirectly, by two municipal utilities as described in
7 subdivision 5a, paragraph (b), the project is deemed to comply
8 with the requirement under this subdivision to use farm-grown
9 closed-loop biomass as its primary fuel if farm-grown
10 closed-loop biomass comprises no less than 25 percent of the
11 fuel used over the life of the project. For purposes of this
12 subdivision, "life of the project" means 20 years from the date
13 the project becomes operational or the term of the applicable
14 power purchase agreement between the project owner and the
15 public utility, whichever is longer.

16 Sec. 37. Minnesota Statutes 2004, section 216B.2424,
17 subdivision 5a, is amended to read:

18 Subd. 5a. [REDUCTION OF BIOMASS MANDATE.] (a)
19 Notwithstanding subdivision 5, the biomass electric energy
20 mandate shall must be reduced from 125 megawatts to 110
21 megawatts.

22 (b) The Public Utilities Commission shall approve a request
23 pending before the ~~Public-Utilities~~ commission as of May 15,
24 2003, for an-~~amendment~~ amendments to and assignment of a
25 ~~contract-for-power-from~~ power purchase agreement with the owner
26 of a facility that uses short-rotation, woody crops as its
27 primary fuel previously approved to satisfy a portion of the
28 biomass mandate if the developer owner of the project agrees to
29 reduce the size of its project from 50 megawatts to 35
30 megawatts, while maintaining a an average price for energy at-~~or~~
31 ~~below-the-current-contract-price.~~ in nominal dollars measured
32 over the term of the power purchase agreement at or below \$104
33 per megawatt-hour, exclusive of any price adjustments that may
34 take effect subsequent to commission approval of the power
35 purchase agreement, as amended. The commission shall also
36 approve, as necessary, any subsequent assignment or sale of the

1 power purchase agreement or ownership of the project to an
2 entity owned or controlled, directly or indirectly, by two
3 municipal utilities located north of Constitutional Route No. 8,
4 as described in section 161.114, which currently own electric
5 and steam generation facilities using coal as a fuel and which
6 propose to retrofit their existing municipal electrical
7 generating facilities to utilize biomass fuels in order to
8 perform the power purchase agreement.

9 (c) If the power purchase agreement described in paragraph
10 (b) is assigned to an entity that is, or becomes, owned or
11 controlled, directly or indirectly, by two municipal entities as
12 described in paragraph (b), and the power purchase agreement
13 meets the price requirements of paragraph (b), the commission
14 shall approve any amendments to the power purchase agreement
15 necessary to reflect the changes in project location and
16 ownership and any other amendments made necessary by those
17 changes. The commission shall also specifically find that:

18 (1) the power purchase agreement complies with and fully
19 satisfies the provisions of this section to the full extent of
20 its 35-megawatt capacity;

21 (2) all costs incurred by the public utility and all
22 amounts to be paid by the public utility to the project owner
23 under the terms of the power purchase agreement are fully
24 recoverable pursuant to section 216B.1645;

25 (3) subject to prudence review by the commission, the
26 public utility may recover from its Minnesota retail customers
27 the Minnesota jurisdictional portion of the amounts that may be
28 incurred and paid by the public utility during the full term of
29 the power purchase agreement; and

30 (4) if the purchase power agreement meets the requirements
31 of this subdivision, it is reasonable and in the public interest.

32 (d) The commission shall specifically approve recovery by
33 the public utility of any and all Minnesota jurisdictional costs
34 incurred by the public utility to improve, construct, install,
35 or upgrade transmission, distribution, or other electrical
36 facilities owned by the public utility or other persons in order

1 to permit interconnection of the retrofitted biomass-fueled
2 generating facilities or to obtain transmission service for the
3 energy provided by the facilities to the public utility pursuant
4 to section 216B.1645, and shall disapprove any provision in the
5 power purchase agreement that requires the developer or owner of
6 the project to pay the jurisdictional costs or that permit the
7 public utility to terminate the power purchase agreement as a
8 result of the existence of those costs or the public utility's
9 obligation to pay any or all of those costs.

10 Sec. 38. Minnesota Statutes 2004, section 216B.2424,
11 subdivision 6, is amended to read:

12 Subd. 6. [REMAINING MEGAWATT COMPLIANCE PROCESS.] (a) If
13 there remain megawatts of biomass power generating capacity to
14 fulfill the mandate in subdivision 5 after the commission has
15 taken final action on all contracts filed by September 1, 2000,
16 by a public utility, as amended and assigned, this subdivision
17 governs final compliance with the biomass energy mandate in
18 subdivision 5 subject to the requirements of subdivisions 7 and
19 8.

20 (b) To the extent not inconsistent with this subdivision,
21 the provisions of subdivisions 2, 3, 4, and 5 apply to proposals
22 subject to this subdivision.

23 (c) A public utility must submit proposals to the
24 commission to complete the biomass mandate. The commission
25 shall require a public utility subject to this section to issue
26 a request for competitive proposals for projects for electric
27 generation utilizing biomass as defined in paragraph (f) of this
28 subdivision to provide the remaining megawatts of the mandate.
29 The commission shall set an expedited schedule for submission of
30 proposals to the utility, selection by the utility of proposals
31 or projects, negotiation of contracts, and review by the
32 commission of the contracts or projects submitted by the utility
33 to the commission.

34 (d) Notwithstanding the provisions of subdivisions 1 to 5
35 but subject to the provisions of subdivisions 7 and 8, a new or
36 existing facility proposed under this subdivision that is fueled

1 either by biomass or by co-firing biomass with nonbiomass may
2 satisfy the mandate in this section. Such a facility need not
3 use biomass that complies with the definition in subdivision 1
4 if it uses biomass as defined in paragraph (f) of this
5 subdivision. Generating capacity produced by co-firing of
6 biomass that is operational as of April 25, 2000, does not meet
7 the requirements of the mandate, except that additional
8 co-firing capacity added at an existing facility after April 25,
9 2000, may be used to satisfy this mandate. Only the number of
10 megawatts of capacity at a facility which co-fires biomass that
11 are directly attributable to the biomass and that become
12 operational after April 25, 2000, count toward meeting the
13 biomass mandate in this section.

14 (e) Nothing in this subdivision precludes a facility
15 proposed and approved under this subdivision from using fuel
16 sources that are not biomass in compliance with subdivision 3.

17 (f) Notwithstanding the provisions of subdivision 1, for
18 proposals subject to this subdivision, "biomass" includes
19 farm-grown closed-loop biomass; agricultural wastes, including
20 animal, poultry, and plant wastes; and waste wood, including
21 chipped wood, bark, brush, residue wood, and sawdust.

22 (g) Nothing in this subdivision affects in any way
23 contracts entered into as of April 25, 2000, to satisfy the
24 mandate in subdivision 5.

25 (h) Nothing in this subdivision requires a public utility
26 to retrofit its own power plants for the purpose of co-firing
27 biomass fuel, nor is a utility prohibited from retrofitting its
28 own power plants for the purpose of co-firing biomass fuel to
29 meet the requirements of this subdivision.

30 Sec. 39. Minnesota Statutes 2004, section 216B.2424,
31 subdivision 8, is amended to read:

32 Subd. 8. [AGRICULTURAL BIOMASS REQUIREMENT.] Of the 125
33 megawatts mandated in subdivision 5, or 110 megawatts mandated
34 in subdivision 5a, at least 75 megawatts of the generating
35 capacity must be generated by facilities that use agricultural
36 biomass as the principal fuel source. For purposes of this

1 subdivision, agricultural biomass includes only farm-grown
2 closed-loop biomass and agricultural waste, including animal,
3 poultry, and plant wastes. For purposes of this subdivision,
4 "principal fuel source" means a fuel source that satisfies at
5 least 75 percent of the fuel requirements of an electric power
6 generating facility. Nothing in this subdivision is intended to
7 expand the fuel source requirements of subdivision 5.

8 Sec. 40. [219.552] [OBSTRUCTING TREATMENT OF INJURED
9 WORKER.]

10 It is unlawful for a railroad company or person employed by
11 a railroad company to:

12 (1) deny, delay, or interfere with medical treatment or
13 first aid treatment to an employee of a railroad who has been
14 injured during employment; or

15 (2) discipline or threaten to discipline an employee who
16 has been injured during employment for requesting medical
17 treatment or first aid treatment.

18 Sec. 41. [219.553] [ENFORCEMENT.]

19 Subdivision 1. [PENALTY.] A person who believes that the
20 person has been affected by a violation of section 1 may file a
21 complaint with the commissioner of labor and industry who shall
22 refer it to the Office of Administrative Hearings for
23 consideration as a contested case. Upon finding a violation,
24 the administrative law judge may assess a penalty to the
25 violating railroad company of up to \$10,000 for a violation of
26 section 219.552. In determining the amount of the penalty, the
27 administrative law judge shall consider those factors that must
28 be considered in determining a monetary penalty under section
29 221.036, subdivision 3. The contents of the order must include
30 the provisions specified in section 221.036, subdivision 4.

31 Subd. 2. [ADMINISTRATIVE HEARING OR JUDICIAL REVIEW.] A
32 railroad company against which a penalty is imposed under
33 subdivision 1 may request judicial review in district court.
34 Judicial review under this subdivision is as provided in section
35 221.036, subdivision 8.

36 Subd. 3. [ENFORCEMENT OF PENALTY.] A penalty ordered under

1 subdivision 1 and due and payable under this section may be
2 enforced by the attorney general in the manner provided under
3 section 221.036, subdivision 11.

4 Sec. 42. Minnesota Statutes 2004, section 237.11, is
5 amended to read:

6 237.11 [INSPECTING RECORDS AND PROPERTY; REPORTS REQUIRED.]

7 Every telephone company subject to the provisions of this
8 chapter, wherever organized, shall keep an office in this state,
9 and make such reports to the department as it shall from time to
10 time require. All books, records, and files, whether they
11 relate to competitive or noncompetitive services, and all of its
12 property shall be at all times subject to inspection by the
13 commission and the department. It shall close its accounts and
14 take therefrom a balance sheet on December 31 of each year, and
15 on or before May 1 following, such balance sheet, together with
16 such other information as the department shall require, verified
17 by an officer of the telephone company, shall be filed with the
18 commission and the department, except that a telephone company,
19 competitive local exchange carrier, or independent telephone
20 company is only required to file an annual report that includes
21 the company's name, contact person, annual revenue, and status
22 of its 911 update plan.

23 In the event that any telephone company shall fail to file
24 its annual report, as provided by this section, the department
25 is authorized to make such an examination of the books, records,
26 and vouchers of the company as is necessary to procure the
27 necessary data for the annual report and cause the same to be
28 prepared. The expense of procuring this data and preparing this
29 report shall be paid by the telephone company failing to report,
30 and the amount paid shall be credited by the commissioner of
31 finance to funds appropriated for the expense of the department.

32 The department is authorized to force collection of such
33 sum by an action at law in the name of the department.

34 Sec. 43. Minnesota Statutes 2004, section 239.011,
35 subdivision 2, is amended to read:

36 Subd. 2. [DUTIES AND POWERS.] To carry out the

1 responsibilities in section 239.01 and subdivision 1, the
2 director:

3 (1) shall take charge of, keep, and maintain in good order
4 the standard of weights and measures of the state and keep a
5 seal so formed as to impress, when appropriate, the letters
6 "MINN" and the date of sealing upon the weights and measures
7 that are sealed;

8 (2) has general supervision of the weights, measures, and
9 weighing and measuring devices offered for sale, sold, or in use
10 in the state;

11 (3) shall maintain traceability of the state standards to
12 the national standards of the National Institute of Standards
13 and Technology;

14 (4) shall enforce this chapter;

15 (5) shall grant variances from department rules, within the
16 limits set by rule, when appropriate to maintain good commercial
17 practices or when enforcement of the rules would cause undue
18 hardship;

19 (6) shall conduct investigations to ensure compliance with
20 this chapter;

21 (7) may delegate to division personnel the
22 responsibilities, duties, and powers contained in this section;

23 (8) shall test annually, and approve when found to be
24 correct, the standards of weights and measures used by the
25 division, by a town, statutory or home rule charter city, or
26 county within the state, or by a person using standards to
27 repair, adjust, or calibrate commercial weights and measures;

28 (9) shall inspect and test weights and measures kept,
29 offered, or exposed for sale;

30 (10) shall inspect and test, to ascertain if they are
31 correct, weights and measures commercially used to:

32 (i) determine the weight, measure, or count of commodities
33 or things sold, offered, or exposed for sale, on the basis of
34 weight, measure, or count; and

35 (ii) compute the basic charge or payment for services
36 rendered on the basis of weight, measure, or count;

1 (11) shall approve for use and mark weights and measures
2 that are found to be correct;

3 (12) shall reject, and mark as rejected, weights and
4 measures that are found to be incorrect and may seize them if
5 those weights and measures:

6 (i) are not corrected within the time specified by the
7 director;

8 (ii) are used or disposed of in a manner not specifically
9 authorized by the director; or

10 (iii) are found to be both incorrect and not capable of
11 being made correct, in which case the director shall condemn
12 those weights and measures;

13 (13) shall weigh, measure, or inspect packaged commodities
14 kept, offered, or exposed for sale, sold, or in the process of
15 delivery, to determine whether they contain the amount
16 represented and whether they are kept, offered, or exposed for
17 sale in accordance with this chapter and department rules. In
18 carrying out this section, the director must employ recognized
19 sampling procedures, such as those contained in National
20 Institute of Standards and Technology Handbook 133, "Checking
21 the Net Contents of Packaged Goods";

22 (14) shall prescribe the appropriate term or unit of weight
23 or measure to be used for a specific commodity when an existing
24 term or declaration of quantity does not facilitate value
25 comparisons by consumers, or creates an opportunity for consumer
26 confusion;

27 (15) shall allow reasonable variations from the stated
28 quantity of contents, including variations caused by loss or
29 gain of moisture during the course of good distribution practice
30 or by unavoidable deviations in good manufacturing practice,
31 only after the commodity has entered commerce within the state;

32 (16) shall inspect and test petroleum products in
33 accordance with this chapter and chapter 296A;

34 (17) shall distribute and post notices for used motor oil
35 and used motor oil filters and lead acid battery recycling in
36 accordance with sections 239.54, 325E.11, and 325E.115;

1 (18) shall collect inspection fees in accordance with
2 sections 239.10 and 239.101; and

3 (19) shall provide metrological services and support to
4 businesses and individuals in the United States who wish to
5 market products and services in the member nations of the
6 European Economic Community, and other nations outside of the
7 United States by:

8 (i) meeting, to the extent practicable, the measurement
9 quality assurance standards described in the International
10 Standards Organization ISO 9000~~7~~-Guide-25 17025;

11 (ii) maintaining, to the extent practicable, certification
12 of the metrology laboratory by ~~a governing body appointed by the~~
13 European Economic Community an internationally accepted
14 accrediting body such as the National Voluntary Laboratory
15 Accreditation Program (NVLAP); and

16 (iii) providing calibration and consultation services to
17 metrology laboratories in government and private industry in the
18 United States.

19 Sec. 44. Minnesota Statutes 2004, section 239.05, is
20 amended by adding a subdivision to read:

21 Subd. 3a. [AUTOMOTIVE FUEL.] For the purpose of enforcing
22 the gasoline octane requirements in section 239.792, "automotive
23 fuel" has the meaning given it in Code of Federal Regulations,
24 title 16, section 306.0.

25 Sec. 45. Minnesota Statutes 2004, section 239.05,
26 subdivision 10b, is amended to read:

27 Subd. 10b. [OXYGENATE ETHANOL BLENDER.] "Oxygenate Ethanol
28 blender" means a person who has-registered-with-the-division-to
29 blend-and-distribute,-transport,-sell,-or-offer blends and
30 distributes, transports, sells, or offers to sell gasoline
31 containing a-minimum-of-2.0-percent,-and-an-average-of-2.7 ten
32 percent oxygen ethanol by weight volume.

33 Sec. 46. Minnesota Statutes 2004, section 239.09, is
34 amended to read:

35 239.09 [SPECIAL POLICE POWERS.]

36 When necessary to enforce this chapter or rules adopted

1 under the authority granted by section 239.06, the director is:

2 (1) authorized and empowered to arrest, without formal
3 warrant, any violator of sections 325E.11 and 325E.115 or of the
4 statute in relation to weights and measures;

5 (2) empowered to seize for use as evidence and without
6 formal warrant, any false weight, measure, weighing or measuring
7 device, package, or commodity found to be used, retained, or
8 offered or exposed for sale or sold in violation of law;

9 (3) during normal business hours, authorized to enter
10 commercial premises;

11 (4) if the premises are not open to the public, authorized
12 to enter commercial premises only after presenting credentials
13 and obtaining consent or after obtaining a search warrant;

14 (5) empowered to issue stop-use, hold, and removal orders
15 with respect to weights and measures commercially used, and
16 packaged commodities or bulk commodities kept, offered, or
17 exposed for sale, that do not comply with the weights and
18 measures laws; and

19 (6) empowered, upon reasonable suspicion of a violation of
20 the weights and measures laws, to stop a commercial vehicle and,
21 after presentation of credentials, inspect the contents of the
22 vehicle, require that the person in charge of the vehicle
23 produce documents concerning the contents, and require the
24 person to proceed with the vehicle to some specified place for
25 inspection; and

26 (7) empowered, after written warning, to issue citations of
27 not less than \$100 and not more than \$500 to a person who
28 violates any provision of this chapter, any provision of the
29 rules adopted under the authority contained in this chapter, or
30 any provision of statutes enforced by the division of weights
31 and measures.

32 Sec. 47. Minnesota Statutes 2004, section 239.101,
33 subdivision 3, is amended to read:

34 Subd. 3. [PETROLEUM INSPECTION FEE.] (a) An inspection fee
35 is imposed (1) on petroleum products when received by the first
36 licensed distributor, and (2) on petroleum products received and

1 held for sale or use by any person when the petroleum products
 2 have not previously been received by a licensed distributor.
 3 The petroleum inspection fee is \$1 for every 1,000 gallons
 4 received. The commissioner of revenue shall collect the fee.
 5 The revenue from 81 cents of the fee must-first-be-applied-to
 6 ~~cover-the-amounts-appropriated---Fifteen-cents-of-the-inspection~~
 7 ~~fee-must-be-deposited-in-an-account-in-the-special-revenue-fund~~
 8 and is appropriated to the commissioner of commerce for the cost
 9 of ~~petroleum-product-quality-inspection-expenses-and-for-the~~
 10 ~~inspection-and-testing-of-petroleum-product-measuring~~
 11 equipment operations of the Division of Weights and Measures,
 12 petroleum supply monitoring, and the oil burner retrofit
 13 program. The remainder of the fee must be deposited in the
 14 general fund.

15 The commissioner of revenue shall ~~erect~~ credit a person for
 16 inspection fees previously paid in error or for any material
 17 exported or sold for export from the state upon filing of a
 18 report as prescribed by the commissioner of revenue.

19 (c) The commissioner of revenue may collect the inspection
 20 fee along with any taxes due under chapter 296A.

21 Sec. 48. Minnesota Statutes 2004, section 239.75,
 22 subdivision 1, is amended to read:

23 Subdivision 1. [INSPECTION TO BE MADE.] The director shall:

24 (1) take samples, free of charge, of petroleum products
 25 wherever processed, blended, held, stored, imported,
 26 transferred, offered for sale or use, or sold in Minnesota,
 27 limiting each sample to:

28 ~~(i)-two-tenths-of-one~~ one-half gallon, ~~except-when-an~~
 29 ~~octane-test-is-planned,-or~~

30 ~~(ii)-seven-tenths-of-one-gallon-for-an-octane-test;~~

31 (2) inspect and test petroleum product samples according to
 32 the methods of ASTM or other valid test methods adopted by rule,
 33 to determine whether the products comply with the specifications
 34 in section 239.761;

35 (3) inspect petroleum product storage tanks to ensure that
 36 the products are free from water and impurities;

1 (4) inspect and test samples submitted to the department by
2 a licensed distributor, making the test results available to the
3 distributor;

4 (5) inspect the labeling, price posting, and price
5 advertising of petroleum product dispensers and advertising
6 signs at businesses or locations where petroleum products are
7 sold, offered for sale or use, or dispensed into motor vehicles;

8 (6) maintain records of all inspections and tests according
9 to the records retention policies of the Department of
10 Administration;

11 (7) delegate to division personnel, at the director's
12 discretion, any or all of the responsibilities, duties, and
13 powers in sections 239.75 to 239.80;

14 (8) publish octane test data and information to assist
15 persons who use, produce and, distribute, or sell gasoline-and
16 gasoline-oxygenate-blends petroleum-based heating and engine
17 fuels;

18 ~~(9) register-gasoline-oxygenate-blenders-according-to-the~~
19 ~~requirements-of-the-EPA;~~

20 ~~(10)~~ audit the records of any person responsible for the
21 product to determine compliance with sections 239.75 to 239.792;

22 ~~(11)~~ (10) after consulting with the commissioner ~~of-the~~
23 ~~Pollution-Control-Agency~~, grant a temporary exemption from the
24 ~~oxygenated-gasoline~~ gasoline-ethanol blending requirements in
25 section 239.791 if the supply of oxygenate ethanol is
26 insufficient to produce gasoline-oxygenate gasoline-ethanol
27 ~~blends during-an-EPA-designated-carbon-monoxide-control-period;~~
28 and

29 ~~(12)~~ (11) adopt, as an enforcement policy for the division,
30 reasonable margins of uncertainty for the tests used to
31 determine compliance with the specifications in section 239.761,
32 the oxygen percentages in section 239.791, and the octane
33 requirements in section 239.792 and apply the margins of
34 uncertainty to only tests performed by the division, not by
35 adding the margins to uncertainties in tests performed by any
36 person responsible for the product.

1 Sec. 49. Minnesota Statutes 2004, section 239.75,
2 subdivision 5, is amended to read:

3 Subd. 5. [PRODUCT QUALITY, RESPONSIBILITY.] After a
4 ~~gasoline-product~~ petroleum-based engine fuel is purchased,
5 transferred, or otherwise removed from a refinery or terminal,
6 the person responsible for the product shall:

7 (1) keep the product free from contamination with water and
8 impurities;

9 (2) not blend the product with dissimilar petroleum
10 products, for example, gasoline must not be blended with diesel
11 fuel;

12 (3) not blend the product with any contaminant, dye,
13 chemical, or additive, except:

14 (i) agriculturally derived, denatured ethanol that complies
15 with the specifications in this chapter;

16 (ii) an antiknock additive, or an additive designed to
17 replace tetra-ethyl lead, that is registered by the EPA; or

18 (iii) a dye to distinguish heating fuel from low sulfur
19 diesel fuel; and or

20 (iv) biodiesel fuel that complies with the specifications
21 in this chapter; and

22 (4) maintain a record of the name or chemical composition
23 of the additive, with the product shipping manifest or bill of
24 lading for one year after the date of the manifest or bill.

25 Sec. 50. Minnesota Statutes 2004, section 239.761, is
26 amended to read:

27 239.761 [PETROLEUM PRODUCT SPECIFICATIONS.]

28 Subdivision 1. [APPLICABILITY.] A person responsible for
29 the product must meet the specifications in this section. The
30 specifications apply to petroleum products processed, held,
31 stored, imported, transferred, distributed, offered for
32 distribution, offered for sale or use, or sold in Minnesota.

33 Subd. 2. [COORDINATION WITH DEPARTMENTS OF REVENUE AND
34 AGRICULTURE.] The petroleum product specifications in this
35 section are intended to match the definitions and specifications
36 in sections 41A.09 and 296A.01. Petroleum products named in

1 this section are defined in section 296A.01.

2 Subd. 3. [GASOLINE.] (a) Gasoline that is not blended with
3 ethanol must not be contaminated with water or other impurities
4 and must comply with ASTM specification ~~D4814-01~~ D4814-04a.

5 Gasoline that is not blended with ethanol must also comply with
6 the volatility requirements in Code of Federal Regulations,
7 title 40, part 80.

8 (b) After gasoline is sold, transferred, or otherwise
9 removed from a refinery or terminal, a person responsible for
10 the product:

11 (1) may blend the gasoline with agriculturally derived
12 ethanol as provided in subdivision 4;

13 (2) shall not blend the gasoline with any oxygenate other
14 than denatured, agriculturally derived ethanol;

15 (3) shall not blend the gasoline with other petroleum
16 products that are not gasoline or denatured, agriculturally
17 derived ethanol;

18 (4) shall not blend the gasoline with products commonly and
19 commercially known as casinghead gasoline, absorption gasoline,
20 condensation gasoline, drip gasoline, or natural gasoline; and

21 (5) may blend the gasoline with a detergent additive, an
22 antiknock additive, or an additive designed to replace
23 tetra-ethyl lead, that is registered by the EPA.

24 Subd. 4. [GASOLINE BLENDED WITH ETHANOL.] (a) Gasoline may
25 be blended with up to ten percent, by volume, agriculturally
26 derived, denatured ethanol that complies with the requirements
27 of subdivision 5.

28 (b) A gasoline-ethanol blend must:

29 (1) comply with the volatility requirements in Code of
30 Federal Regulations, title 40, part 80;

31 (2) comply with ASTM specification ~~D4814-01~~ D4814-04a, or
32 the gasoline base stock from which a gasoline-ethanol blend was
33 produced must comply with ASTM specification ~~D4814-01~~ D4814-04a;
34 and

35 (3) not be blended with casinghead gasoline, absorption
36 gasoline, condensation gasoline, drip gasoline, or natural

1 gasoline after the gasoline-ethanol blend has been sold,
2 transferred, or otherwise removed from a refinery or terminal.

3 Subd. 5. [DENATURED ETHANOL.] Denatured ethanol that is to
4 be blended with gasoline must be agriculturally derived and must
5 comply with ASTM specification ~~D4806-01~~ D4806-04a. This
6 includes the requirement that ethanol may be denatured only as
7 specified in Code of Federal Regulations, title 27, parts 20 and
8 21.

9 Subd. 6. [GASOLINE BLENDED WITH NONETHANOL OXYGENATE.] (a)
10 A person responsible for the product shall comply with the
11 following requirements:

12 (1) after July 1, 2000, gasoline containing in excess of
13 one-third of one percent, in total, of nonethanol oxygenates
14 listed in paragraph (b) must not be sold or offered for sale at
15 any time in this state; and

16 (2) after July 1, 2005, gasoline containing any of the
17 nonethanol oxygenates listed in paragraph (b) must not be sold
18 or offered for sale in this state.

19 (b) The oxygenates prohibited under paragraph (a) are:

20 (1) methyl tertiary butyl ether, as defined in section
21 296A.01, subdivision 34;

22 (2) ethyl tertiary butyl ether, as defined in section
23 296A.01, subdivision 18; or

24 (3) tertiary amyl methyl ether.

25 (c) Gasoline that is blended with a nonethanol oxygenate
26 must comply with ASTM specification ~~D4814-01~~ D4814-04a.

27 Nonethanol oxygenates must not be blended into gasoline after
28 the gasoline has been sold, transferred, or otherwise removed
29 from a refinery or terminal.

30 Subd. 7. [HEATING FUEL OIL.] Heating fuel oil must comply
31 with ASTM specification ~~D396-01~~ D396-02a.

32 Subd. 8. [DIESEL FUEL OIL.] Diesel fuel oil must comply
33 with ASTM specification ~~D975-01a~~ D975-04b, except that diesel
34 fuel oil is not required to meet the diesel lubricity standard
35 until the date that the biodiesel fuel requirement in section
36 239.77, subdivision 2, becomes effective or December 31, 2005,

1 whichever comes first.

2 Subd. 9. [KEROSENE.] Kerosene must comply with ASTM
3 specification ~~D3699-01~~ D3699-03.

4 Subd. 10. [AVIATION GASOLINE.] Aviation gasoline must
5 comply with ASTM specification ~~D910-00~~ D910-04.

6 Subd. 11. [AVIATION TURBINE FUEL, JET FUEL.] Aviation
7 turbine fuel and jet fuel must comply with ASTM specification
8 ~~D1655-01~~ D1655-04.

9 Subd. 12. [GAS TURBINE FUEL OIL.] Fuel oil for use in
10 nonaviation gas turbine engines must comply with ASTM
11 specification ~~D2880-00~~ D2880-03.

12 Subd. 13. [E85.] A blend of ethanol and gasoline,
13 containing at least 60 percent ethanol and not more than 85
14 percent ethanol, produced for use as a motor fuel in alternative
15 fuel vehicles as defined in section 296A.01, subdivision 5, must
16 comply with ASTM specification D5798-99 (2004).

17 Subd. 14. [M85.] A blend of methanol and gasoline,
18 containing at least 85 percent methanol, produced for use as a
19 motor fuel in alternative fuel vehicles as defined in section
20 296A.01, subdivision 5, must comply with ASTM specification
21 D5797-96.

22 Sec. 51. Minnesota Statutes 2004, section 239.77, is
23 amended by adding a subdivision to read:

24 Subd. 4. [DISCLOSURE.] A refinery or terminal shall
25 provide, at the time diesel fuel is sold or transferred from the
26 refinery or terminal, a bill of lading or shipping manifest to
27 the person who receives the fuel. For biodiesel-blended
28 product, the bill of lading or shipping manifest must disclose
29 biodiesel content, stating volume percentage, or gallons of
30 biodiesel per gallons of petroleum diesel base-stock, or an ASTM
31 "Bxx" designation where "xx" denotes the volume percent
32 biodiesel included in the blended product. This subdivision
33 does not apply to sales or transfers of biodiesel blend stock
34 between refineries, between terminals, or between a refinery and
35 a terminal.

36 Sec. 52. Minnesota Statutes 2004, section 239.79,

1 subdivision 4, is amended to read:

2 Subd. 4. [SALE OF CERTAIN PETROLEUM PRODUCTS ON GROSS
3 VOLUME BASIS.] A person responsible for the products listed in
4 this subdivision shall transfer, ship, distribute, offer for
5 distribution, sell, or offer to sell the products by volume.
6 Volumetric measurement of the product must not be temperature
7 compensated, or adjusted by any other factor. This subdivision
8 applies to gasoline, number one and number two diesel fuel oils,
9 number one and number two heating fuel oils, kerosene, denatured
10 ethanol ~~that-is-to-be-blended-into-gasoline,-and-an-oxygenate~~
11 ~~that-is-to-be-blended-into-gasoline,~~ and biodiesel. This
12 subdivision does not apply to the measurement of petroleum
13 products transferred, sold, or traded between refineries,
14 between refineries and terminals, or between terminals.

15 Sec. 53. Minnesota Statutes 2004, section 239.791,
16 subdivision 1, is amended to read:

17 Subdivision 1. [MINIMUM ETHANOL CONTENT REQUIRED.] (a)
18 Except as provided in subdivisions 10 to 14, a person
19 responsible for the product shall ensure that all gasoline sold
20 or offered for sale in Minnesota must contain at least 10.0
21 percent denatured ethanol by volume.

22 (b) For purposes of enforcing the minimum ethanol
23 requirement of paragraph (a), a gasoline/ethanol blend will be
24 construed to be in compliance if the ethanol content, exclusive
25 of denaturants and permitted contaminants, comprises not less
26 than 9.2 percent by volume and not more than 10.0 percent by
27 volume of the blend as determined by an appropriate United
28 States Environmental Protection Agency or American Society of
29 Testing Materials standard method of analysis of alcohol/ether
30 content in ~~meter~~ engine fuels.

31 Sec. 54. Minnesota Statutes 2004, section 239.791,
32 subdivision 7, is amended to read:

33 Subd. 7. [~~OXYGENATE~~ ETHANOL RECORDS; STATE AUDIT.] The
34 director shall audit the records of registered ~~oxygenate~~ ethanol
35 blenders to ensure that each blender has met all requirements in
36 this chapter. Specific information or data relating to sales

1 figures or to processes or methods of production unique to the
2 blender or that would tend to adversely affect the competitive
3 position of the blender must be only for the confidential use of
4 the director, unless otherwise specifically authorized by the
5 registered blender.

6 Sec. 55. Minnesota Statutes 2004, section 239.791,
7 subdivision 8, is amended to read:

8 Subd. 8. [DISCLOSURE.] A refinery or terminal, shall
9 provide, at the time gasoline is sold or transferred from the
10 refinery or terminal, a bill of lading or shipping manifest to
11 the person who receives the gasoline. For oxygenated gasoline,
12 the bill of lading or shipping manifest must include the
13 identity and the volume percentage or gallons of oxygenate
14 included in the gasoline, and it must state: "This fuel
15 contains an oxygenate. Do not blend this fuel with ethanol or
16 with any other oxygenate." ~~For nonoxygenated gasoline sold or~~
17 ~~transferred before October 17, 1997, the bill or manifest must~~
18 ~~state:--"This fuel must not be sold at retail in a carbon~~
19 ~~monoxide control area."~~ For nonoxygenated gasoline sold or
20 transferred after September 30, 1997, the bill or manifest must
21 state: "This fuel is not oxygenated. It must not be sold at
22 retail in Minnesota." This subdivision does not apply to sales
23 or transfers of gasoline between refineries, between terminals,
24 or between a refinery and a terminal.

25 Sec. 56. Minnesota Statutes 2004, section 239.791,
26 subdivision 15, is amended to read:

27 Subd. 15. [EXEMPTION FOR CERTAIN BLEND PUMPS.] (a) A
28 person responsible for the product, who offers for sale, sells,
29 or dispenses nonoxygenated premium gasoline under one or more of
30 the exemptions in subdivisions 10 to 14, may sell, offer for
31 sale, or dispense oxygenated gasoline that contains less than
32 the minimum amount of ethanol required under subdivision 1 if
33 all of the following conditions are met:

34 (1) the blended gasoline has an octane rating of 88 or
35 greater;

36 (2) the gasoline is a blend of oxygenated gasoline meeting

1 the requirements of subdivision 1 with nonoxygenated premium
2 gasoline;

3 (3) the blended gasoline contains not more than ten percent
4 nonoxygenated premium gasoline;

5 (4) the blending of oxygenated gasoline with nonoxygenated
6 gasoline occurs within the gasoline dispenser; and

7 (5) the gasoline station at which the gasoline is sold,
8 offered for sale, or delivered is equipped to store gasoline in
9 not more than two storage tanks.

10 (b) This subdivision applies only to those persons who meet
11 the conditions in paragraph (a), clauses (1) through (5), on the
12 ~~effective-date-of-this-act~~ August 1, 2004, and have registered
13 with the director within three months of ~~the-effective~~ that date
14 ~~of-this-act~~.

15 Sec. 57. Minnesota Statutes 2004, section 239.792, is
16 amended to read:

17 239.792 [~~GASOLINE-OCTANE~~ AUTOMOTIVE FUEL RATINGS,
18 CERTIFICATION, AND POSTING.]

19 Subdivision 1. [~~DISCLOSURE~~ DUTIES OF REFINERS, IMPORTERS,
20 AND PRODUCERS.] A ~~manufacturer, hauler, blender, agent, jobber,~~
21 ~~consignment-agent~~ refiner, importer, or ~~distributor-who-sells,~~
22 ~~delivers, or distributes gasoline or gasoline-oxygenate blends,~~
23 ~~shall provide, at the time of delivery, a bill of lading or~~
24 ~~shipping manifest to the person who receives the gasoline. The~~
25 ~~bill or manifest must state the minimum octane of the gasoline~~
26 ~~delivered. The stated octane number must be the average of the~~
27 ~~"motor method" octane number and the "research method" octane~~
28 ~~number as determined by the test methods in ASTM specification~~
29 ~~D4814-01, or by a test method adopted by department~~
30 rule producer of automotive fuel must comply with the automotive
31 fuel rating, certification, and record-keeping requirements of
32 Code of Federal Regulations, title 16, sections 306.5 to 306.7.

33 Subd. 2. [~~DISPENSER-LABELING~~ DUTIES OF DISTRIBUTORS.] A
34 ~~person responsible for the product shall clearly, conspicuously,~~
35 ~~and permanently label each gasoline dispenser that is used to~~
36 ~~sell gasoline or gasoline-oxygenate blends at retail or to~~

1 dispense-gasoline-or-gasoline-oxygenate-blends-into-the-fuel
2 supply-tanks-of-motor-vehicles,-with-the-minimum-octane-of-the
3 gasoline-dispensed.--The-label-must-meet-the-following
4 requirements:

5 (a)-The-octane-number-displayed-on-the-label-must-represent
6 the-average-of-the-"motor-method"-octane-number-and-the
7 "research-method"-octane-number-as-determined-by-the-test
8 methods-in-ASTM-specification-D4814-01,-or-by-a-test-method
9 adopted-by-department-rule-

10 (b)-The-label-must-be-at-least-2-1/2-inches-high-and-three
11 inches-wide,-with-a-yellow-background,-black-border,-and-black
12 figures-and-letters-

13 (c)-The-number-representing-the-octane-of-the-gasoline-must
14 be-at-least-one-inch-high-

15 (d)-The-label-must-include-the-words-"minimum-octane"-and
16 the-term-"(R+M)/2"-or-"(RON+MON)/2-"
17 A licensed distributor of automotive fuel must comply with the certification and
18 record-keeping provisions of Code of Federal Regulations, title
19 16, sections 306.8 and 306.9.

20 Subd. 3. [DUTIES OF RETAILERS.] A person responsible for
21 the product who sells or transfers automotive fuel to a consumer
22 must comply with the automotive fuel rating posting and
23 record-keeping requirements, and the label specifications of
24 Code of Federal Regulations, title 16, sections 306.10 to 306.12.

25 Subd. 4. [DUTIES OF DIRECTOR.] Upon request, the director
26 shall provide any person with a copy of Code of Federal
27 Regulations, title 16, part 306. Upon request, the director
28 shall provide any distributor, retailer, or organization of
29 distributors or retailers with the label specifications in Code
30 of Federal Regulations, title 16, section 306.12.

31 Sec. 58. Minnesota Statutes 2004, section 296A.01,
32 subdivision 2, is amended to read:

33 Subd. 2. [AGRICULTURAL ALCOHOL GASOLINE.] "Agricultural
34 alcohol gasoline" means a gasoline-ethanol blend of up to ten
35 percent agriculturally derived fermentation ethanol derived from
36 agricultural products, such as potatoes, cereal, grains, cheese

1 whey, sugar beets, forest products, or other renewable
2 resources, that:

3 (1) meets the specifications in ASTM specification ~~D4806-01~~
4 D4806-04a; and

5 (2) is denatured as specified in Code of Federal
6 Regulations, title 27, parts 20 and 21.

7 Sec. 59. Minnesota Statutes 2004, section 296A.01,
8 subdivision 7, is amended to read:

9 Subd. 7. [AVIATION GASOLINE.] "Aviation gasoline" means
10 any gasoline that is capable of use for the purpose of producing
11 or generating power for propelling internal combustion engine
12 aircraft, that meets the specifications in ASTM
13 specification ~~D910-00~~ D910-04, and that either:

14 (1) is invoiced and billed by a producer, manufacturer,
15 refiner, or blender to a distributor or dealer, by a distributor
16 to a dealer or consumer, or by a dealer to consumer, as
17 "aviation gasoline"; or

18 (2) whether or not invoiced and billed as provided in
19 clause (1), is received, sold, stored, or withdrawn from storage
20 by any person, to be used for the purpose of producing or
21 generating power for propelling internal combustion engine
22 aircraft.

23 Sec. 60. Minnesota Statutes 2004, section 296A.01,
24 subdivision 8, is amended to read:

25 Subd. 8. [AVIATION TURBINE FUEL AND JET FUEL.] "Aviation
26 turbine fuel" and "jet fuel" mean blends of hydrocarbons derived
27 from crude petroleum, natural gasoline, and synthetic
28 hydrocarbons, intended for use in aviation turbine engines, and
29 that meet the specifications in ASTM specification
30 ~~D1655-01~~ D1655.04.

31 Sec. 61. Minnesota Statutes 2004, section 296A.01,
32 subdivision 14, is amended to read:

33 Subd. 14. [DIESEL FUEL OIL.] "Diesel fuel oil" means a
34 petroleum distillate or blend of petroleum distillate and
35 residual fuels, intended for use as a motor fuel in internal
36 combustion diesel engines, that meets the specifications in ASTM

1 specification D975-01A D975-04b, except that diesel fuel oil is
 2 not required to meet the diesel lubricity standard until the
 3 date that the biodiesel fuel requirement in section 239.77,
 4 subdivision 2, becomes effective or December 31, 2005, whichever
 5 comes first. Diesel fuel includes number 1 and number 2 fuel
 6 oils. K-1 kerosene is not diesel fuel unless it is blended with
 7 diesel fuel for use in motor vehicles.

8 Sec. 62. Minnesota Statutes 2004, section 296A.01,
 9 subdivision 19, is amended to read:

10 Subd. 19. [E85.] "E85" means a petroleum product that is a
 11 blend of agriculturally derived denatured ethanol and gasoline
 12 or natural gasoline that typically contains 85 percent ethanol
 13 by volume, but at a minimum must contain 60 percent ethanol by
 14 volume. For the purposes of this chapter, the energy content of
 15 E85 will be considered to be 82,000 BTUs per gallon. E85
 16 produced for use as a motor fuel in alternative fuel vehicles as
 17 defined in subdivision 5 must comply with ASTM specification
 18 D5798-99 (2004).

19 Sec. 63. Minnesota Statutes 2004, section 296A.01,
 20 subdivision 20, is amended to read:

21 Subd. 20. [ETHANOL, DENATURED.] "Ethanol, denatured" means
 22 ethanol that is to be blended with gasoline, has been
 23 agriculturally derived, and complies with ASTM specification
 24 ~~D4806-01~~ D4806-04a. This includes the requirement that ethanol
 25 may be denatured only as specified in Code of Federal
 26 Regulations, title 27, parts 20 and 21.

27 Sec. 64. Minnesota Statutes 2004, section 296A.01,
 28 subdivision 22, is amended to read:

29 Subd. 22. [GAS TURBINE FUEL OIL.] "Gas turbine fuel oil"
 30 means fuel that contains mixtures of hydrocarbon oils free of
 31 inorganic acid and excessive amounts of solid or fibrous foreign
 32 matter, intended for use in nonaviation gas turbine engines, and
 33 that meets the specifications in ASTM specification
 34 ~~B2880-00~~ D2880-03.

35 Sec. 65. Minnesota Statutes 2004, section 296A.01,
 36 subdivision 23, is amended to read:

1 Subd. 23. [GASOLINE.] (a) "Gasoline" means:

2 (1) all products commonly or commercially known or sold as
3 gasoline regardless of their classification or uses, except
4 casinghead gasoline, absorption gasoline, condensation gasoline,
5 drip gasoline, or natural gasoline that under the requirements
6 of section 239.761, subdivision 3, must not be blended with
7 gasoline that has been sold, transferred, or otherwise removed
8 from a refinery or terminal; and

9 (2) any liquid prepared, advertised, offered for sale or
10 sold for use as, or commonly and commercially used as, a fuel in
11 spark-ignition, internal combustion engines, and that when
12 tested by the Weights and Measures Division meets the
13 specifications in ASTM specification ~~D4814-01~~ D4814-04a.

14 (b) Gasoline that is not blended with ethanol must not be
15 contaminated with water or other impurities and must comply with
16 both ASTM specification ~~D4814-01~~ D4814-04a and the volatility
17 requirements in Code of Federal Regulations, title 40, part 80.

18 (c) After gasoline is sold, transferred, or otherwise
19 removed from a refinery or terminal, a person responsible for
20 the product:

21 (1) may blend the gasoline with agriculturally derived
22 ethanol, as provided in subdivision 24;

23 (2) must not blend the gasoline with any oxygenate other
24 than denatured, agriculturally derived ethanol;

25 (3) must not blend the gasoline with other petroleum
26 products that are not gasoline or denatured, agriculturally
27 derived ethanol;

28 (4) must not blend the gasoline with products commonly and
29 commercially known as casinghead gasoline, absorption gasoline,
30 condensation gasoline, drip gasoline, or natural gasoline; and

31 (5) may blend the gasoline with a detergent additive, an
32 antiknock additive, or an additive designed to replace
33 tetra-ethyl lead, that is registered by the EPA.

34 Sec. 66. Minnesota Statutes 2004, section 296A.01,
35 subdivision 24, is amended to read:

36 Subd. 24. [GASOLINE BLENDED WITH NONETHANOL OXYGENATE.]

1 "Gasoline blended with nonethanol oxygenate" means gasoline
2 blended with ETBE, MTBE, or other alcohol or ether, except
3 denatured ethanol, that is approved as an oxygenate by the EPA,
4 and that complies with ASTM specification ~~D4814-01~~ D4814-04a.
5 Oxygenates, other than denatured ethanol, must not be blended
6 into gasoline after the gasoline has been sold, transferred, or
7 otherwise removed from a refinery or terminal.

8 Sec. 67. Minnesota Statutes 2004, section 296A.01,
9 subdivision 25, is amended to read:

10 Subd. 25. [GASOLINE BLENDED WITH ETHANOL.] "Gasoline
11 blended with ethanol" means gasoline blended with up to ten
12 percent, by volume, agriculturally derived, denatured ethanol.
13 The blend must comply with the volatility requirements in Code
14 of Federal Regulations, title 40, part 80. The blend must also
15 comply with ASTM specification ~~D4814-01~~ D4814-04a, or the
16 gasoline base stock from which a gasoline-ethanol blend was
17 produced must comply with ASTM specification ~~D4814-01~~ D4814-04a;
18 and the gasoline-ethanol blend must not be blended with
19 casinghead gasoline, absorption gasoline, condensation gasoline,
20 drip gasoline, or natural gasoline after the gasoline-ethanol
21 blend has been sold, transferred, or otherwise removed from a
22 refinery or terminal. The blend need not comply with ASTM
23 specification ~~D4814-01~~ D4814-04a if it is subjected to a
24 standard distillation test. For a distillation test, a
25 gasoline-ethanol blend is not required to comply with the
26 temperature specification at the 50 percent liquid recovery
27 point, if the gasoline from which the gasoline-ethanol blend was
28 produced complies with all of the distillation specifications.

29 Sec. 68. Minnesota Statutes 2004, section 296A.01,
30 subdivision 26, is amended to read:

31 Subd. 26. [HEATING FUEL OIL.] "Heating fuel oil" means a
32 petroleum distillate, blend of petroleum distillates and
33 residuals, or petroleum residual heating fuel that meets the
34 specifications in ASTM specification ~~D396-01~~ D396-02a.

35 Sec. 69. Minnesota Statutes 2004, section 296A.01,
36 subdivision 28, is amended to read:

1 Subd. 28. [KEROSENE.] "Kerosene" means a refined petroleum
2 distillate consisting of a homogeneous mixture of hydrocarbons
3 essentially free of water, inorganic acidic and basic compounds,
4 and excessive amounts of particulate contaminants and that meets
5 the specifications in ASTM specification ~~D3699-01~~ D3699-03.

6 Sec. 70. Minnesota Statutes 2004, section 298.22, is
7 amended by adding a subdivision to read:

8 Subd. 9. [SALE OR PRIVATIZATION OF FUNCTIONS.] The
9 commissioner of Iron Range resources and rehabilitation may not
10 sell or privatize any project area or function of the agency
11 without prior approval by a majority vote of the board.

12 Sec. 71. [354B.33] [IRON RANGE RESOURCES AND
13 REHABILITATION; EARLY SEPARATION INCENTIVE PROGRAM
14 AUTHORIZATION.]

15 (a) Notwithstanding any law to the contrary, the
16 commissioner of Iron Range resources and rehabilitation, in
17 consultation with the commissioner of employee relations, may
18 offer a targeted early separation incentive program for
19 employees of the commissioner who have attained the age of 60
20 years and have at least five years of allowable service credit
21 under chapter 352, or who have received credit for at least 30
22 years of allowable service under the provisions of chapter 352.

23 (b) The early separation incentive program may include one
24 or more of the following:

25 (1) employer-paid postseparation health, medical, and
26 dental insurance until age 65; and

27 (2) cash incentives that may, but are not required to be,
28 used to purchase additional years of service credit through the
29 Minnesota State Retirement System, to the extent that the
30 purchases are otherwise authorized by law.

31 (c) The commissioner of Iron Range resources and
32 rehabilitation shall establish eligibility requirements for
33 employees to receive an incentive.

34 (d) The commissioner of Iron Range Resources and
35 Rehabilitation, consistent with the established program
36 provisions under paragraph (b), and with the eligibility

1 requirements under paragraph (c), may designate specific
2 programs or employees as eligible to be offered the incentive
3 program.

4 (e) Acceptance of the offered incentive must be voluntary
5 on the part of the employee and must be in writing. The
6 incentive may only be offered at the sole discretion of the
7 commissioner of Iron Range resources and rehabilitation.

8 (f) The cost of the incentive is payable solely by funds
9 made available to the commissioner of Iron Range resources and
10 rehabilitation by law, but only on prior approval of the
11 expenditures by a majority of the Iron Range Resources and
12 Rehabilitation Board.

13 (g) This section expires June 30, 2006.

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

16 Sec. 72. Minnesota Statutes 2004, section 357.021,
17 subdivision 1a, is amended to read:

18 Subd. 1a. [TRANSMITTAL OF FEES TO COMMISSIONER OF
19 FINANCE.] (a) Every person, including the state of Minnesota and
20 all bodies politic and corporate, who shall transact any
21 business in the district court, shall pay to the court
22 administrator of said court the sundry fees prescribed in
23 subdivision 2. Except as provided in paragraph (d), the court
24 administrator shall transmit the fees monthly to the
25 commissioner of finance for deposit in the state treasury and
26 credit to the general fund. \$30 of each fee collected in a
27 dissolution action under subdivision 2, clause (1), must be
28 deposited by the commissioner of finance in the special revenue
29 fund to be appropriated to the commissioner of employment and
30 economic development for the displaced homemaker program under
31 section 116L.96.

32 (b) In a county which has a screener-collector position,
33 fees paid by a county pursuant to this subdivision shall be
34 transmitted monthly to the county treasurer, who shall apply the
35 fees first to reimburse the county for the amount of the salary
36 paid for the screener-collector position. The balance of the

1 fees collected shall then be forwarded to the commissioner of
2 finance for deposit in the state treasury and credited to the
3 general fund. In a county in a judicial district under section
4 480.181, subdivision 1, paragraph (b), which has a
5 screener-collector position, the fees paid by a county shall be
6 transmitted monthly to the commissioner of finance for deposit
7 in the state treasury and credited to the general fund. A
8 screener-collector position for purposes of this paragraph is an
9 employee whose function is to increase the collection of fines
10 and to review the incomes of potential clients of the public
11 defender, in order to verify eligibility for that service.

12 (c) No fee is required under this section from the public
13 authority or the party the public authority represents in an
14 action for:

15 (1) child support enforcement or modification, medical
16 assistance enforcement, or establishment of parentage in the
17 district court, or in a proceeding under section 484.702;

18 (2) civil commitment under chapter 253B;

19 (3) the appointment of a public conservator or public
20 guardian or any other action under chapters 252A and 525;

21 (4) wrongfully obtaining public assistance under section
22 256.98 or 256D.07, or recovery of overpayments of public
23 assistance;

24 (5) court relief under chapter 260;

25 (6) forfeiture of property under sections 169A.63 and
26 609.531 to 609.5317;

27 (7) recovery of amounts issued by political subdivisions or
28 public institutions under sections 246.52, 252.27, 256.045,
29 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37, 260B.331,
30 and 260C.331, or other sections referring to other forms of
31 public assistance;

32 (8) restitution under section 611A.04; or

33 (9) actions seeking monetary relief in favor of the state
34 pursuant to section 16D.14, subdivision 5.

35 (d) The fees collected for child support modifications
36 under subdivision 2, clause (13), must be transmitted to the

1 county treasurer for deposit in the county general fund. The
2 fees must be used by the county to pay for child support
3 enforcement efforts by county attorneys.

4 Sec. 73. Minnesota Statutes 2004, section 357.021,
5 subdivision 2, is amended to read:

6 Subd. 2. [FEE AMOUNTS.] The fees to be charged and
7 collected by the court administrator shall be as follows:

8 (1) In every civil action or proceeding in said court,
9 including any case arising under the tax laws of the state that
10 could be transferred or appealed to the Tax Court, the
11 plaintiff, petitioner, or other moving party shall pay, when the
12 first paper is filed for that party in said action, a fee of
13 \$235, except in marriage dissolution actions the fee is \$265.

14 The defendant or other adverse or intervening party, or any
15 one or more of several defendants or other adverse or
16 intervening parties appearing separately from the others, shall
17 pay, when the first paper is filed for that party in said
18 action, a fee of \$235, except in marriage dissolution actions
19 the fee is \$265.

20 The party requesting a trial by jury shall pay \$75.

21 The fees above stated shall be the full trial fee
22 chargeable to said parties irrespective of whether trial be to
23 the court alone, to the court and jury, or disposed of without
24 trial, and shall include the entry of judgment in the action,
25 but does not include copies or certified copies of any papers so
26 filed or proceedings under chapter 103E, except the provisions
27 therein as to appeals.

28 (2) Certified copy of any instrument from a civil or
29 criminal proceeding, \$10, and \$5 for an uncertified copy.

30 (3) Issuing a subpoena, \$12 for each name.

31 (4) Filing a motion or response to a motion in civil,
32 family, excluding child support, and guardianship cases, \$55.

33 (5) Issuing an execution and filing the return thereof;
34 issuing a writ of attachment, injunction, habeas corpus,
35 mandamus, quo warranto, certiorari, or other writs not
36 specifically mentioned, \$40.

1 (6) Issuing a transcript of judgment, or for filing and
2 docketing a transcript of judgment from another court, \$30.

3 (7) Filing and entering a satisfaction of judgment, partial
4 satisfaction, or assignment of judgment, \$5.

5 (8) Certificate as to existence or nonexistence of
6 judgments docketed, \$5 for each name certified to.

7 (9) Filing and indexing trade name; or recording basic
8 science certificate; or recording certificate of physicians,
9 osteopaths, chiropractors, veterinarians, or optometrists, \$5.

10 (10) For the filing of each partial, final, or annual
11 account in all trusteeships, \$40.

12 (11) For the deposit of a will, \$20.

13 (12) For recording notary commission, \$100, of which,
14 notwithstanding subdivision 1a, paragraph (b), \$80 must be
15 forwarded to the commissioner of finance to be deposited in the
16 state treasury and credited to the general fund.

17 (13) Filing a motion or response to a motion for
18 modification of child support, a fee fixed by rule or order of
19 the Supreme Court.

20 (14) All other services required by law for which no fee is
21 provided, such fee as compares favorably with those herein
22 provided, or such as may be fixed by rule or order of the court.

23 (15) In addition to any other filing fees under this
24 chapter, a surcharge in the amount of \$75 must be assessed in
25 accordance with section 259.52, subdivision 14, for each
26 adoption petition filed in district court to fund the fathers'
27 adoption registry under section 259.52.

28 The fees in clauses (3) and (5) need not be paid by a
29 public authority or the party the public authority represents.

30 Sec. 74. [446A.083] [METHAMPHETAMINE LABORATORY CLEANUP
31 REVOLVING FUND.]

32 Subdivision 1. [DEFINITIONS.] As used in this section:

33 (1) "clandestine lab site" has the meaning given in section
34 152.0275, subdivision 1, paragraph (a);

35 (2) "property" has the meaning given in section 152.0275,
36 subdivision 2, paragraph (a), but does not include motor

1 vehicles; and

2 (3) "remediate" has the meaning given to remediation in
3 section 152.0275, subdivision 1, paragraph (a).

4 Subd. 2. [FUND ESTABLISHED.] The authority shall establish
5 a methamphetamine laboratory cleanup revolving fund to provide
6 loans to counties and cities to remediate clandestine lab
7 sites. The fund must be credited with repayments.

8 Subd. 3. [APPLICATIONS.] Applications by a county or city
9 for a loan from the fund must be made to the authority on the
10 forms prescribed by the authority. The application must
11 include, but is not limited to:

12 (1) the amount of the loan requested and the proposed use
13 of the loan proceeds;

14 (2) the source of revenues to repay the loan; and

15 (3) certification by the county or city that it meets the
16 loan eligibility requirements of subdivision 4.

17 Subd. 4. [LOAN ELIGIBILITY.] A county or city is eligible
18 for a loan under this section if the county or city:

19 (1) identifies a site or sites designated by a local public
20 health department or law enforcement as a clandestine lab site;

21 (2) has required the site's property owner to remediate the
22 site at cost, under a local public health nuisance ordinance
23 that addresses clandestine lab remediation;

24 (3) certifies that the property owner cannot pay for the
25 remediation immediately;

26 (4) certifies that the property owner has not properly
27 remediated the site; and

28 (5) issues a revenue bond payable to the authority to
29 secure the loan.

30 Subd. 5. [USE OF LOAN PROCEEDS; REIMBURSEMENT BY PROPERTY
31 OWNER.] (a) A loan recipient shall use the loan to remediate the
32 clandestine lab site or if this has already been done to
33 reimburse the applicable county or city fund for costs paid by
34 the recipient to remediate the clandestine lab site.

35 (b) A loan recipient shall seek reimbursement from the
36 owner of the property containing the clandestine lab site for

1 the costs of the remediation. In addition to other lawful means
2 of seeking reimbursement, the loan recipient may recover its
3 costs through a property tax assessment by following the
4 procedures specified in section 145A.08, subdivision 2,
5 paragraph (c).

6 Subd. 6. [AWARD AND DISBURSEMENT OF FUNDS.] The authority
7 shall award loans to recipients on a first-come, first-served
8 basis, provided that the recipient is able to comply with the
9 terms and conditions of the authority loan, which must be in
10 conformance with this section. The authority shall make a
11 single disbursement of the loan upon receipt of a payment
12 request that includes a list of remediation expenses and
13 evidence that a second-party sampling was undertaken to ensure
14 that the remediation work was successful or a guarantee that
15 such a sampling will be undertaken.

16 Subd. 7. [LOAN CONDITIONS AND TERMS.] (a) When making
17 loans from the revolving fund, the authority shall comply with
18 the criteria in paragraphs (b) to (e).

19 (b) Loans must be made at a two percent per annum interest
20 rate for terms not to exceed ten years unless the recipient
21 requests a 20-year term due to financial hardship.

22 (c) The annual principal and interest payments must begin
23 no later than one year after completion of the clean up. Loans
24 must be amortized no later than 20 years after completion of the
25 clean up.

26 (d) A loan recipient must identify and establish a source
27 of revenue for repayment of the loan and must undertake whatever
28 steps are necessary to collect payments within one year of
29 receipt of funds from the authority.

30 (e) The fund must be credited with all payments of
31 principal and interest on all loans, except the costs as
32 permitted under section 446A.04, subdivision 5, paragraph (a).

33 (f) Loans must be made only to recipients with a local
34 public health nuisance ordinance that addresses clandestine lab
35 remediation.

36 Subd. 8. [AUTHORITY TO INCUR DEBT.] Counties and cities

1 may incur debt under this section by resolution of the board or
2 council authorizing issuance of a revenue bond to the authority.

3 [EFFECTIVE DATE.] This section is effective July 1, 2005.

4 Sec. 75. Minnesota Statutes 2004, section 469.1082,
5 subdivision 1, is amended to read:

6 Subdivision 1. [AUTHORITY TO CREATE.] A county ~~located~~
7 ~~outside-the-metropolitan-area~~ may form a county economic
8 development authority or grant a housing and redevelopment
9 authority the powers specified in subdivision 4, clause (2), if
10 it receives a recommendation to do so from a committee formed
11 under subdivision 2. An economic development authority
12 established under this section has all the powers and rights of
13 an authority under sections 469.090 to 469.1081, except the
14 authority granted under section 469.094 if so limited under
15 subdivision 4. This section is in addition to any other
16 authority to create a county economic development authority or
17 service provider.

18 Sec. 76. Minnesota Statutes 2004, section 469.310,
19 subdivision 11, is amended to read:

20 Subd. 11. [QUALIFIED BUSINESS.] (a) "~~Qualified-business~~"
21 means A person carrying on a trade or business at a place of
22 business located within a job opportunity building zone is a
23 qualified business for the purposes of sections 469.310 to
24 469.320 according to the criteria in paragraphs (b) to (f).

25 (b) A person is a qualified business only on those parcels
26 of land for which the person has entered into a business subsidy
27 agreement, as required under section 469.313, with the
28 appropriate local government unit in which the parcels are
29 located.

30 (c) Prior to execution of the business subsidy agreement,
31 the local government unit must consider the following factors:

32 (1) how wages compare to the regional industry average;

33 (2) the number of jobs that will be provided relative to
34 overall employment in the community;

35 (3) the economic outlook for the industry the business will
36 engage in;

1 (4) sales that will be generated from outside the state of
2 Minnesota;

3 (5) how the business will build on existing regional
4 strengths or diversify the regional economy;

5 (6) how the business will increase capital investment in
6 the zone; and

7 (7) any other criteria the commissioner deems necessary.

8 ~~(b)~~ (d) A person that relocates a trade or business from
9 outside a job opportunity building zone into a zone is not a
10 qualified business, unless the business meets all of the
11 requirements of paragraphs (b) and (c) and:

12 (1) ~~(i)~~ increases full-time employment in the first full
13 year of operation within the job opportunity building zone by at
14 least a minimum of five jobs or 20 percent, whichever is
15 greater, measured relative to the operations that were relocated
16 and maintains the required level of employment for each year the
17 zone designation applies; or

18 ~~(ii)-makes-a-capital-investment-in-the-property-located~~
19 ~~within-a-zone-equivalent-to-ten-percent-of-the-gross-revenues-of~~
20 ~~operation-that-were-relocated-in-the-immediately-preceding~~
21 ~~taxable-year; and~~

22 (2) enters a binding written agreement with the
23 commissioner that:

24 (i) pledges the business will meet the requirements of
25 clause (1);

26 (ii) provides for repayment of all tax benefits enumerated
27 under section 469.315 to the business under the procedures in
28 section 469.319, if the requirements of clause (1) are not met
29 for the taxable year or for taxes payable during the year in
30 which the requirements were not met; and

31 (iii) contains any other terms the commissioner determines
32 appropriate.

33 (e) The commissioner may waive the requirements under
34 paragraph (d), clause (1), if the commissioner determines that
35 the qualified business will substantially achieve the factors
36 under this subdivision.

1 (f) A business is not a qualified business if, at its
2 location or locations in the zone, the business is primarily
3 engaged in making retail sales to purchasers who are physically
4 present at the business's zone location.

5 (g) A qualifying business must pay each employee
6 compensation, including benefits not mandated by law, that on an
7 annualized basis is equal to at least 110 percent of the federal
8 poverty level for a family of four.

9 [EFFECTIVE DATE.] This section is effective the day
10 following final enactment and applies to any business entering a
11 business subsidy agreement for a job opportunity development
12 zone after that date, except that paragraph (b) is effective
13 retroactively from June 9, 2003.

14 Sec. 77. Minnesota Statutes 2004, section 469.319,
15 subdivision 1, is amended to read:

16 Subdivision 1. [REPAYMENT OBLIGATION.] A business must
17 repay the amount of the total tax reduction listed in section
18 469.315 and any refund under section 469.318 in excess of tax
19 liability, received during the two years immediately before it
20 ceased to operate in the zone, if the business:

21 (1) received tax reductions authorized by section 469.315;
22 and

23 (2) (i) did not meet the goals specified in an agreement
24 entered into with the applicant that states any obligation the
25 qualified business must fulfill in order to be eligible for tax
26 benefits. The commissioner of employment and economic
27 development may extend for up to one year the period for meeting
28 any goals provided in an agreement. The applicant may extend
29 the period for meeting other goals by documenting in writing the
30 reason for the extension and attaching a copy of the document to
31 its next annual report to the commissioner of employment and
32 economic development; or

33 (ii) ceased to operate its facility located within the job
34 opportunity building zone or otherwise ceases to be or is not a
35 qualified business.

36 [EFFECTIVE DATE.] This section is effective the day

1 following final enactment.

2 Sec. 78. Minnesota Statutes 2004, section 469.319, is
3 amended by adding a subdivision to read:

4 Subd. 6. [RECONCILIATION.] Where this section is
5 inconsistent with section 116J.994, subdivision 3, paragraph
6 (e), or 6, or any other provisions of sections 116J.993 to
7 116J.995, this section prevails.

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

10 Sec. 79. Minnesota Statutes 2004, section 469.320,
11 subdivision 3, is amended to read:

12 Subd. 3. [REMEDIES.] If the commissioner determines, based
13 on a report filed under subdivision 1 or other available
14 information, that a zone or subzone is failing to meet its
15 performance goals, the commissioner may take any actions the
16 commissioner determines appropriate, including modification of
17 the boundaries of the zone or a subzone or termination of the
18 zone or a subzone. Before taking any action, the commissioner
19 shall consult with the applicant and the affected local
20 government units, including notifying them of the proposed
21 actions to be taken. ~~The commissioner shall publish any order~~
22 ~~modifying a zone in the State Register and on the Internet.~~ The
23 applicant may appeal the commissioner's order under the
24 contested case procedures of chapter 14.

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

27 Sec. 80. Minnesota Statutes 2004, section 469.330,
28 subdivision 11, is amended to read:

29 Subd. 11. [QUALIFIED BUSINESS.] (a) "Qualified business"
30 means a person carrying on a trade or business at a
31 biotechnology and health sciences industry facility located
32 within a biotechnology and health sciences industry zone. A
33 person is a qualified business only on those parcels of land for
34 which it has entered into a business subsidy agreement, as
35 required under section 469.333, with the appropriate local
36 government unit in which the parcels are located.

1 (b) A person that relocates a biotechnology and health
2 sciences industry facility from outside a biotechnology and
3 health sciences industry zone into a zone is not a qualified
4 business, unless the business:

5 (1)(i) increases full-time employment in the first full
6 year of operation within the biotechnology and health sciences
7 industry zone by at least 20 percent measured relative to the
8 operations that were relocated and maintains the required level
9 of employment for each year the zone designation applies; or

10 (ii) makes a capital investment in the property located
11 within a zone equivalent to ten percent of the gross revenues of
12 operation that were relocated in the immediately preceding
13 taxable year; and

14 (2) enters a binding written agreement with the
15 commissioner that:

16 (i) pledges the business will meet the requirements of
17 clause (1);

18 (ii) provides for repayment of all tax benefits enumerated
19 under section 469.336 to the business under the procedures in
20 section 469.340, if the requirements of clause (1) are not met;
21 and

22 (iii) contains any other terms the commissioner determines
23 appropriate.

24 **[EFFECTIVE DATE.]** This section is effective retroactively
25 from June 9, 2003.

26 Sec. 81. Minnesota Statutes 2004, section 469.340,
27 subdivision 1, is amended to read:

28 Subdivision 1. [REPAYMENT OBLIGATION.] A business must
29 repay the amount of the tax reduction listed in section 469.336
30 and any refunds under sections 469.338 and 469.339 in excess of
31 tax liability, received during the two years immediately before
32 it ceased to operate in the zone, if the business:

33 (1) received tax reductions authorized by section 469.336;
34 and

35 (2)(i) did not meet the goals specified in an agreement
36 entered into with the applicant that states any obligation the

1 qualified business must fulfill in order to be eligible for tax
2 benefits. The commissioner of employment and economic
3 development may extend for up to one year the period for meeting
4 any goals provided in an agreement. The applicant may extend
5 the period for meeting other goals by documenting in writing the
6 reason for the extension and attaching a copy of the document to
7 its next annual report to the commissioner of employment and
8 economic development; or

9 (ii) ceased to operate its facility located within the
10 biotechnology and health sciences industry zone or otherwise
11 ceases to be or is not a qualified business.

12 [EFFECTIVE DATE.] This section is effective the day
13 following final enactment.

14 Sec. 82. Minnesota Statutes 2004, section 517.08,
15 subdivision 1b, is amended to read:

16 Subd. 1b. [TERM OF LICENSE; FEE; PREMARITAL EDUCATION.]

17 (a) The local registrar shall examine upon oath the party
18 applying for a license relative to the legality of the
19 contemplated marriage. If at the expiration of a five-day
20 period, on being satisfied that there is no legal impediment to
21 it, including the restriction contained in section 259.13, the
22 local registrar shall issue the license, containing the full
23 names of the parties before and after marriage, and county and
24 state of residence, with the county seal attached, and make a
25 record of the date of issuance. The license shall be valid for
26 a period of six months. In case of emergency or extraordinary
27 circumstances, a judge of the district court of the county in
28 which the application is made, may authorize the license to be
29 issued at any time before the expiration of the five days.
30 Except as provided in paragraph (b), the local registrar shall
31 collect from the applicant a fee of \$85 \$95 for administering
32 the oath, issuing, recording, and filing all papers required,
33 and preparing and transmitting to the state registrar of vital
34 statistics the reports of marriage required by this section. If
35 the license should not be used within the period of six months
36 due to illness or other extenuating circumstances, it may be

1 surrendered to the local registrar for cancellation, and in that
2 case a new license shall issue upon request of the parties of
3 the original license without fee. A local registrar who
4 knowingly issues or signs a marriage license in any manner other
5 than as provided in this section shall pay to the parties
6 aggrieved an amount not to exceed \$1,000.

7 (b) The marriage license fee for parties who have completed
8 at least 12 hours of premarital education is ~~\$20~~ \$40. In order
9 to qualify for the reduced fee, the parties must submit a signed
10 and dated statement from the person who provided the premarital
11 education confirming that it was received. The premarital
12 education must be provided by a licensed or ordained minister or
13 the minister's designee, a person authorized to solemnize
14 marriages under section 517.18, or a person authorized to
15 practice marriage and family therapy under section 148B.33. The
16 education must include the use of a premarital inventory and the
17 teaching of communication and conflict management skills.

18 (c) The statement from the person who provided the
19 premarital education under paragraph (b) must be in the
20 following form:

21 "I, (name of educator), confirm that (names of both
22 parties) received at least 12 hours of premarital education that
23 included the use of a premarital inventory and the teaching of
24 communication and conflict management skills. I am a licensed
25 or ordained minister, a person authorized to solemnize marriages
26 under Minnesota Statutes, section 517.18, or a person licensed
27 to practice marriage and family therapy under Minnesota
28 Statutes, section 148B.33."

29 The names of the parties in the educator's statement must
30 be identical to the legal names of the parties as they appear in
31 the marriage license application. Notwithstanding section
32 138.17, the educator's statement must be retained for seven
33 years, after which time it may be destroyed.

34 (d) If section 259.13 applies to the request for a marriage
35 license, the local registrar shall grant the marriage license
36 without the requested name change. Alternatively, the local

1 registrar may delay the granting of the marriage license until
2 the party with the conviction:

3 (1) certifies under oath that 30 days have passed since
4 service of the notice for a name change upon the prosecuting
5 authority and, if applicable, the attorney general and no
6 objection has been filed under section 259.13; or

7 (2) provides a certified copy of the court order granting
8 it. The parties seeking the marriage license shall have the
9 right to choose to have the license granted without the name
10 change or to delay its granting pending further action on the
11 name change request.

12 Sec. 83. Minnesota Statutes 2004, section 517.08,
13 subdivision 1c, is amended to read:

14 Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the
15 marriage license fee collected pursuant to subdivision 1b,
16 paragraph (a), \$15 must be retained by the county. The local
17 registrar must pay ~~\$70~~ \$80 to the commissioner of finance to be
18 deposited as follows:

19 (1) \$50 in the general fund;

20 (2) \$3 in the special revenue fund to be appropriated to
21 the commissioner of education for parenting time centers under
22 section 119A.37;

23 (3) \$2 in the special revenue fund to be appropriated to
24 the commissioner of health for developing and implementing the
25 MN ENABL program under section 145.9255;

26 (4) ~~\$10~~ \$20 in the special revenue fund to be appropriated
27 to the commissioner of employment and economic development for
28 the displaced homemaker program under section 116L.96; and

29 (5) \$5 in the special revenue fund to be appropriated to
30 the commissioner of human services for the Minnesota Healthy
31 Marriage and Responsible Fatherhood Initiative under section
32 256.742.

33 (b) Of the ~~\$20~~ \$40 fee under subdivision 1b, paragraph (b),
34 \$15 must be retained by the county. The local registrar must
35 pay \$5 \$25 to the commissioner of finance to be ~~distributed~~
36 deposited as follows:

1 (1) \$5 as provided in paragraph (a), clauses (2) and (3);
2 and

3 (2) \$20 in the special revenue fund to be appropriated to
4 the commissioner of employment and economic development for the
5 displaced homemaker program under section 116L.96.

6 (c) The increase in the marriage license fee under
7 paragraph (a) provided for in Laws 2004, chapter 273, and
8 disbursement of the increase in that fee to the special fund for
9 the Minnesota Healthy Marriage and Responsible Fatherhood
10 Initiative under paragraph (a), clause (5), is contingent upon
11 the receipt of federal funding under United States Code, title
12 42, section 1315, for purposes of the initiative.

13 Sec. 84. Laws 2003, chapter 128, article 1, section 172,
14 is amended to read:

15 Sec. 172. [TEMPORARY PETROFUND FEE EXEMPTION FOR MINNESOTA
16 COMMERCIAL AIRLINES.]

17 (a) ~~A-commercial~~ An airline ~~providing-regularly-scheduled~~
18 ~~jet-service-and-with-its-corporate-headquarters-in-Minnesota-is~~
19 as defined under Minnesota Statutes, section 270.071,
20 subdivision 4, is exempt from the fee established in Minnesota
21 Statutes, section 115C.08, subdivision 3, until July 1, 2005
22 2007, provided the airline develops a plan approved by the
23 commissioner of commerce demonstrating that the savings from
24 this exemption will go towards minimizing job losses in
25 Minnesota, and to support the airline's efforts to avoid filing
26 for federal bankruptcy protections.

27 (b) ~~A-commercial~~ An airline exempted from the fee is
28 ineligible to receive reimbursement under Minnesota Statutes,
29 chapter 115C, until July 1, 2005 2007. ~~A-commercial~~ An airline
30 that has a release during the fee exemption period is ineligible
31 to receive reimbursement under Minnesota Statutes, chapter 115C,
32 for the costs incurred in response to that release.

33 Sec. 85. [TRANSITION PERIOD FOR CHIROPRACTOR AND PHYSICAL
34 THERAPIST WORKERS' COMPENSATION FEE MAXIMUMS.]

35 The requirement that the maximum fees for chiropractors and
36 physical therapists under Minnesota Statutes, section 176.136,

1 subdivision 1a, be the same as for medical physicians must be
2 phased in over three years commencing January 1, 2006. On
3 January 1, 2006, the difference in those maximum fees must be
4 reduced by one-third, on January 1, 2007, by another one-third,
5 and on January 1, 2008, the difference must be eliminated and
6 the maximum fees made the same.

7 To ensure that the fee adjustments mandated by this section
8 do not increase costs to the workers' compensation system, the
9 commissioner of labor and industry shall on October 1, 2005,
10 2006, and 2007, reduce the annual adjustment in the conversion
11 factors under Minnesota Statutes, section 176.136, subdivision
12 1a, so that savings in medical fee costs caused by the reduction
13 approximately equal the increase in costs caused by the
14 increased maximum fees provided by this section. The actual
15 fees shall be determined without application of any scaling
16 factors, but shall not exceed the provider's uniform, customary,
17 and reasonable fee.

18 Sec. 86. [SESQUICENTENNIAL COMMISSION.]

19 Subdivision 1. [COMMISSION; PURPOSE.] The Minnesota
20 Sesquicentennial Commission is established to plan for
21 activities relating to Minnesota's 150th anniversary of
22 statehood. The commission shall create a plan for capital
23 improvements, celebratory activities, and public engagement in
24 every county in the state of Minnesota.

25 Subd. 2. [MEMBERSHIP.] The commission shall consist of 17
26 members who shall serve until the completion of the
27 sesquicentennial year of statehood, appointed as follows:

28 (1) nine members appointed by the governor, representing
29 major corporate, nonprofit, and public sectors of the state,
30 selected from all parts of the state;

31 (2) two members appointed by the speaker of the house of
32 representatives;

33 (3) two members appointed by the minority leader of the
34 house of representatives;

35 (4) two members from the majority party in the senate,
36 appointed by the Subcommittee on Committees; and

1 (5) two members from the minority party in the senate,
2 appointed by the Subcommittee on Committees.

3 Subd. 3. [COMPENSATION; OPERATION.] The governor shall
4 appoint a chair from the membership of the commission. The
5 chair shall convene the first meeting and set the agenda for the
6 commission. The Minnesota Historical Society shall provide
7 office space and staff support for the commission, and shall
8 cooperate with the University of Minnesota and Minnesota State
9 Colleges and Universities to support the programs of the
10 commission. Meetings shall be at the call of the chair and must
11 be convened at least quarterly. The commission may appoint an
12 advisory council to advise and assist the commission with its
13 duties. Members shall receive no compensation for service on
14 the Sesquicentennial Commission. Members appointed by the
15 governor may be reimbursed for expenses under Minnesota
16 Statutes, section 15.059, subdivision 3.

17 Subd. 4. [DUTIES.] The commission shall have the following
18 duties:

19 (1) to present to the governor, senate and house of
20 representatives committees with jurisdiction over the Minnesota
21 Historical Society, and the Minnesota Historical Society a plan
22 for grants to pay for capital improvements on Minnesota's
23 historic public and private buildings, to be known as
24 sesquicentennial grants;

25 (2) to seek funding for activities to celebrate the 150th
26 anniversary of statehood, and to form partnerships with private
27 parties to further this mission; and

28 (3) to present an annual report to the governor,
29 legislative committees identified in clause (1), and the
30 Minnesota Historical Society outlining progress made towards the
31 celebration of the sesquicentennial.

32 Subd. 5. [EXPIRATION.] The commission shall continue to
33 operate until January 30, 2009, at which time it shall expire.

34 [EFFECTIVE DATE.] This section is effective the day
35 following final enactment.

36 Sec. 87. [REVISOR'S INSTRUCTION.]

1 (a) The revisor of statutes shall insert a first grade
2 headnote prior to Minnesota Statutes, section 181.722, that
3 reads "MISREPRESENTATION OF EMPLOYMENT RELATIONSHIPS."

4 (b) The revisor of statutes shall renumber Minnesota
5 Statutes, section 239.05, as section 239.051, alphabetize the
6 definitions, and correct any cross-references to that section
7 accordingly.

8 Sec. 88. [REPEALER.]

9 Minnesota Statutes 2004, sections 178.12; and 239.05,
10 subdivisions 6a and 6b, are repealed.

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4/21/2005

SF1879

Senate - Balanced Budget Bill

2/28/05 Base With Adjustments

Senate

Adjustments to SF1879

Senate

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
1 Trade and Economic Development													
2 Business & Community Development													
3 Direct	GF	8,233	8,233	16,466	8,233	8,233	16,466				8,233	8,233	16,466
4 Minnesota Investment Fund	GF	(1,203)	(1,203)	(2,406)	0	0	0				0	0	0
5 Methamphetamine Cleanup Fund	GF	250	250	500	0	0	0	250	250	500	250	250	500
6 Reduce Program Costs	GF	(329)	(329)	(658)	(329)	(329)	(658)				(329)	(329)	(658)
7 UoM/Mayo Biotech/Medical Reseach	GF							7,000		7,000	7,000		7,000
8 SBIR-Access to Federal Contracts	GF							100	100	200	100	100	200
9 Minnesota Inventors Congres-Grant	GF							50	50	100	50	50	100
10 NWRDC Cold-Hardy Vineyard Resear	GF							125	0	125	125	0	125
11 MEDA-Grant	GF							55	55	110	55	55	110
12 Get Broadband Grant-Blandin Fd	GF							250	0	250	250	0	250
13 Children's Discovery Museum	GF							100		100	100	0	100
14 Open & Standing - Base	GF-O	250	250	500	250	250	500				250	250	500
15 Eliminate Mortgage Credit Program	GF-O	(250)	(250)	(500)	(250)	(250)	(500)				(250)	(250)	(500)
16 Remediation	REM	700	700	1,400	700	700	1,400				700	700	1,400
17 Statutory	SR		29	29		0	0		29	29		29	29
18 Program Totals	GF	6,951	6,951	13,902	7,904	7,904	15,808	7,930	455	8,385	15,834	8,359	24,193
19	GF-O	0	0	0	0	0	0	0	0	0	0	0	0
20	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
21	ALL	7,651	7,651	15,302	8,604	8,604	17,208	7,930	455	8,385	16,534	9,059	25,593
22													
23 Workforce Partnerships													
24 Direct	GF	13,617	13,617	27,234	13,617	13,617	27,234				13,617	13,617	27,234
25 Eliminate Youthbuild	GF	(757)	(757)	(1,514)	0	0	0				0	0	0
26 Eliminate MN Youth Program	GF	(4,190)	(4,190)	(8,380)	0	0	0				0	0	0
27 Eliminate Learn-To-Earn Program	GF	(183)	(183)	(366)	0	0	0				0	0	0
28 Transfer Youth Inter to Public Safety	GF	(1,452)	(1,452)	(2,904)	0	0	0				0	0	0
29 NW Regional Curfew Center-Grant	GF							5	5	10	5	5	10
30 Direct	WKDF	1,725	1,725	3,450	1,725	1,725	3,450				1,725	1,725	3,450
31 Eliminate Displaced Homemaker Prog	WKDF	(750)	(750)	(1,500)	0	0	0	(750)	(750)	(1,500)	(750)	(750)	(1,500)
32 Eliminate Lifetrack Resources	WKDF	(100)	(100)	(200)	(100)	(100)	(200)	0	0	0	250	250	500
33 Job Skills - Boys and Girls Alliance	WKDF							1,000	2,000	3,000	1,000	2,000	3,000
34 OICs Indian Businesspersons	WKDF							500	500	1,000	500	500	1,000
35 OICs Nurses Training	WKDF							500	1,000	1,500	500	1,000	1,500
36 Educational Program-Ford Plant	WKDF							750	0	750	750	0	750
37 Youth Intervention Program	WKDF							500	1,500	2,000	1,400	2,400	3,800
38 Statutory													
39 Workforce Development Fund	WKDF	750	750	1,500	750	750	1,500				750	750	1,500
40 Statutory													
41 Displaced Homemaker Program	SR	200	200	400				643	848	1,491	643	848	1,491
42 Eliminate Displaced Homemaker Prog	SR	(200)	(200)	(400)	200	200	400				200	200	400
43 Program Totals	GF	7,035	7,035	14,070	13,617	13,617	27,234	5	5	10	13,622	13,622	27,244
44	SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
45	WKDF	875	875	1,750	1,625	1,625	3,250	2,500	4,250	6,750	5,375	7,125	12,500
46	ALL	7,910	7,910	15,820	15,442	15,442	30,884	3,148	5,103	8,251	19,840	21,795	41,635
47													

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Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate					
		FY06	FY07	FY06-07	2/28/05 Base With Adjustments	FY06	FY07	FY06-07	Adjustments to SF1879	FY06	FY07	FY06-07	SF1879 Plus Adjustments	FY06	FY07	FY06-07
48 Workforce Services																
49 Direct	GF	20,165	20,165	40,330	20,165	20,165	40,330						20,165	20,165	40,330	
50 Direct	WKDF	6,945	6,945	13,890	6,945	6,945	13,890						6,945	6,945	13,890	
51 Lifetrack Resources	WKDF							250	250	500			250	250	500	
52 Program Totals	GF	20,165	20,165	40,330	20,165	20,165	40,330	0	0	0			20,165	20,165	40,330	
53	WKDF	6,945	6,945	13,890	6,945	6,945	13,890	250	250	500			7,195	7,195	14,390	
54	ALL	27,110	27,110	54,220	27,110	27,110	54,220	250	250	500			27,360	27,360	54,720	
55																
56 State Funded Administration																
57 Direct	GF	3,721	3,721	7,442	3,721	3,721	7,442						3,721	3,721	7,442	
58 Reduce Administrative Costs	GF	(444)	(444)	(888)	(444)	(444)	(888)						(444)	(444)	(888)	
59 Statutory	SR	20	20	40	20	20	40						20	20	40	
60 Program Totals	GF	3,277	3,277	6,554	3,277	3,277	6,554						3,277	3,277	6,554	
61																
62 Agency Totals	GF	37,428	37,428	74,856	44,963	44,963	89,926	7,935	460	8,395			52,898	45,423	98,321	
63	GF-O	0	0	0	0	0	0	0	0	0			0	0	0	
64	REM	700	700	1,400	700	700	1,400	0	0	0			700	700	1,400	
65	WKDF	7,820	7,820	15,640	8,570	8,570	17,140	2,750	4,500	7,250			12,570	14,320	26,890	
66	ALL	45,948	45,948	91,896	54,233	54,233	108,466	10,685	4,960	15,645			66,168	60,443	126,611	
67																
68 Minnesota Conservation Corps																
69 Job Skills and Training Grant	WKDF							1,400	2,400	3,800			1,400	2,400	3,800	
70 Agency Total	WKDF							1,400	2,400	3,800			1,400	2,400	3,800	
71																
72																
73 Explore Minnesota Tourism																
74 Direct	GF	8,626	8,626	17,252	8,626	8,626	17,252						8,626	8,626	17,252	
75 Base Reduction	GF	(1,000)	(1,000)	(2,000)	0	0	0						0	0	0	
76 Film Board Funding Increase	GF							125	125	250			125	125	250	
77 Public/Private Funding Enhancement	GF		1,000	1,000	0	0	0	0	1,000	1,000			0	0	1,000	
78 Agency Total	GF	7,626	8,626	16,252	8,626	8,626	17,252	125	1,125	1,250			8,751	8,751	18,502	
79																
80 Housing Finance Agency																
81 Direct	GF	34,885	34,885	69,770			0						34,885	34,885	69,770	
82 Current Law Base Change-HAF	GF	885	885	1,770			0						885	885	1,770	
83 Affordable Rental Investment-Preserv	GF	(742)	(742)	(1,484)	9,273	9,273	18,546						0	0	0	
84 Family Homeless Prevention	GF	0	0	0	3,715	3,715	7,430						0	0	0	
85 Housing Challenge Program	GF	(5,215)	(5,215)	(10,430)	9,622	9,622	19,244						0	0	0	
86 Rental Assistance for Mentally Ill	GF	0	0	0	1,638	1,638	3,276						0	0	0	
87 Homeownership, Ed, Counseling & Tr	GF	0	0	0	770	770	1,540						0	0	0	
88 Rehabilitation Loan Program	GF	(1,318)	(1,318)	(2,636)	3,972	3,972	7,944						0	0	0	
89 Homeownership Assistance Fund	GF	(885)	(885)	(1,770)	885	885	1,770						0	0	0	
90 Non-Profit Capacity Building Program	GF	(55)	(55)	(110)	305	305	610						0	0	0	
91 Tribal Indian Housing Program	GF	(1,105)	(1,105)	(2,210)	1,105	1,105	2,210						0	0	0	
92 Urban Indian Housing Program	GF	(180)	(180)	(360)	180	180	360						0	0	0	
93 Housing Trust Fund	GF				4,305	4,305	8,610						0	0	0	
94 Ending Long-Term Homeless - HTF	GF	2,000	2,000	4,000	0	0	0						0	0	0	
95 Agency Total	GF	28,270	28,270	56,540	35,770	35,770	71,540						35,770	35,770	71,540	

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Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate		
		FY06	FY07	FY06-07	2/28/05 Base With Adjustments	FY06	FY07	FY06-07	Adjustments to SF1879	FY06	FY07	FY06-07	
96													
97													
98													
99	Commerce												
100	Financial Examinations												
101	Direct Base	GF	5,994	5,994	11,988	5,994	5,994	11,988		5,994	5,994	11,988	
102	Program Total	GF	5,994	5,994	11,988	5,994	5,994	11,988		5,994	5,994	11,988	
103													
104	Petroleum Tank Release Cleanup												
105	Direct Base	Petro	1,084	1,084	2,168	1,084	1,084	2,168		1,084	1,084	2,168	
106	Program Total	Petro	1,084	1,084	2,168	1,084	1,084	2,168		1,084	1,084	2,168	
107													
108													
109	Administrative Services	GF											
110	Direct Base	GF	5,418	5,418	10,836	5,418	5,418	10,836		5,418	5,418	10,836	
111	Program Total	GF	5,418	5,418	10,836	5,418	5,418	10,836		5,418	5,418	10,836	
112													
113	Market Assurance												
114	Direct Base	GF	4,912	4,912	9,824	4,912	4,912	9,824		4,912	4,912	9,824	
115	Reallocation of Contractor Admin FD	GF	(100)	(100)	(200)	(100)	(100)	(200)		(100)	(100)	(200)	
116	Statutory	SR	100	100	200	100	100	200		100	100	200	
117	Direct Base	WCSF	835	835	1,670	835	835	1,670		835	835	1,670	
118	Program Totals	GF	4,812	4,812	9,624	4,812	4,812	9,624		4,812	4,812	9,624	
119		WCSF	835	835	1,670	835	835	1,670		835	835	1,670	
120		All	5,647	5,647	11,294	5,647	5,647	11,294		5,647	5,647	11,294	
121													
122	Energy & Telecommunications												
123	Direct Base	GF	4,349	4,349	8,698	4,349	4,349	8,698		4,349	4,349	8,698	
124	Division Expenses Reduction	GF	(125)	(125)	(250)	(125)	(125)	(250)		(125)	(125)	(250)	
125	Open Appropriation - Base	GF-O	4,838	4,838	9,676	4,838	4,838	9,676		4,838	4,838	9,676	
126	Shift Costs to Renewable Energy Fd	GF-O	(4,538)	(4,538)	(9,076)	0	0	0		0	0	0	
127	Statutory												
128	Renewable Energy Encentive Paymt	RDF	4,538	4,538	9,076	4,538	4,538	9,076		4,538	4,538	9,076	
129	Program Totals	GF	4,224	4,224	8,448	4,224	4,224	8,448		4,224	4,224	8,448	
130		GF-O	300	300	600	4,838	4,838	9,676		4,838	4,838	9,676	
131	Weights & Measures												
132	Direct Base	GF	2,507	2,507	5,014	2,507	2,507	5,014		2,507	2,507	5,014	
133	Program Total	GF	2,507	2,507	5,014	2,507	2,507	5,014		2,507	2,507	5,014	
134													
135	Agency Totals	GF	22,955	22,955	45,910	22,955	22,955	45,910		22,955	22,955	45,910	
136		Petro	1,084	1,084	2,168	1,084	1,084	2,168		1,084	1,084	2,168	
137		WCSF	835	835	1,670	835	835	1,670		835	835	1,670	
138		ALL	24,874	24,874	49,748	24,874	24,874	49,748		24,874	24,874	49,748	
139		GF-O	300	300	600	4,838	4,838	9,676		4,838	4,838	9,676	
140													
141													

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		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
142 Accountancy Board													
143 Direct Base	GF	577	577	1,154	577	577	1,154				577	577	1,154
144 Conslid Admin with Arch & Engineer Bd	GF	(90)	(90)	(180)	(90)	(90)	(180)				(90)	(90)	(180)
145 Agency Total	GF	487	487	974	487	487	974				487	487	974
146													
147													
148 Arch, Eng, Surveying, Landscape, Geoscience & Interior Design													
149 Direct Base	GF	785	785	1,570	785	785	1,570				785	785	1,570
150 Agency Total	GF	785	785	1,570	785	785	1,570				785	785	1,570
151													
152													
153 Barbers & Cosmetologists Examiners													
154 Direct Base	GF	699	699	1,398	699	699	1,398				699	699	1,398
155 Agency Total	GF	699	699	1,398	699	699	1,398				699	699	1,398
156													
157													
158 Labor & Industry													
159 Workers Compensation Division													
160 Direct Base	WCSF	10,346	10,346	20,692	10,346	10,346	20,692				10,346	10,346	20,692
161 Vinland Center-Rehab Services	WCSF							25	25	50	25	25	50
162 Program Total	WCSF	10,346	10,346	20,692	10,346	10,346	20,692	25	25	50	10,371	10,371	20,742
163													
164 Workplace Services Division													
165 Direct Base	GF	2,494	2,494	4,988	2,494	2,494	4,988				2,494	2,494	4,988
166 Code Enforcement Inrease	GF	378	378	756	0	0	0	378	378	756	378	378	756
167 Direct Base	WKDF	450	450	900	450	450	900				450	450	900
168 Apprenticeship Fee - Replacement	WKDF							300	300	600	300	300	600
169 Direct Base	SR							300	300	600	300	300	600
170 Apprenticeship Fee - Reduction	SR							(300)	(300)	(600)	(300)	(300)	(600)
171 Direct Base	WCSF	3,639	3,639	7,278	3,639	3,639	7,278				3,639	3,639	7,278
172 Program Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756	2,872	2,872	5,744
173	WKDF	450	450	900	450	450	900	300	300	600	750	750	1,500
174	WCSF	3,639	3,639	7,278	3,639	3,639	7,278	0	0	0	3,639	3,639	7,278
175	ALL	6,961	6,961	13,922	6,583	6,583	13,166	678	678	1,356	7,261	7,261	14,522
176													
177 General Support Divison													
178 Direct Base	WCSF	5,287	5,287	10,574	5,287	5,287	10,574				5,287	5,287	10,574
179 Program Total	WCSF	5,287	5,287	10,574	5,287	5,287	10,574				5,287	5,287	10,574
180													
181 Agency Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756	2,872	2,872	5,744
182	WKDF	450	450	900	450	450	900	300	300	600	750	750	1,500
183	WCSF	19,272	19,272	38,544	19,272	19,272	38,544	25	25	50	19,297	19,297	38,594
184	ALL	22,594	22,594	45,188	22,216	22,216	44,432	703	703	1,406	22,919	22,919	45,838
185													
186													
187 Mediation Services Bureau													
188 Direct Base	GF	1,773	1,773	3,546	1,773	1,773	3,546				1,773	1,773	3,546
189 Agency Total	GF	1,773	1,773	3,546	1,773	1,773	3,546				1,773	1,773	3,546

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Senate

2/28/05 Base With Adjustments

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
190													
191													
192 Workers Comp Court of Appeals													
193 Direct Base	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
194 Agency Total	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
195													
196													
197 Public Utilities Commission													
198 Direct Base	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
199 Agency Total	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
200													
201													
202 Historical Society													
203 Education and Outreach													
204 Direct Base	GF	12,381	12,381	24,762	12,381	12,381	24,762				12,381	12,381	24,762
205 Budget Reduction	GF	(557)	(557)	(1,114)	0	0	0				0	0	0
206 Program Total	GF	11,824	11,824	23,648	12,381	12,381	24,762				12,381	12,381	24,762
207													
208 Preservation & Access													
209 Direct Base	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
210 Program Total	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
211													
212 Pass Through Grants													
213 Direct Base													
214 MN International Center	GF	43	42	85	43	42	85				43	42	85
215 MN Air National Guard Museum	GF	16		16	16		16				16		16
216 MN Military Museum	GF	67		67	67		67				67		67
217 Farmamerica	GF	128	85	213	128	85	213				128	85	213
218 Sesquicentennial Project	GF							75	75	150	75	75	150
219 Historical Sites	GF							700	700	1,400	700	700	1,400
220 Program Total	GF	254	127	381	254	127	381	775	775	1,550	1,029	902	1,931
221													
222 Agency Total		21,850	21,723	43,573	22,407	22,280	44,687	775	775	1,550	23,182	23,055	46,237
223													
224 Arts Board													
225 Operation & Services													
226 Direct Base	GF	404	404	808	404	404	808				404	404	808
227 Program Total	GF	404	404	808	404	404	808				404	404	808
228													
229 Grant Programs													
230 Direct Base	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
231 Program Total	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
232													
233 Regional Arts Councils													
234 Direct Base	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
235 Program Total	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
236													
237 Agency Total	GF	8,593	8,593	17,186	8,593	8,593	17,186				8,593	8,593	17,186

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

2005 Session - dollars in thousands

S.F. xxxx / H.F. xxx

4/21/2005

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			SF1879 Senate - Balanced Budget Bill 2/28/05 Base With Adjustments			Senate Adjustments to SF1879			Senate SF1879 Plus Adjustments			
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	
238														
239														
240	Electricity Board													
241	Statutory	SR	11,046	11,046	22,092	11,046	11,046	22,092				11,046	11,046	22,092
242	Agency Total	SR	11,046	11,046	22,092	11,046	11,046	22,092				11,046	11,046	22,092
243														
244														
245	Iron Range Resources & Rehabilitation													
246	Region - Occupation Tax	GF-0	468	468	936	468	468	936				468	468	936
247	Statutory	IRRRB	21,338	23,239	44,577	21,338	23,239	44,577				21,338	23,239	44,577
248	Statutory	GRG&SR	5,874	5,874	11,748	5,874	5,874	11,748				5,874	5,874	11,748
249	Statutory	NMEP	4,381	2,580	6,961	4,381	2,580	6,961				4,381	2,580	6,961
250	Agency Total	GF-0	468	468	936	468	468	936				468	468	936
251	Statutory		31,593	31,693	63,286	31,593	31,693	63,286				31,593	31,693	63,286
252		ALL	32,061	32,161	64,222	32,061	32,161	64,222				32,061	32,161	64,222
253														
254														
255														
256														
257														
258	Totals for all agencies	GF	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
259		GF-O	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
260		SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
261		REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
262		Petro	1,084	1,084	2,168	1,084	1,084	2,168	0	0	0	1,084	1,084	2,168
263		WCSF	21,725	21,725	43,450	21,725	21,725	43,450	25	25	50	21,750	21,750	43,500
264		WKDF	8,270	8,270	16,540	9,020	9,020	18,040	4,450	7,200	11,650	14,720	17,470	32,190
265		ALL	170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
266														
267	Total Direct Appropriations		170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
268	Less General Fund Open		(768)	(768)	(1,536)	(5,306)	(5,306)	(10,612)	0	0	0	(5,306)	(5,306)	(10,612)
269	Total Appropriations in Bill		169,280	170,153	339,433	186,444	186,317	372,761	14,331	10,811	25,142	202,025	197,378	400,403
270														
271														
272	General Fund Revenue													
273	Commerce-Unclaimed Property Sale		25,000	5,000	30,000	25,000	5,000	30,000				25,000	5,000	30,000
274	Commerce-License Fee Change		734	734	1,468	0	0	0	734	734	1,468	734	734	1,468
275	Commerce-Insurance Certificate of Authority Fee		18	18	36	0	0	0	18	18	36	18	18	36
276	Labor & Industry-Boiler Inspection Fees &		810	810	1,620	0	0	0	810	810	1,620	810	810	1,620
277	Electricity Board Transfer		4,000		4,000	0	0	0				0	0	0
278	Total General Fund Revenue		30,562	6,562	37,124	25,000	5,000	30,000	1,562	1,562	3,124	26,562	6,562	33,124
279														
280														

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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4/21/2005

SF1879

Senate - Balanced Budget Bill

2/28/05 Base With Adjustments

Senate

Adjustments to SF1879

Senate

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
281													
282													
283	Non-General Fund Revenue												
284	DEED-Meth Lab Cleanup Revolving Loan SR		29	29	0	0	0		29	29		29	29
285	DEED- Mn Investment Fund-Repayment SR	350	350	700	0	0	0						
286	DEED-Promotional & Marketing Rev Fd SR	20	20	40	0	0	0	20	20	40	20	20	40
287	DEED-\$10 Marriage Fee Reduction-DHP SR	(200)	(200)	(400)	0	0	0						
288	DEED-Marriage, Dissolution, Education Fees				200	200	400	643	848	1,491	843	1,048	1,891
289	Mn Tourism Public Private Enhancement SR	1,500	1,500	3,000	0	0	0				1,500	1,500	3,000
290	Total Non-General Fund Revenue	1,670	1,699	3,369	200	200	400	663	897	1,560	2,363	2,597	4,960
291													
292													
293	NET GENERAL FUND(Negatives are gains: Positives are Losses)												
294	Direct Appropriations	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
295	Plus Open & Standing	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
296	Less General Fund Revenues	(30,562)	(6,562)	(37,124)	(25,000)	(5,000)	(30,000)	(1,562)	(1,562)	(3,124)	(26,562)	(6,562)	(33,124)
297	Total Impact on General Fund	107,707	132,580	240,287	134,021	153,894	287,915	7,651	1,176	8,827	141,672	154,070	296,742
298													
299	Balanced Budget Bill - Difference from Gov Rec						47,628						56,455
300													

2005 Session - Ag, Env & Econ Dev

Spending Proposals - General Fund

4/21/2005

(ooo omitted)

FY06 FY07 FY06 & 07

Econ Dev:

Spending - not in SF1879

Meth Lab Revolving Fund	250	250	500
Inspection & Code Enforcement	378	378	756
Firm Board	125	125	250
Tourism		1,000	1,000
Subtotal	753	1,753	2,506

Spending by Bills

251 Children's Discovery Museum-Grand Rapids	100		100
677 Historical Sites	700	700	1,400
980 MEDA	55	55	110
1120 Broadband	250		250
1309 UoM/Mayo Biotech/Medical/Genomics	7,000		7,000
1627 Minn Inventors Congress	50	50	100
1714 NW Regional Curfew	5	5	10
1951 Cold Weather Vineyard Research	125		125
2011 Sesquicentennial Project	50	50	100
2164 Fed Contract Procurement-DEED	100	100	200
Subtotal	8,435	960	9,395

Revenues:

Commerce Licensing Changes	752	752	1,504
Labor & Industry Code Enforcement	810	810	1,620
Subtotal	1,562	1,562	3,124

Spending Less Revenues:

8,777

Ag & Env:

Spending not in SF1879

(888)

Revenues

6,105

Subtotal

5,217

Total - General Fund Spending

13,994

Target for Division Spending less Revenues

14,000

Over or (Under) Target

(6)

Workforce Development Fund:

Displaced Homemaker Adjustment	(750)	(750)	(1,500)
Apprenticeship Fee Adjustment	300	300	600
450 Job Skills - Boys & Girls Clubs	1,000	2,000	3,000
771 Mn Conservation Corps	1,200	2,400	3,600
937 Youth Intervention Program	500	1,500	2,000
1393 Lifetrack Resources	250	250	500
1618 Nurses Training - OICs	500	1,000	1,500
2095 Entrepreneur/Business - OICs	500	500	1,000
2212 Educational Program - Ford Plant	750		750
866 EE-Employment Support	200	200	400
1133 EE-Increase Reimbursement Rate	400	400	800
1334 Deaf & Hard of Hearing	150	150	300
Subtotal	5,000	7,950	12,950

Workers Compensation Fund

958 Vinland Center-Rehab	25	25	50
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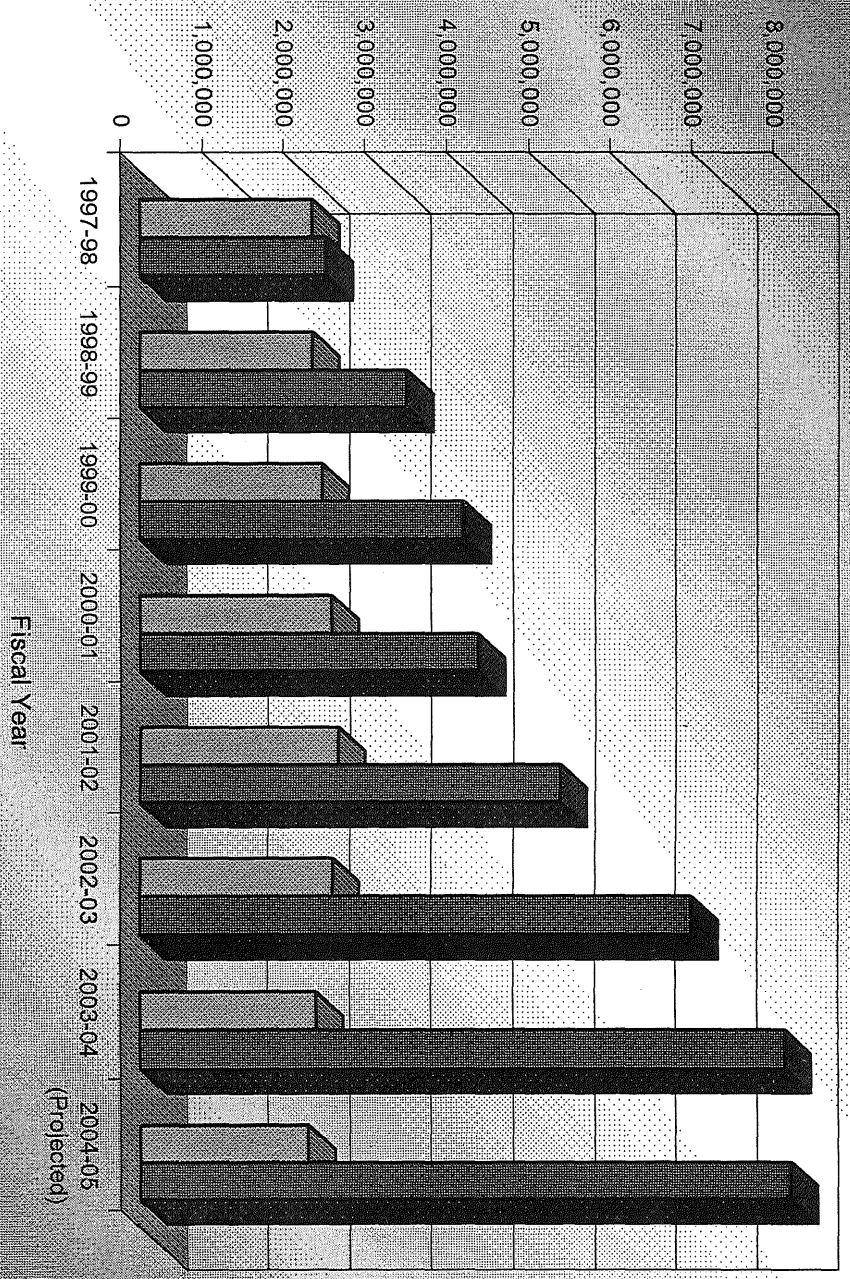
1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 13, after line 10, insert:

3 "\$, , , , , 000 the first year is for a
4 grant to the Veterinary Diagnostic
5 Laboratory at the University of
6 Minnesota to expand animal disease
7 surveillance and to protect animal
8 agriculture and public health. This
9 appropriation is available until June
10 30, 2007."

See Steve Oille

Livestock Producer & Tax Payer Revenue
University of Minnesota
Veterinary Diagnostic Laboratory



■ Tax Payer Support
■ Livestock Producer Fees

Livestock Producer & Tax Payer Revenue

University of Minnesota Veterinary Diagnostic Laboratory

Fiscal Year	Tax Payer Support	Livestock Producer Fees	Total Revenue*	Percent Paid by Livestock Producers	Expenses**	Margin
2004-05 (Projected)	\$ 2,066,978	\$ 7,996,845	\$ 10,063,823	79	\$ 10,627,365	(563,542)
2003-04	2,169,578	7,915,966	10,085,544	78	9,896,981	188,563
2002-03	2,367,299	6,766,766	9,134,065	74	9,248,025	(113,960)
2001-02	2,432,505	5,145,958	7,578,463	68	7,420,651	157,812
2000-01	2,357,491	4,138,753	6,496,244	64	7,104,843	(608,599)
1999-00	2,241,356	3,978,450	6,219,806	64	6,135,500	84,306
1998-99	2,124,171	3,276,917	5,401,088	61	5,219,984	181,104
1997-98	2,124,482	2,288,894	4,413,376	52	4,549,835	(136,459)
1996-97	1,799,482	NA	NA		NA	NA
1995-96	1,799,482	NA	NA		NA	NA
1994-95	1,799,482	NA	NA		NA	NA
1993-94	1,727,287	NA	NA		NA	NA
Deficit 1997-2005						(810,775)

*Total Revenue includes State Special, O&M Funds, User Fee (External and Internal), Foundation, Gifts (Collins Research income is not included)

**Expenses includes Direct Costs, Depreciation, Payroll, and Other Expenses

\$2.35 Million Funding to Support the University of Minnesota Veterinary Diagnostic Laboratory

The Minnesota Pork Board is requesting \$2.35 million for the University of Minnesota Veterinary Diagnostic Laboratory to expand animal disease surveillance and to protect animal agriculture and public health. Increased animal diagnostic funding is vitally important to protect Minnesota's \$6 billion animal industry from emerging and foreign animal diseases. The funding is essential to accommodate testing for Mad Cow Disease, Johne's disease and mastitis in cattle; PRRS virus and other respiratory diseases in swine; and influenza virus ("bird flu") and avian pneumovirus in poultry. This strategic investment will be returned to Minnesotans many times over by protecting livestock and poultry from devastating pathogens that might be accidentally or intentionally introduced into livestock populations and by maximizing Minnesota's agricultural productivity and international competitiveness.

Reasons for the Request:

- The need for laboratory services continues to increase because of increased disease threats.
 - The number of tests has more than doubled from 429,559 in 1993 to > 1.1 million tests in 2004.
- The laboratory funding has remained static and well below peer institutions for the past 10 years.
 - 1994 State Special Funding - \$1,799,482
 - 2004 State Special Funding - \$1,796,378
- The University of Minnesota's need to fund indirect costs of laboratory operations by assessing an "Institutional Revenue Sharing (IRS)" fee against laboratory revenue.
 - **Annual Increases in University IRS Rate**
 - FY1999 - 1.00%
 - FY2000 - 2.25%
 - FY2001 - 3.25%
 - FY2002 - 3.75%
 - FY2003 - 6.35%
 - FY2004 - 8.50% *9,750,000*
 - **Total Assessment since FY2001 - \$2,645,376**
 - **The IRS fees are exhausting laboratory resources required for infrastructure investment.**
- The laboratory mission has changed from reporting diseases to providing an early warning of animal disease threats by providing "real time" diagnostic testing.

Funding use:

- **Environmental and Employee Safety** - Biohazardous waste containment to protect laboratory employees and to prevent pathogen escape to the environment- \$350,000.
- **Emergency Preparedness** - Expansion of laboratory methods, equipment and personnel to meet the testing surge associated with disease outbreaks and to provide for "just in time" animal health monitoring - \$400,000.

- **Enhanced Productivity** – Connect the University of Minnesota Veterinary Diagnostic Laboratory information system to animal production databases throughout greater MN, i.e. virtually move the laboratory into every MN barn. Automate laboratory testing to further improve productivity - \$450,000.
- **Expanded Research and Development** – Develop accurate, fast and low cost, molecular diagnostic tests to combat emerging diseases and potential agro-terrorism agents and maximize financial competitiveness - \$400,000.
- **University Facilities Support** – Fund the University of Minnesota IRS fee for indirect cost recovery to operate the laboratory - \$750,000.

- **Outcomes:**

- Enhanced protection of Minnesota's animal agriculture economy from devastating livestock diseases.
- Potential to reduced economic damage caused by disease outbreaks.
- Faster communication by providing real time access to laboratory results 24/7 throughout greater Minnesota.
- Prepared for the testing surge that accompanies emerging and foreign animal disease outbreaks.
- Protection of public health and animal agriculture by enhancing the secure handling of animal and human pathogens.
- Improvement of animal well being will reduce the need for antibiotic use in livestock.
- Assurance that laboratory accreditation status is maintained to protect interstate and international agricultural commerce.

Background:

The University of Minnesota Veterinary Diagnostic Laboratory protects and promotes animal and human health through early detection and monitoring of animal diseases, develops new diagnostic methods, and trains veterinarians and graduate students. It is part of the College of Veterinary Medicine and serves as the state's only full service, accredited diagnostic facility for animal health and disease. As the official laboratory of the Minnesota Board of Animal Health, the laboratory supports the state's animal disease control and eradication programs. The Veterinary Diagnostic Laboratory is the only laboratory in Minnesota that will "drop everything" to respond to a foreign animal disease or emerging disease threat.

The University of Minnesota Veterinary Diagnostic Laboratory is among the finest laboratory systems in the US with excellent facilities, "world class" faculty and staff, and excellent working relationships with Minnesota Board of Animal Health, Minnesota Department of Agriculture, Minnesota Department of Health, United States Department of Agriculture, Minnesota Department of Natural Resources, and many other organizations. It is the first and only veterinary laboratory to be selected as a full member of the Centers for Disease Control's Laboratory Response Network.

The funding project is consistent with the University of Minnesota initiatives in biotechnology and healthy foods-healthy lives.

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 103, after line 26, insert:

3 "Sec. 119. [116H.55] [DEFINITIONS.]

4 Subdivision 1. [SCOPE.] For the purposes of this chapter,
5 the following terms have the meanings given.

6 Subd. 2. [CATHODE RAY TUBE OR CRT.] "Cathode ray tube" or
7 "CRT" means a vacuum tube or picture tube used to convert an
8 electronic signal into a visual image. It is composed primarily
9 of glass, and is the video display component of a television or
10 computer monitor, and includes other items integrally attached
11 to the CRT.

12 Subd. 3. [COMPUTER MONITOR.] "Computer monitor" means an
13 electronic device that is a cathode ray tube or flat panel
14 display primarily intended to display information from a central
15 processing unit or the Internet. Computer monitor includes a
16 laptop computer.

17 Subd. 4. [FULL TRUCKLOAD.] "Full truckload" means a
18 quantity weighing 25,000 pounds or more of video display devices.

19 Subd. 5. [HENNEPIN COUNTY STUDY.] "Hennepin County study"
20 means the Hennepin County Consumer Electronics Brand Tally,
21 published January 2005.

22 Subd. 6. [HOUSEHOLD.] "Household" means an occupant of a
23 single detached dwelling unit or a single unit of a multiple
24 dwelling unit who has used a video display device at a dwelling
25 unit primarily for personal use.

26 Subd. 7. [INTERMEDIATE CONSOLIDATION POINT.] "Intermediate
27 consolidation point" means a facility in the state approved by
28 the Office of Environmental Assistance pursuant to section
29 116H.65, paragraph (d), clause (3), where local governments and
30 households can deliver for consolidation video display devices
31 generated by households and destined for recycling,
32 refurbishment, or reuse. The facility may be operated by a
33 private entity or a local unit of government, and must be
34 capable of consolidating a full truckload of video display
35 devices from households in accordance with all applicable
36 federal, state, and local laws, rules, regulations, and

1 ordinances.

2 Subd. 8. [MANUFACTURER.] "Manufacturer" means a person
3 who: (1) manufactures video display devices to be sold under
4 its own brand as identified by its own brand label; or (2) sells
5 video display devices manufactured by others under its own brand
6 as identified by its own brand label.

7 Subd. 9. [MANUFACTURER'S BRANDS.] "Manufacturer's brands"
8 means a manufacturer's name, brand name, or brand label, and all
9 manufacturer's names, brand names, and brand labels for which
10 the manufacturer has legal responsibility, including those
11 manufacturer's names, brand names, and brand labels of companies
12 that have been acquired by the manufacturer.

13 Subd. 10. [OFFICE.] "Office" means the Office of
14 Environmental Assistance.

15 Subd. 11. [ORPHAN WASTE.] "Orphan waste" means a video
16 display device covered by this section for which (1) no
17 manufacturer can be identified, or (2) the manufacturer no
18 longer exists and no successor can be identified.

19 Subd. 12. [PRO RATA SHARE.] "Pro rata share" means the
20 percentage that is the proportion, multiplied by 100, of the
21 total weight of video display devices, of the manufacturer's
22 brands registered by a registrant, as required by section
23 116H.60, paragraph (e), received at intermediate consolidation
24 points divided by the total weight of video display devices
25 received at intermediate consolidation points, as determined by
26 the sampling program at intermediate consolidation points
27 pursuant to section 116H.65, paragraph (d), clause (1). The pro
28 rata share for the first program year shall be based on the
29 Hennepin County study.

30 Subd. 13. [REGISTRANT.] "Registrant" means a manufacturer
31 that submits the registration required by section 116H.60,
32 paragraph (a), or an independent party that submits the
33 registration required by section 116H.60, paragraph (a), in lieu
34 of a manufacturer.

35 Subd. 14. [SELL OR SALE.] "Sell" or "sale" means any
36 transfer for consideration of title or of the right to use, by

1 lease or sales contract, including, but not limited to,
2 transactions conducted through sales outlets, catalogs, or the
3 Internet, or any other similar electronic means either inside or
4 outside of the state, by a person who conducts the transaction
5 and controls the delivery of a video display device to a
6 consumer in the state, but does not include a wholesale
7 transaction with a distributor or a retailer.

8 Subd. 15. [TELEVISION.] "Television" means an electronic
9 device that is a cathode ray tube or flat panel display
10 primarily intended to receive video programming via broadcast,
11 cable, or satellite transmission or video from surveillance or
12 other similar cameras.

13 Subd. 16. [VIDEO DISPLAY DEVICE.] "Video display device"
14 means a computer monitor or television with a screen size
15 greater than eight inches measured diagonally. The term "video
16 display device" does not include a video display device that is
17 part of or contained in a motor vehicle; industrial, commercial,
18 or medical equipment; or any appliance.

19 Sec. 120. [116H.60] [REGISTRATION PROGRAM.]

20 (a) On and after July 1, 2006, a retailer or manufacturer
21 may not sell or offer for sale a new video display device to any
22 person in the state unless:

23 (1) the video display device is labeled with the
24 manufacturer's brand, which label is permanently affixed and
25 readily visible; and

26 (2) the video display device is subject to a registration
27 filed by a registrant with the office according to this section,
28 with the registration effective upon receipt by the office.

29 (b) A retailer or manufacturer who sells or offers for sale
30 a new video display device to a consumer in this state must,
31 before initial offer for sale of the device, submit to the
32 office a certification that the retailer or manufacturer has
33 reviewed the office's Web site specified in paragraph (h), and
34 has determined that all new video display devices that the
35 retailer or manufacturer is then offering for sale are labeled
36 with manufacturer's brands that are subject to registration

1 statements filed with the office. After the initial submittal,
2 the certification must be submitted to the office annually by
3 July 10 of each year, effective as of July 1 of each year. A
4 retailer is not responsible for an unlawful sale under this
5 paragraph if the registration expired or was revoked and the
6 retailer took possession of the video display device prior to
7 the expiration or revocation of the registration and the
8 unlawful sale occurred within six months after the expiration or
9 revocation.

10 (c) By February 1, 2006, a manufacturer of video display
11 devices sold to a consumer in this state must submit a
12 registration to the office that includes a certification that a
13 registrant will participate in the intermediate consolidation
14 point program as specified in paragraph (m) beginning July 1,
15 2006. A manufacturer who begins to sell or offer for sale video
16 display devices after February 1, 2006, and has not filed a
17 registration pursuant to this section must submit a registration
18 to the office within ten days of beginning to sell or offer for
19 sale video display devices to consumers in the state. The
20 registration is effective upon receipt by the office.

21 (d) The registration must list the manufacturer's brands.
22 The registration must be updated within ten days after a change
23 in the manufacturer's brands, such as in the event of an
24 acquisition, merger, or divestiture.

25 (e) A registrant may partner with one or more manufacturers
26 or other parties, collectively a "registrant," to prepare and
27 submit to the office a joint video display device recycling,
28 refurbishment, or reuse program.

29 (f) Each manufacturer who registers under this section must
30 pay an annual fee which is deposited in an electronic waste
31 account established in the environmental fund. The fee is equal
32 to \$2,000 multiplied by the manufacturer's pro rata share of
33 video display devices as determined under section 116H.55,
34 subdivision 12. A manufacturer registered under this section
35 whose pro rata share is less than 0.25 percent must pay a
36 minimum fee of \$500. Money in the electronic waste account is

1 appropriated to the office for the purpose of administering the
2 program.

3 (g) The office shall develop procedures to administer and
4 implement the program and shall present them to the legislature
5 by January 15, 2006.

6 (h) The office must review each registration and notify the
7 registrant if the registration does not include the information
8 required by this section. Within 30 days of receipt of a
9 notification from the office, the registrant must file with the
10 office a revised registration providing the information noted by
11 the office.

12 (i) The office must maintain on its Web site the names of
13 the registrants and the manufacturers' brands that are listed in
14 registrations filed with the office. The office must update the
15 Web site information promptly upon receipt of a new registration
16 or an updated registration.

17 (j) The obligations of a manufacturer or registrant apply
18 only to video display devices received from households in this
19 state and do not apply to video display devices received from
20 owners other than households.

21 (k) Persons who receive a video display device for
22 recycling, refurbishment, or reuse pursuant to a registration
23 may recycle, refurbish, or reuse, including resell, the video
24 display device. Except to the extent otherwise required by law,
25 such persons have no responsibility for any data that may be on
26 the video display device if an information storage device is
27 included with the video display device.

28 (l) A city, county, or other public agency may not require
29 households to use the intermediate consolidation point program
30 to recycle their video display devices to the exclusion of other
31 programs legally available. Nothing in this chapter prohibits or
32 restricts any video display recycling programs that are in
33 addition to those provided by manufacturers or registrants or
34 prohibits or restricts any persons from receiving, storing,
35 transporting, or recycling video display devices.

36 (m) By October 1 of each year, each registrant must submit

1 a report to the office that describes the implementation of the
2 program during the preceding program year. The program year is
3 July 1 through June 30. The first report must be submitted by
4 October 1, 2007. The report must:

5 (1) identify the total weight of the video display devices
6 that the registrant has arranged for pickup from intermediate
7 consolidation points during the preceding year, and the total
8 weight of video display devices that the registrant has received
9 from households through other methods during the preceding year
10 and for which the registrant has used such video display devices
11 to satisfy all or a portion of its pro rata share responsibility
12 during the preceding year; and

13 (2) describe the processes and methods used to recycle,
14 refurbish, or reuse video display devices that the registrant
15 has arranged for pickup from intermediate collection points
16 during the preceding year and that the registrant has received
17 from households through other methods, and for which the
18 registrant has used such video display devices to satisfy all or
19 a portion of its pro rata share responsibility during the
20 preceding year; and, in particular, identify any disassembly,
21 physical recovery operation including crushing, shredding,
22 grinding, or glass to glass recycling, or any other operation
23 that was used and describe where it took place. The report must
24 also discuss whether these activities included procedures
25 described in the United States Environmental Protection Agency's
26 guidelines for the environmentally sound management of
27 electronic equipment.

28 (n) Participation in the intermediate consolidation point
29 program requires that a registrant must:

30 (1) arrange for the pickup and recycling of a full
31 truckload or full truckloads of computer monitor video display
32 devices or television video display devices received by
33 intermediate consolidation points after July 1, 2006, up to the
34 registrant's pro rata share of computer monitor video display
35 devices or television video display devices, from intermediate
36 consolidation points, pursuant to procedures developed under

1 paragraph (g), capable of consolidating a full truckload of
2 video display devices from households in accordance with all
3 applicable federal, state, and local laws, rules, regulations,
4 and ordinances; and

5 (2) arrange for the pickup and recycling of the
6 registrant's pro rata share of orphan waste by weight from
7 intermediate consolidation points, pursuant to procedures
8 developed under paragraph (g).

9 (o) Registrants are responsible for the costs of pickup and
10 recycling of the video display devices. A registrant may
11 satisfy a portion or all of its pro rata share responsibility by
12 receipt of video display devices from households through other
13 methods if the registrant has not charged for the recycling,
14 refurbishment, or reuse of the video display devices that the
15 registrant has received from households in this state through
16 the other methods. A registrant who intends to satisfy a
17 portion or all of its pro rata share responsibility by receipt
18 of the video display devices from households through other
19 methods must provide the office with a report of its receipt of
20 video display devices through the other methods on a quarterly
21 basis.

22 (p) After receipt of the report required by paragraph (m)
23 to be filed on October 1, 2009, the office must review the
24 performance of the program and may issue performance standards
25 related to the number of units collected per household.

26 Sec. 121. [116H.65] [DUTIES OF OFFICE.]

27 (a) The office must administer and enforce this chapter.

28 (b) The office must establish procedures for:

29 (1) receipt and maintenance of the registration statements
30 and certifications filed with the office pursuant to section
31 116H.60; and

32 (2) making the statements and certifications easily
33 available to registrants, manufacturers, distributors,
34 retailers, and members of the public.

35 (c) On or before December 1, 2010, and every three years
36 thereafter, the office must provide a report to the governor and

1 the legislature on the implementation of this chapter. For each
2 of the preceding three program years, the report must discuss
3 the total weight of video display devices received by all
4 registrants from intermediate consolidation points, the total
5 weight of video display devices received by each registrant from
6 intermediate consolidation points, the total weight of video
7 display devices that the registrant has received from households
8 through other methods during the preceding year and which the
9 registrant has used to satisfy all or a portion of its pro rata
10 share responsibility during the preceding year, and a summary of
11 information in the report submitted by registrants pursuant to
12 section 116H.60, paragraph (1). The report must also discuss
13 the various collection programs used to collect video display
14 devices and information received by the office regarding video
15 display devices that are not being collected by the
16 registrants. The report must include a description of
17 enforcement actions under this chapter and information about
18 video display devices, if any, being disposed of in landfills in
19 this state. The office may include in its report other
20 information received by the office regarding the implementation
21 of the chapter.

22 (d) The office must administer the intermediate
23 consolidation point program.

24 (e) The office must calculate pro rata shares for video
25 display devices on an annual program year basis for each
26 registrant. Pro rata shares for the first program year must be
27 determined by the office by May 1, 2006, using the Hennepin
28 County study. For each subsequent year, pro rata shares must be
29 determined by May 1 of the preceding year based upon an annual
30 sampling survey conducted by the office at intermediate
31 consolidation points during that preceding year. The sampling
32 survey must identify televisions and computer monitors
33 separately, and calculate the weight of televisions and computer
34 monitors separately. The office may provide registrants with
35 projections or estimates of the amount by weight of video
36 display devices for which the registrant may be responsible

1 during a given program year.

2 (f) The office must establish under section 116H.60,
3 paragraph (g), a system to coordinate among registrants pickups
4 from intermediate consolidation points after an intermediate
5 consolidation point has notified the office that a full
6 truckload of video display devices from households has been
7 consolidated. The office must provide a program year accounting
8 of the extent to which each registrant met its pro rata share
9 responsibility as established pursuant to section 116H.60,
10 paragraph (n), and methods for addressing amounts greater than
11 or less than a registrant's pro rata share responsibility that
12 were picked up and recycled by a registrant during the program
13 year.

14 (g) By February 1, 2006, the office must receive
15 applications for the establishment of intermediate consolidation
16 points. The director must seek to receive at least 15
17 applications with at least ten of the applications from outside
18 the metropolitan area. By April 30, 2006, the office must
19 establish a list of approved intermediate consolidation points
20 and must provide the list on its Web site. Manufacturers and
21 registrants have no responsibility for any costs of the
22 intermediate consolidation points. Applications for the
23 establishment of intermediate consolidation points must specify
24 any method that will be used to ensure that video display
25 devices will be collected only from households or that video
26 display devices from households will be segregated from other
27 video display devices.

28 Sec. 122. [116H.75] [REQUIREMENTS FOR PURCHASES BY STATE
29 AGENCIES.]

30 (a) The Department of Administration must ensure that
31 acquisitions of video display devices under chapter 16C are
32 certified by the vendor to be in compliance with section 116H.60.

33 (b) The bid solicitation documents must specify that the
34 prospective bidder is required to cooperate fully in providing
35 reasonable access to its records and documents that evidence
36 compliance with paragraph (a) and section 116H.60.

1 (c) Any person awarded a contract under chapter 16C for
2 purchase or lease of video display devices that is found to be
3 in violation of paragraph (a) or section 116H.60 is subject to
4 the following sanctions:

5 (1) the contract must be voided;

6 (2) the contractor is ineligible to bid on any state
7 contract for a period of three years; and

8 (3) if the attorney general establishes that any money,
9 property, or benefit was obtained by a contractor as a result of
10 violating paragraph (a) or section 116H.60, the court may, in
11 addition to any other remedy, order the disgorgement of the
12 unlawfully obtained money, property, or benefit.

13 Sec. 123. [116H.80] [REGULATION OF CRT DEVICES.]

14 Rules adopted by the office or by the Pollution Control
15 Agency regarding the handling, storage, and treatment of cathode
16 ray tube devices or video display devices being recycled may not
17 be more restrictive than regulations adopted by the United
18 States Environmental Protection Agency. If the United States
19 Environmental Protection Agency adopts regulations under the
20 Resource Conservation and Recovery Act regarding the handling,
21 storage, or treatment of cathode ray tube devices or video
22 display devices being recycled, those regulations are
23 automatically effective in this state on the same date and
24 supersede any rules previously adopted by the office or the
25 Pollution Control Agency regarding the handling, storage, or
26 treatment of cathode ray tube devices or video display devices
27 being recycled.

28 Sec. 124. [116H.85] [ENFORCEMENT.]

29 This chapter shall be enforced in the manner provided by
30 sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072.

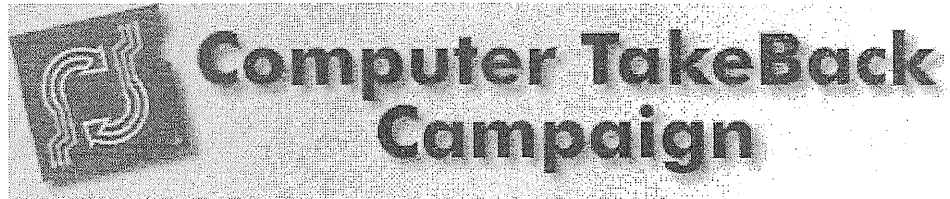
31 Sec. 125. [116H.90] [LIMITATIONS.]

32 This chapter expires if a federal law, or combination of
33 federal laws, takes effect that is applicable to all video
34 display devices sold in the United States and establishes a
35 program for the collection and recycling or reuse of video
36 display devices that is applicable to all video display devices

1 discarded by households."

2 Renumber the sections in sequence and correct the internal
3 references

4 Amend the title accordingly



April 21, 2005

To: Members of the Senate Environment, Agriculture and Economic Development Budget Division – Senators Sams, Dibble, Dille, Frederickson, Anderson, Bachmann, Bakk, Cohen, Jungbauer, Kubly, Metzen, Pariseau, Rosen, Vickerman

Re: Electronic Waste Recycling (SF 1298)

The “Producer Responsibility” approach to handling electronic waste is the better alternative. This method for handling electronic waste can eliminate millions of dollars in taxpayer subsidies and stimulate waste electronic recycling. In short, true Producer Responsibility, where electronics producers pay for the entire cost associated with collection, reuse and recycling of electronic waste, is better for the environment, human health and taxpayers.

Senate File 1298, in the form of a “Producer Responsibility” bill, is a step in the right direction. We urge you to keep the focus on passing a “Producer Responsibility” bill.

Your decisions about how electronic waste, which contains toxic substances, is handled today will have profound effects on Minnesotans for decades to come. So we also urge you to support amendments to broaden the scope of products included in a Producer Responsibility bill, create a process to include additional products, protect the health and safety of recyclers and establish realistic and substantive recycling goals and timelines.

The provisions in Senate Files 1298 (as a “Producer Responsibility” bill) and four prudent amendments can be used to address immediate electronic waste recycling issues, minimize burdens to governmental units and eliminate taxpayer subsidies.

For additional information, please contact Tim Rudnicki/ Representing Computer TakeBack Campaign/ Cell: 612-801-3266

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 63, after line 28, insert:

3 "Sec. 60. Minnesota Statutes 2004, section 84.780, is
4 amended to read:

5 84.780 [OFF-HIGHWAY VEHICLE DAMAGE ACCOUNT.]

6 (a) The off-highway vehicle damage account is created in
7 the natural resources fund. Money in the off-highway vehicle
8 damage account is appropriated to the commissioner of natural
9 resources for:

10 (1) the repair or restoration of property damaged by the
11 operation of off-highway vehicles in an unpermitted area after
12 August-17-2003;

13 (2) the repair or restoration of driveways that have been
14 damaged from the legal operation of off-highway vehicles within
15 a public road right-of-way; and

16 ~~for~~ (3) the costs of administration for this section.

17 (b) Before the commissioner may make a payment from this
18 account, the commissioner must determine whether the damage to
19 the applicant's property was caused by the unpermitted use of
20 off-highway vehicles,--that-the-applicant-has-made-reasonable
21 efforts-to-identify-the-responsible-individual-and-obtain
22 payment-from-the-individual,--and-that-the-applicant-has-made
23 reasonable-efforts-to-prevent-reoccurrence.---By-June-30,--2005,
24 the-commissioner-of-finance-must-transfer-the-remaining-balance
25 in-the-account-to-the-off-highway-motorcycle-account-under
26 section-84.794,--the-off-road-vehicle-account-under-section
27 84.803,--and-the-all-terrain-vehicle-account-under-section
28 84.927.---The-amount-transferred-to-each-account-must-be
29 proportionate-to-the-amounts-received-in-the-damage-account-from
30 the-relevant-off-highway-vehicle-accounts or by the legal
31 operation of off-highway vehicles within a public road
32 right-of-way.

33 ~~(b)~~ (c) Determinations of the commissioner under this
34 section may be made by written order and are exempt from the
35 rulemaking provisions of chapter 14. Section 14.386 does not
36 apply.

1 ~~(e)-This-section-expires-July-17-2005-~~"

2 Renumber the sections in sequence and correct the internal
3 references

4 Amend the title accordingly

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 9, after line 27, insert:

4 "(h) The Pollution Control Agency must establish a
5 multistakeholder Oversight and Advisory Committee within one
6 year following enactment of this chapter for the purpose of
7 overseeing producer electronic waste recycling program plan
8 implementation, reviewing producer plan annual reports and
9 identifying and recommending additional products to be included
10 as electronic waste. An annual report consistent with this
11 section must be submitted to the legislature commencing in
12 February 2006."

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 1, after line 2, insert:

4 "Sec. 119. [116H.52] [PERFORMANCE GOALS.]

5 This chapter establishes a performance standard of 1.75
6 pounds per person per year for the goal for collecting and
7 processing covered material. This overall goal would be
8 distributed between manufacturers according to their pro rata
9 share. This goal will remain unenforceable until 2009, but data
10 collected in the annual reports by the registrants should be
11 used by the office in assessing the effectiveness of the program
12 and in making recommendations to the legislature on making the
13 goals enforceable."

14 Renumber the sections in sequence and correct the internal
15 references

16 Amend the title accordingly

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 7, after line 25, insert:

4 "(g) All persons collecting, recovering, and recycling
5 electronic waste as part of the electronic waste producer plan
6 under this section must protect the health and safety of their
7 workers and contractors by:

8 (1) providing clear evidence of compliance with all state
9 and federal occupational safety and health laws and regulations;

10 (2) performing routine industrial hygiene monitoring and
11 quarterly reporting for all facilities for all hazardous
12 materials of concern, including, but not limited to, monitoring
13 for airborne lead and bromine, chlorine, and mercury compounds;
14 and

15 (3) performing routine human health monitoring and
16 quarterly reporting, in accordance with all applicable privacy
17 protections, for all workers and contractors, including, but not
18 limited to, blood testing for exposure to lead and bromine,
19 chlorine, and mercury compounds."

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 11, after line 32, insert:

3 "\$..,000 the first year and \$..,000 the
4 second year are for annual grants to
5 the Northern Minnesota Forage-Turf Seed
6 Advisory Committee for basic and
7 applied research on the improved
8 production of forage and turf seed
9 related to new and improved varieties.
10 The grant recipient may subcontract
11 with a qualified third party for some
12 or all of the basic and applied
13 research."

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 8, after line 9, insert:

3 "\$25,000 the first year is for a grant
4 to a community-based organization for a
5 youth development program to enhance
6 the appreciation of ichthyology."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 116J.571, is
5 amended to read:

6 116J.571 [CREATION OF ACCOUNTS.]

7 Two ~~greater-Minnesota~~ redevelopment accounts are created,
8 one in the general fund and one in the bond proceeds fund.
9 Money in the accounts may be used to make grants as provided in
10 section 116J.575:~~---Money-in-the-bond-proceeds-fund-may-only-be~~
11 ~~used-for-eligible-costs-for-publicly-owned-property.---Money-in~~
12 ~~the-general-fund-may-be-used~~ and to pay for the commissioner's
13 costs in reviewing ~~the~~ applications and making grants.

14 Sec. .. Minnesota Statutes 2004, section 116J.572, is
15 amended to read:

16 116J.572 [DEFINITIONS.]

17 Subdivision 1. [SCOPE OF APPLICATION.] For purposes of
18 sections 116J.571 to 116J.575, the terms in this section have
19 the meanings given.

20 Subd. 2. [DEVELOPMENT AUTHORITY.] "Development authority"
21 includes a statutory or home rule charter city, county, housing
22 and redevelopment authority, economic development authority, or
23 port authority ~~located-outside~~.

24 Subd. 2a. [METROPOLITAN AREA.] "Metropolitan area" means
25 the seven-county metropolitan area, as defined in section
26 473.121, subdivision 2.

27 Subd. 2b. [MUNICIPALITY.] "Municipality" means the
28 statutory or home rule charter city, town, or, in the case of
29 unorganized territory, county in which the redevelopment is
30 located.

31 Subd. 3. [~~ELIGIBLE~~ REDEVELOPMENT COSTS OR COSTS.]
32 "~~Eligible Redevelopment~~ costs" or "costs" means the costs of
33 land acquisition, stabilizing unstable soils when infill is
34 required, demolition, infrastructure improvements, and ponding
35 or other environmental infrastructure, ~~building-construction,~~
36 ~~design-and-engineering,~~ and costs necessary for adaptive reuse

1 of buildings, including remedial activities. ~~Eligible-costs-do~~
2 ~~not-include-project-administration-and-legal-fees.~~

3 ~~Subd. 4. [REDEVELOPMENT.] "Redevelopment" means recycling~~
4 ~~obsolete, abandoned, or underutilized properties for new~~
5 ~~industrial, commercial, or residential uses.~~

6 Sec. .. Minnesota Statutes 2004, section 116J.574, is
7 amended to read:

8 116J.574 [GRANT APPLICATIONS.]

9 Subdivision 1. [APPLICATION REQUIRED.] To obtain a
10 redevelopment grant, a development authority shall apply to the
11 commissioner. The governing body of the municipality must
12 approve the application by resolution.

13 Subd. 2. [REQUIRED CONTENT.] The commissioner shall
14 prescribe and provide the application form. The application
15 must include at least the following information:

- 16 (1) identification of the site;
- 17 (2) a redevelopment plan for the site;
- 18 (3) a detailed budget estimate, including along with
19 necessary supporting evidence, of the total redevelopment costs
20 for the site including the total eligible redevelopment costs;

- 21 ~~{3}-a-complete~~ (4) an assessment of the development
22 potential or likely use of the site after completion of the
23 redevelopment plan, including any specific commitments from
24 third parties to construct improvements on the site;

- 25 ~~{4}-a-complete-financing-plan, including~~ (5) the manner in
26 which the development authority uses innovative financial
27 partnerships between government, private-for-profit, and
28 nonprofit sectors municipality will meet the local match
29 requirement; and

- 30 ~~{5}~~ (6) any additional information or material that the
31 commissioner prescribes.

32 Sec. .. Minnesota Statutes 2004, section 116J.575, is
33 amended to read:

34 116J.575 [GRANTS.]

35 Subdivision 1. [COMMISSIONER DISCRETION.] The commissioner
36 may make a grant for up to 50 percent of the eligible costs of a

1 project. The determination of whether to make a grant for a
2 site is within the discretion of the commissioner, subject to
3 this section and sections 116J.571 to 116J.574 and available
4 unencumbered money in the ~~greater-Minnesota~~ redevelopment
5 account. The commissioner's decisions and application of the
6 priorities under this section are not subject to judicial
7 review, except for abuse of discretion.

8 Subd. 1a. [PRIORITIES.] (a) If applications for grants
9 exceed the available appropriations, grants shall be made for
10 sites that, in the commissioner's judgment, provide the highest
11 return in public benefits for the public costs incurred.
12 "Public benefits" include job creation, bioscience development,
13 environmental benefits to the state and region, efficient use of
14 public transportation, efficient use of existing infrastructure,
15 provision of affordable housing, multiuse development that
16 constitutes community rebuilding rather than single-use
17 development, crime reduction, blight reduction, community
18 stabilization, and property tax base maintenance or
19 improvement. In making this judgment, the commissioner shall
20 give priority to redevelopment projects with one or more of the
21 following characteristics:

- 22 (1) the need for redevelopment in conjunction with
23 contamination remediation needs;
24 (2) the redevelopment project meets current tax increment
25 financing requirements for a redevelopment district and tax
26 increments will contribute to the project;
27 (3) the redevelopment potential within the municipality;
28 (4) proximity to public transit if located in the
29 metropolitan area; and
30 (5) multijurisdictional projects that take into account the
31 need for affordable housing, transportation, and environmental
32 impact.
- 33 (b) The factors in paragraph (a) are not listed in a rank
34 order of priority; rather, the commissioner may weigh each
35 factor, depending upon the facts and circumstances, as the
36 commissioner considers appropriate.

1 Subd. 2. [APPLICATION CYCLES.] In making grants, the
2 commissioner shall establish semiannual application deadlines in
3 which grants will be authorized from all or part of the
4 available money in the account.

5 Subd. 3. [MATCH REQUIRED.] In order to qualify for a grant
6 under sections 116J.571 to 116J.575, the municipality must pay
7 for at least one-half of the redevelopment costs as a local
8 match from any money available to the municipality."

9 Page .., after line .., insert:

10 "Sec. .. [MINNESOTA REDEVELOPMENT ACCOUNTS.]

11 Applications for the Minnesota redevelopment accounts grant
12 program under Minnesota Statutes, section 116J.573, must be
13 submitted to the commissioner of employment and economic
14 development by August 1, 2005.

15 By October 1, 2005, the commissioner shall have awarded
16 grants for qualified redevelopment projects from greater
17 Minnesota.

18 By November 1, 2005, the commissioner shall have awarded
19 grants for qualified redevelopment projects in the seven-county
20 metropolitan area."

21 Page .., after line .., insert:

22 "Sec. .. [REPEALER.]

23 Minnesota Statutes 2004, section 116J.573, is repealed."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 11A.24,
5 subdivision 6, is amended to read:

6 Subd. 6. [OTHER INVESTMENTS.] (a) In addition to the
7 investments authorized in subdivisions 1 to 5, and subject to
8 the provisions in paragraph (b), the state board may invest
9 funds in:

10 (1) venture capital investment businesses through
11 participation in limited partnerships, trusts, private
12 placements, limited liability corporations, limited liability
13 companies, limited liability partnerships, and corporations;

14 (2) real estate ownership interests or loans secured by
15 mortgages or deeds of trust or shares of real estate investment
16 trusts through investment in limited partnerships, bank
17 sponsored collective funds, trusts, mortgage participation
18 agreements, and insurance company commingled accounts, including
19 separate accounts;

20 (3) regional and mutual funds through bank sponsored
21 collective funds and open-end investment companies registered
22 under the Federal Investment Company Act of 1940, and closed-end
23 mutual funds listed on an exchange regulated by a governmental
24 agency;

25 (4) resource investments through limited partnerships,
26 trusts, private placements, limited liability corporations,
27 limited liability companies, limited liability partnerships, and
28 corporations; and

29 (5) international securities.

30 (b) The investments authorized in paragraph (a) must
31 conform to the following provisions:

32 (1) the aggregate value of all investments made according
33 to paragraph (a), clauses (1) to (4), may not exceed 35 percent
34 of the market value of the fund for which the state board is
35 investing;

36 (2) there must be at least four unrelated owners of the

1 investment other than the state board for investments made under
2 paragraph (a), clause (1), (2), (3), or (4);

3 (3) state board participation in an investment vehicle is
4 limited to 20 percent thereof for investments made under
5 paragraph (a), clause (1), (2), (3), or (4); and

6 (4) state board participation in a limited partnership does
7 not include a general partnership interest or other interest
8 involving general liability. The state board may not engage in
9 any activity as a limited partner which creates general
10 liability.

11 (c) All financial or proprietary data received, prepared,
12 used, or retained by the state board in connection with
13 investments authorized by paragraph (a), clause (1), (2), or
14 (4), are nonpublic data under section 13.02, subdivision 9. As
15 used in this paragraph, "financial or proprietary data" means
16 information, as determined by the executive director, that is of
17 a financial or proprietary nature, the release of which could
18 cause competitive harm to the state board, the legal entity in
19 which the state board has invested or has considered an
20 investment, the managing entity of an investment, or a portfolio
21 company in which the legal entity holds an interest. Regardless
22 of whether they could be considered financial or proprietary
23 data, the following data received, prepared, used, or retained
24 by the state board in connection with investments authorized by
25 paragraph (a), clause (1), (2), or (4), are public at all times:

26 (1) the name and industry group classification of the legal
27 entity in which the state board has invested or in which the
28 state board has considered an investment;

29 (2) the state board commitment amount, if any;

30 (3) the funded amount of the state board's commitment to
31 date, if any;

32 (4) the market value of the investment by the state board;

33 (5) the state board's internal rate of return for the
34 investment, including expenditures and receipts used in the
35 calculation of the investment's internal rate of return; and

36 (6) the age of the investment in years.

1 Sec. .. Minnesota Statutes 2004, section 13.635, is
2 amended by adding a subdivision to read:

3 Subd. 1a. [STATE BOARD OF INVESTMENT.] Certain government
4 data of the State Board of Investment related to venture capital
5 investments are classified under section 11A.24, subdivision 6.

6 Sec. .. [116P.081] [MINNESOTA EARLY STAGE VENTURE CAPITAL
7 INVESTMENTS.]

8 (a) For purposes of this section, "Minnesota early stage
9 company" means an early stage company with its headquarters and
10 principal place of business located in this state.

11 (b) Until June 30, 2019, the State Board of Investment must
12 invest at least \$25,000,000 of the principal of the Minnesota
13 environmental and natural resources trust fund in early stage
14 venture capital investments, subject to the following conditions:

15 (1) the board may not make initial investments of more than
16 a total of \$50,000,000 under this section;

17 (2) each separate investment vehicle must commit 50 percent
18 or more of its assets to investments in Minnesota early stage
19 companies;

20 (3) the board's investment may not exceed 50 percent of the
21 total investment in an investment vehicle;

22 (4) no new investment vehicles may be purchased after June
23 30, 2008; and

24 (5) the board may reinvest returns from investments made
25 under this section.

26 The board may set evaluation criteria for investment
27 vehicles and fund managers of investments under this section
28 different from those it uses for other investments.

29 (c) This section expires August 1, 2019.

30 [EFFECTIVE DATE.] This section is effective the day
31 following final enactment."

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

3 Page .., after .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 16B.61,
5 subdivision 1, is amended to read:

6 Subdivision 1. [ADOPTION OF CODE.] Subject to sections
7 16B.59 to ~~16B.75~~ 16B.77, the commissioner shall by rule
8 establish a code of standards for the construction,
9 reconstruction, alteration, and repair of buildings, governing
10 matters of structural materials, design and construction, fire
11 protection, health, sanitation, and safety, including design and
12 construction standards regarding heat loss control,
13 illumination, and climate control. The code must also include
14 duties and responsibilities for code administration, including
15 procedures for administrative action, penalties, and suspension
16 and revocation of certification. The code must conform insofar
17 as practicable to model building codes generally accepted and in
18 use throughout the United States, including a code for building
19 conservation. In the preparation of the code, consideration
20 must be given to the existing statewide specialty codes
21 presently in use in the state. Model codes with necessary
22 modifications and statewide specialty codes may be adopted by
23 reference. The code must be based on the application of
24 scientific principles, approved tests, and professional
25 judgment. To the extent possible, the code must be adopted in
26 terms of desired results instead of the means of achieving those
27 results, avoiding wherever possible the incorporation of
28 specifications of particular methods or materials. To that end
29 the code must encourage the use of new methods and new
30 materials. Except as otherwise provided in sections 16B.59 to
31 ~~16B.75~~ 16B.77, the commissioner shall administer and enforce the
32 provisions of those sections.

33 The commissioner shall develop rules addressing the plan
34 review fee assessed to similar buildings without significant
35 modifications including provisions for use of building systems
36 as specified in the industrial/modular program specified in

1 section 16B.75. Additional plan review fees associated with
2 similar plans must be based on costs commensurate with the
3 direct and indirect costs of the service.

4 Sec. .. Minnesota Statutes 2004, section 16B.70,
5 subdivision 2, is amended to read:

6 Subd. 2. [COLLECTION AND REPORTS.] All permit surcharges
7 must be collected by each municipality and a portion of them
8 remitted to the state. Each municipality having a population
9 greater than 20,000 people shall prepare and submit to the
10 commissioner once a month a report of fees and surcharges on
11 fees collected during the previous month but shall retain the
12 greater of two percent or that amount collected up to \$25 to
13 apply against the administrative expenses the municipality
14 incurs in collecting the surcharges. All other municipalities
15 shall submit the report and surcharges on fees once a quarter
16 but shall retain the greater of four percent or that amount
17 collected up to \$25 to apply against the administrative expenses
18 the municipalities incur in collecting the surcharges. The
19 report, which must be in a form prescribed by the commissioner,
20 must be submitted together with a remittance covering the
21 surcharges collected by the 15th day following the month or
22 quarter in which the surcharges are collected. All money
23 collected by the commissioner under subdivision 1 for mechanical
24 systems permits is appropriated to the Board of Mechanical
25 Systems for the purposes of section 16B.77. \$135,250 of the
26 money collected by the commissioner through surcharges and other
27 fees prescribed by sections 16B.59 to ~~16B.75~~ 16B.77 shall be
28 deposited in the state government special revenue fund and is
29 appropriated to the Board of Mechanical Systems for the purposes
30 of section 16B.77. The remainder is appropriated to the
31 commissioner for the purpose of administering and enforcing
32 the remaining portions of the State Building Code under sections
33 16B.59 to ~~16B.75~~ 16B.77.

34 Sec. .. Minnesota Statutes 2004, section 16B.70,
35 subdivision 3, is amended to read:

36 Subd. 3. [REVENUE TO EQUAL COSTS.] Revenue received from

1 the surcharge imposed in subdivision 1 should approximately
2 equal the cost, including the overhead cost, of administering
3 sections 16B.59 to ~~16B.75~~ 16B.77. By November 30 each year, the
4 commissioner must report to the commissioner of finance and to
5 the legislature on changes in the surcharge imposed in
6 subdivision 1 needed to comply with this policy. In making this
7 report, the commissioner must assume that the services
8 associated with administering sections 16B.59 to ~~16B.75~~ 16B.77
9 will continue to be provided at the same level provided during
10 the fiscal year in which the report is made.

11 Sec. .. [16B.77] [BOARD OF MECHANICAL SYSTEMS.]

12 Subdivision 1. [MEMBERSHIP.] (a) The Board of Mechanical
13 Systems consists of the following members appointed by the
14 governor as provided under section 15.0575:

15 (1) two journeymen and two contractors in the fuel systems
16 discipline;

17 (2) two journeymen and two contractors in the sheet metal
18 and ventilation systems discipline;

19 (3) two journeymen and two contractors in the refrigeration
20 systems discipline;

21 (4) two journeymen, two contractors, and two
22 representatives of utilities in the piping systems discipline;

23 (5) two journeymen and two contractors in the medical and
24 nonmedical gas systems discipline;

25 (6) one mechanical engineer; and

26 (7) two members of the public, as defined in section 214.02.

27 (b) For purposes of this section, "journeyman" means a
28 person with at least five years of verifiable experience in the
29 relevant discipline, and "contractor" means a person with at
30 least five years of experience operating a business that is
31 primarily engaged in the discipline who remains active in the
32 discipline during their term on the board.

33 (c) The board must adopt a new mechanical code no later
34 than four months after convening.

35 (d) Section 15.0575, subdivision 3, does not apply to the
36 board.

1 Subd. 2. [ORGANIZATION AND MEETINGS.] (a) The board must
2 meet at least once in each quarter of the calendar year.

3 (b) The board must establish subcommittees in each of the
4 disciplines listed in subdivision 1. No member who is a
5 contractor or journeyman may serve on more than one
6 subcommittee, and the engineer appointed under subdivision 1,
7 clause (6), must serve on all of the subcommittees. Each
8 subcommittee must elect a chairperson. The subcommittee must
9 meet at the call of the chairperson.

10 Subd. 3. [POWERS OF THE BOARD; MECHANICAL CODE.] The board
11 has the powers of the commissioner under sections 16B.59 to
12 16B.77 regarding all mechanical code issues, including, but not
13 limited to, rulemaking, interpretation, administration, and
14 enforcement, including appeals from local units of government.
15 No appeal from a decision of the board may be made to the
16 commissioner.

17 Subd. 4. [SUPPORT.] The board may use the funds
18 appropriated to it to hire the staff necessary to conduct its
19 functions."

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

3 Page .., after line .., insert:

4 "Sec. ... Minnesota Statutes 2004, section 129D.02,
5 subdivision 3, is amended to read:

6 Subd. 3. [COMPENSATION.] Members shall be compensated at
7 ~~the rate of \$35 per day spent on board activities. In addition,~~
8 ~~members shall receive reimbursement for expenses in the same~~
9 ~~manner and amount as state employees. Employees of the state or~~
10 ~~its political subdivisions shall not be entitled to the per~~
11 ~~diem, but they shall suffer no loss in compensation or benefits~~
12 ~~as a result of service on the board. Members not entitled to~~
13 ~~the per diem shall receive expenses as provided in this~~
14 ~~subdivision unless the expenses are reimbursed from another~~
15 source as provided in section 15.0575, subdivision 3."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 120A.40, is
5 amended to read:

6 120A.40 [SCHOOL CALENDAR.]

7 (a) Except for learning programs during summer, flexible
8 learning year programs authorized under sections 124D.12 to
9 124D.127, and learning year programs under section 124D.128, a
10 district must not commence an elementary or secondary school
11 year before ~~September-1~~ Labor Day, except as provided under
12 paragraph (b). Days devoted to teachers' workshops may be held
13 before ~~September-1~~ Labor Day. Districts that enter into
14 cooperative agreements are encouraged to adopt similar school
15 calendars.

16 (b) A district may begin the school year on any day before
17 ~~September-1~~ Labor Day to accommodate a construction or
18 remodeling project of \$400,000 or more affecting a district
19 school facility."

Minnesota 4-H Adult Volunteers Association

Resolution

Early School Openings

Whereas, the early school openings have a negative impact on the 4-H State Fair Program by reducing the length of the 4-H experience at the State Fair, and

Whereas several 4-H members were denied excused absences from school and school activities there by reducing skill and leadership development at the State Fair.

Therefore, be it resolved that the Minnesota 4-H Adult Volunteers Association supports HF 205 and SF 307 that would return school openings to after Labor Day.

This resolution was passed at the M 4-HAVA Annual Meeting on February 25, 2005 at Willmar, Minnesota. Over 50 delegates represented 250 members.

Submitted by Marvin Ziner, President of M4-HAVA
763 441 2822
mdziner@aol.com

**Minnesota Association of Convention & Visitors Bureaus
Resolution – February 28, 2005**

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus is a non-for-profit organization which provides members with legislative representation and public recognition of the tourism and convention industry in Minnesota, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus represent over 50 Convention & Visitors Bureaus in the State of Minnesota, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus serve a constituency representing lodging, campgrounds, resorts, restaurants, transportation services, attractions, as well as the retail and commercial resources that are important to visitors, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus is a united voice dedicated to the needs of destination marketing organizations, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus collectively invest in excess of over \$12 million dollars for convention and promotion in the State of Minnesota, and

WHEREAS, recent changes in state law to allow school openings prior to Labor Day has had a significant negative economic impact on the Tourism industry in the Metropolitan area and Greater Minnesota,

NOW THEREFORE BE IT RESOLVED, the Minnesota Association of Convention & Visitors Bureaus strongly urge the Minnesota State Legislature to support the legislation requiring Minnesota's state schools open no earlier than the traditional end of summer on Labor Day, so the Minnesota Tourism Industry, one of the largest industries in Minnesota, can realize and contribute to the economic impact for their industry and the State of Minnesota.

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

3 Page .., after line .., insert:

4 "\$8,500 in the first year and \$8,500 in
5 the second year are from the
6 department's base for a grant to the
7 Twin Cities Community Voice Mail to
8 maintain the toll-free telephone number
9 for the Greater Minnesota Project. The
10 commissioner must ensure that the
11 telephone number is not changed for the
12 2006-2007 biennium."

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

3 Page 7, after line 13, insert:

4 "The agency shall establish a priority
5 for supportive housing projects that
6 provide employment support and housing
7 for offenders who are discharged from a
8 correctional or detention facility. Up
9 to \$1,400,000 of the appropriation to
10 the housing trust fund in 2005 S.F. No.
11 1879, if enacted, shall be awarded to
12 projects that address this priority and
13 the greatest number of priorities
14 established under the rules governing
15 the housing trust fund program."

1 A bill for an act

2 relating to human services; modifying discharge plans
3 for offenders with serious and persistent mental
4 illness; clarifying eligibility for medical assistance
5 for offenders released for work release; authorizing
6 commissioner of corrections to enter into a purchasing
7 pool for prescription drugs; allocating housing funds
8 for projects that provide employment support;
9 appropriating money; amending Minnesota Statutes 2004,
10 sections 241.01, by adding a subdivision; 244.054;
11 256B.055, by adding a subdivision.

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

13 Section 1. Minnesota Statutes 2004, section 241.01, is
14 amended by adding a subdivision to read:

15 Subd. 10. [PURCHASING FOR PRESCRIPTION DRUGS.] In
16 accordance with section 241.021, subdivision 4, the commissioner
17 may contract with a separate entity to purchase prescription
18 drugs for persons confined in institutions under the control of
19 the commissioner. Local governments may participate in this
20 purchasing pool in order to purchase prescription drugs for
21 those persons confined in local correctional facilities in which
22 the local government has responsibility for providing health
23 care. If any county participates, the commissioner shall
24 appoint a county representative to any committee convened by the
25 commissioner for the purpose of establishing a drug formulary to
26 be used for state and local correctional facilities.

27 Sec. 2. Minnesota Statutes 2004, section 244.054, is
28 amended to read:

1 244.054 [DISCHARGE PLANS; OFFENDERS WITH SERIOUS AND
2 PERSISTENT MENTAL ILLNESS.]

3 Subdivision 1. [OFFER TO DEVELOP PLAN.] The commissioner
4 of human services, in collaboration with the commissioner of
5 corrections, shall offer to develop a discharge plan for
6 community-based services for every offender with serious and
7 persistent mental illness, as defined in section 245.462,
8 subdivision 20, paragraph (c), and every offender who has had a
9 diagnosis of mental illness and would otherwise be eligible for
10 case management services under section 245.462, subdivision 20,
11 paragraph (c), but for the requirement that the offender be
12 hospitalized or in residential treatment, who is being released
13 from a correctional facility. If an offender is being released
14 pursuant to section 244.05, the offender may choose to have the
15 discharge plan made one of the conditions of the offender's
16 supervised release and shall follow the conditions to the extent
17 that services are available and offered to the offender.

18 Subd. 2. [CONTENT OF PLAN.] If an offender chooses to have
19 a discharge plan developed, the commissioner of human services
20 shall develop and implement a discharge plan, which must include
21 at least the following:

22 (1) at least 90 days before the offender is due to be
23 discharged, the commissioner of human services shall designate
24 ~~an agent of the Department of Human Services~~ a discharge planner
25 with mental health training to serve as the primary person
26 responsible for carrying out discharge planning activities;

27 (2) at least 75 days before the offender is due to be
28 discharged, the offender's ~~designated agent~~ discharge planner
29 shall:

30 (i) obtain informed consent and releases of information
31 from the offender that are needed for transition services, and
32 forward them to the appropriate local entity;

33 (ii) contact the county human services department in the
34 community where the offender expects to reside following
35 discharge, and inform the department of the offender's impending
36 discharge and the planned date of the offender's return to the

1 community; determine whether the county or a designated
2 contracted provider will provide case management services to the
3 offender; refer the offender to the case management services
4 provider; and confirm that the case management services provider
5 will have opened the offender's case prior to the offender's
6 discharge; and

7 ~~(iii) refer the offender to appropriate staff in the county~~
8 ~~human services department in the community where the offender~~
9 ~~expects to reside following discharge, for enrollment of the~~
10 ~~offender if eligible in medical assistance or general assistance~~
11 ~~medical care, using special procedures established by process~~
12 ~~and Department of Human Services bulletin~~ assist the offender in
13 filling out an application for medical assistance, general
14 assistance medical care, or MinnesotaCare and submit the
15 application for eligibility determination to the commissioner.
16 The commissioner shall determine an offender's eligibility no
17 more than 45 days, or no more than 60 days if the offender's
18 disability status must be determined, from the date that the
19 application is received by the department. The effective date
20 of eligibility for the health care program shall be no earlier
21 than the date of the offender's release. If eligibility is
22 approved, the commissioner shall mail a Minnesota health care
23 program membership card to the facility in which the offender
24 resides and transfer the offender's case to MinnesotaCare
25 operations within the department or the appropriate county human
26 services agency in the county where the offender expects to
27 reside following release for ongoing case management;

28 (3) at least 2-1/2 months before discharge, the offender's
29 ~~designated agent~~ discharge planner shall secure timely
30 appointments for the offender with a psychiatrist no later than
31 30 days following discharge, and with other program staff at a
32 community mental health provider that is able to serve former
33 offenders with serious and persistent mental illness;

34 (4) at least 30 days before discharge, the offender's
35 ~~designated agent~~ discharge planner shall convene a pre-discharge
36 assessment and planning meeting of key staff from the programs

1 in which the offender has participated while in the correctional
2 facility, the offender, the supervising agent, and the mental
3 health case management services provider assigned to the
4 offender. At the meeting, attendees shall provide background
5 information and continuing care recommendations for the
6 offender, including information on the offender's risk for
7 relapse; current medications, including dosage and frequency;
8 therapy and behavioral goals; diagnostic and assessment
9 information, including results of a chemical dependency
10 evaluation; confirmation of appointments with a psychiatrist and
11 other program staff in the community; a relapse prevention plan;
12 continuing care needs; needs for housing, employment, and
13 finance support and assistance; and recommendations for
14 successful community integration, including chemical dependency
15 treatment or support if chemical dependency is a risk factor.
16 Immediately following this meeting, the offender's designated
17 agent discharge planner shall summarize this background
18 information and continuing care recommendations in a written
19 report;

20 (5) immediately following the pre-discharge assessment and
21 planning meeting, the provider of mental health case management
22 services who will serve the offender following discharge shall
23 offer to make arrangements and referrals for housing, financial
24 support, benefits assistance, employment counseling, and other
25 services required in sections 245.461 to 245.486;

26 (6) at least ten days before the offender's first scheduled
27 postdischarge appointment with a mental health provider, the
28 offender's ~~designated-agent~~ discharge planner shall transfer the
29 following records to the offender's case management services
30 provider and psychiatrist: the pre-discharge assessment and
31 planning report, medical records, and pharmacy records. These
32 records may be transferred only if the offender provides
33 informed consent for their release;

34 (7) upon discharge, the offender's ~~designated-agent~~
35 discharge planner shall ensure that the offender leaves the
36 correctional facility with at least a ten-day supply of all

1 necessary medications; and

2 (8) upon discharge, the prescribing authority at the
3 offender's correctional facility shall telephone in
4 prescriptions for all necessary medications to a pharmacy in the
5 community where the offender plans to reside. The prescriptions
6 must provide at least a ~~30-day~~ 60-day supply of all necessary
7 medications, and must be able to be refilled once for one
8 additional 30-day supply.

9 Sec. 3. Minnesota Statutes 2004, section 256B.055, is
10 amended by adding a subdivision to read:

11 Subd. 14. [PERSONS DETAINED BY LAW.] (a) An inmate of a
12 correctional facility who is conditionally released as
13 authorized under section 241.26, 244.065, or 631.425 is eligible
14 for medical assistance if the individual does not require the
15 security of a public detention facility and is housed in a
16 halfway house or community correction center, or under house
17 arrest and monitored by electronic surveillance in a residence
18 approved by the commissioner of corrections.

19 (b) An individual, regardless of age, who is involuntarily
20 detained by law in the custody of a correctional or detention
21 facility as an individual accused or convicted of a crime, is
22 not eligible for medical assistance. An individual is not
23 determined to be involuntarily detained for purposes of medical
24 assistance eligibility if the individual is placed in a
25 detention facility for a temporary period pending other
26 arrangements appropriate to the individual's needs.

27 Sec. 4. [PRIORITY IN JANITORIAL CONTRACTS.]

28 When awarding contracts to provide the janitorial services
29 for the new Department of Human Services and Department of
30 Health buildings, the commissioner of administration shall give
31 priority to supported work vendors.

32 Sec. 5. [APPROPRIATION.]

33 For the biennium ending June 30, 2007, the commissioner of
34 the Housing Finance Agency shall allocate \$..... from the
35 housing trust fund account in the housing development fund for
36 supportive housing projects that provide employment support.

1 Senator moves to amend S.F. No. 1000 as follows:

2 Page 5, line 13, delete "is" and insert "may be"

3 Page 5, delete lines 19 to 26 and insert:

4 "(b) An individual, regardless of age, who is considered an
5 inmate of a public institution as defined in Code of Federal
6 Regulations, title 42, section 435.1009, is not eligible for
7 medical assistance."

1 Senator moves to amend S.F. No. 1000 as follows:
2 Page 5, after line 36, insert:
3 "Sec. 6. [EFFECTIVE DATE.]
4 Section 2 is effective August 1, 2006, or upon health match
5 implementation, whichever is later."

1 Senator moves to amend S.F. No. 2133 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 2004, section 97A.485,
4 subdivision 6, is amended to read:

5 Subd. 6. [LICENSES TO BE SOLD AND ISSUING FEES.] (a)
6 Persons authorized to sell licenses under this section must
7 issue the following licenses for the license fee and the
8 following issuing fees:

9 (1) to take deer or bear with firearms and by archery, the
10 issuing fee is \$1;

11 (2) Minnesota sporting, the issuing fee is \$1; and

12 (3) to take small game, to take fish by angling or by
13 spearing, and to trap fur-bearing animals, the issuing fee is
14 \$1;

15 (4) for a ~~trout-and-salmon~~ stamp that is not issued
16 simultaneously with ~~an-angling-or-sporting~~ a license, an the
17 issuing fee ~~of is~~ 50 cents ~~may-be-charged-at-the-discretion-of~~
18 ~~the-authorized-seller~~;

19 (5) for stamps ~~other-than-a-trout-and-salmon-stamp,-and-for~~
20 ~~a-special-season-Canada-geese-license~~ issued simultaneously with
21 a license, there is no fee; and

22 (6) for licenses, seals, tags, or coupons issued without a
23 fee under section 97A.441 or 97A.465, ~~there-is-no~~ the issuing
24 fee is 50 cents;

25 (7) for lifetime licenses, there is no fee; and

26 (8) for all other licenses, permits, renewals, or
27 applications or any other transaction through the electronic
28 licensing system under this chapter or any other chapter when an
29 issuing fee is not specified, the issuing fee is 50 cents.

30 (b) An issuing fee may not be collected for issuance of a
31 trout and salmon stamp if a stamp validation is issued
32 simultaneously with the related angling or sporting license.
33 Only one issuing fee may be collected when selling more than one
34 trout and salmon stamp in the same transaction after the end of
35 the season for which the stamp was issued.

36 (c) The agent shall keep the issuing fee as a commission

1 for selling the licenses.

2 (d) The commissioner shall collect the issuing fee on
3 licenses sold by the commissioner.

4 (e) A license, except stamps, must state the amount of the
5 issuing fee and that the issuing fee is kept by the seller as a
6 commission for selling the licenses.

7 (f) For duplicate licenses, including licenses issued
8 without a fee, the issuing fees are:

9 (1) for licenses to take big game, 75 cents; and

10 (2) for other licenses, 50 cents.

11 (g) The commissioner may issue one-day angling licenses in
12 books of ten licenses each to fishing guides operating charter
13 boats upon receipt of payment of all license fees, excluding the
14 issuing fee required under this section. Copies of sold and
15 unsold licenses shall be returned to the commissioner. The
16 commissioner shall refund the charter boat captain for the
17 license fees of all unsold licenses. Copies of sold licenses
18 shall be maintained by the commissioner for one year."

1 Section 1. Minnesota Statutes 2004, section 237.295,
2 subdivision 1, is amended to read:

3 Subdivision 1. [~~PAYMENT-FOR-INVESTIGATION FILING FEE FOR~~
4 ~~NEW AUTHORITY.~~] ~~(a)-Whenever-the-department-or-commission,-in-a~~
5 ~~proceeding-upon-its-own-motion,-on-complaint,-or-upon-an~~
6 ~~application-to-it,-considers-it-necessary,-in-order-to-carry-out~~
7 ~~the-duties-imposed-on-it,-to-investigate-the-books,-accounts,~~
8 ~~practices,-and-activities-of-any-company,-parties-to-the~~
9 ~~proceeding-shall-pay-the-expenses-reasonably-attributable-to-the~~
10 ~~proceeding.---The-department-and-commission-shall-ascertain-the~~
11 ~~expenses,-and-the-department-shall-render-a-bill-for-these~~
12 ~~expenses-to-the-parties,-at-the-conclusion-of-the-proceeding.~~
13 ~~The-department-is-authorized-to-submit-billings-to-parties-at~~
14 ~~intervals-selected-by-the-department-during-the-course-of-a~~
15 ~~proceeding.~~

16 ~~(b)-The-allocation-of-costs-may-be-adjusted-for-cause-by~~
17 ~~the-commission-during-the-course-of-the-proceeding,-or-upon-the~~
18 ~~closing-of-the-docket-and-issuance-of-an-order.---In-addition-to~~
19 ~~the-rights-granted-in-subdivision-3,-parties-to-a-proceeding-may~~
20 ~~object-to-the-allocation-at-any-time-during-the-proceeding.~~
21 ~~Withdrawal-by-a-party-to-a-proceeding-does-not-absolve-the-party~~
22 ~~from-paying-allocated-costs-as-determined-by-the-commission.~~
23 ~~The-commission-may-decide-that-a-party-should-not-pay-any~~
24 ~~allocated-costs-of-the-proceeding.~~

25 ~~(c)-The-bill-constitutes-notice-of-the-assessment-and-a~~
26 ~~demand-for-payment.---The-amount-of-the-bills-assessed-by-the~~
27 ~~department-under-this-subdivision-must-be-paid-by-the-parties~~
28 ~~into-the-state-treasury-within-30-days-from-the-date-of~~
29 ~~assessment.---The-total-amount,-in-a-calendar-year,-for-which-a~~
30 ~~telephone-company-may-become-liable,-by-reason-of-costs-incurred~~
31 ~~by-the-department-and-commission-within-that-calendar-year,-may~~
32 ~~not-exceed-two-fifths-of-one-percent-of-the-gross-jurisdictional~~
33 ~~operating-revenue-of-the-telephone-company-in-the-last-preceding~~
34 ~~calendar-year.---Direct-charges-may-be-assessed-without-regard-to~~
35 ~~this-limitation-until-the-gross-jurisdictional-operating-revenue~~
36 ~~of-the-telephone-company-for-the-preceding-calendar-year-has~~

1 ~~been reported for the first time. Where, under this~~
 2 ~~subdivision, costs are incurred within a calendar year that are~~
 3 ~~in excess of two-fifths of one percent of the gross~~
 4 ~~jurisdictional operating revenues, the excess costs are not~~
 5 ~~chargeable as part of the remainder under subdivision 2.~~

6 ~~(d) Except as otherwise provided in paragraph (e), for~~
 7 ~~purposes of assessing the cost of a proceeding to a party,~~
 8 ~~"party" means any entity or group subject to the laws and rules~~
 9 ~~of this state, however organized, whether public or private,~~
 10 ~~whether domestic or foreign, whether for profit or nonprofit,~~
 11 ~~and whether natural, corporate, or political, such as a business~~
 12 ~~or commercial enterprise organized as any type or combination of~~
 13 ~~corporation, limited liability company, partnership, limited~~
 14 ~~liability partnership, proprietorship, association, cooperative,~~
 15 ~~joint venture, carrier, or utility, and any successor or~~
 16 ~~assignee of any of them, a social or charitable organization,~~
 17 ~~and any type or combination of political subdivision, which~~
 18 ~~includes the executive, judicial, or legislative branch of the~~
 19 ~~state, a local government unit, an agency of the state or a~~
 20 ~~local government unit, or a combination of any of them.~~

21 ~~(e) For assessment and billing purposes, "party" does not~~
 22 ~~include the Department of Commerce or the Residential Utilities~~
 23 ~~Division of the Office of Attorney General, any entity or group~~
 24 ~~instituted primarily for the purpose of mutual help and not~~
 25 ~~conducted for profit, intervenors awarded compensation under~~
 26 ~~section 237.075, subdivision 10, or any individual or group or~~
 27 ~~counsel for the individual or group representing the interests~~
 28 ~~of end users or classes of end users of services provided by~~
 29 ~~telephone companies or telecommunications carriers, as~~
 30 ~~determined by the commission~~ An application for a new authority
 31 must be accompanied by a payment not to exceed \$2,000 as
 32 determined by the Public Utilities Commission. This fee will be
 33 reviewed annually and adjusted accordingly.

34 Sec. 2. Minnesota Statutes 2004, section 237.295,
 35 subdivision 2, is amended to read:

36 Subd. 2. [ASSESSMENT OF COSTS.] The department and

1 commission shall quarterly, at least 30 days before the start of
2 each quarter, estimate the total of their expenditures in the
3 performance of their duties relating to telephone companies,
4 other than amounts chargeable to telephone companies under
5 subdivision 1, 5, or 6. The remainder must be assessed by the
6 department to the telephone companies operating in this state in
7 proportion to their respective gross jurisdictional operating
8 revenues during the last calendar year. The assessment must be
9 paid into the state treasury within 30 days after the bill has
10 been mailed to the telephone companies. The bill constitutes
11 notice of the assessment and demand of payment. ~~The total~~
12 ~~amount that may be assessed to the telephone companies under~~
13 ~~this subdivision may not exceed one-eighth of one percent of the~~
14 ~~total gross jurisdictional operating revenues during the~~
15 ~~calendar year.~~ The assessment for the third quarter of each
16 fiscal year must be adjusted to compensate for the amount by
17 which actual expenditures by the commission and department for
18 the preceding fiscal year were more or less than the estimated
19 expenditures previously assessed. A telephone company with
20 gross jurisdictional operating revenues of less than \$5,000 is
21 exempt from assessments under this subdivision.

22 Sec. 3. [237.491] [COMBINED PER NUMBER FEE.]

23 Subdivision 1. [DEFINITIONS.] (a) The definitions in this
24 subdivision apply to this section.

25 (b) "911 emergency and public safety communications program"
26 means the program governed by chapter 403.

27 (c) "Minnesota telephone number" means a ten-digit
28 telephone number being used to connect to the public switched
29 telephone network and starting with area code 218, 320, 507,
30 612, 651, 763, or 952, or any subsequent area code assigned to
31 this state.

32 (d) "Service provider" means a provider doing business in
33 this state who provides real time, two-way voice service with a
34 Minnesota telephone number.

35 (e) "Telecommunications access Minnesota program" means the
36 program governed by sections 237.50 to 237.55.

1 (f) "Telephone assistance program" means the program
2 governed by sections 237.69 to 237.711.

3 Subd. 2. [PER NUMBER FEE.] (a) By January 15, 2006, the
4 commissioner of commerce shall report to the legislature and to
5 the senate Committee on Jobs, Energy, and Community Development
6 and the house Committee on Regulated Industries, recommendations
7 for the amount of and method for assessing a fee that would
8 apply to each service provider based upon the number of
9 Minnesota telephone numbers in use by current customers of the
10 service provider. The fee would be set at a level calculated to
11 generate only the amount of revenue necessary to fund:

12 (1) the telephone assistance program and the
13 telecommunications access Minnesota program at the levels
14 established by the commission under sections 237.52, subdivision
15 2, and 237.70; and

16 (2) the 911 emergency and public safety communications
17 program at the levels appropriated by law to the commissioner of
18 public safety and the commissioner of finance for purposes of
19 sections 403.11, 403.113, 403.27, 403.30, and 403.31 for each
20 fiscal year.

21 (b) The recommendations must include any changes to
22 Minnesota Statutes necessary to establish the procedures whereby
23 each service provider, to the extent allowed under federal law,
24 would collect and remit the fee proceeds to the commissioner of
25 revenue. The commissioner of revenue would allocate the fee
26 proceeds to the three funding areas in paragraph (a) and credit
27 the allocations to the appropriate accounts.

28 (c) The recommendations must be designed to allow the
29 combined per telephone number fee to be collected beginning July
30 1, 2006. The per access line fee used to collect revenues to
31 support the TAP, TAM, and 911 programs remains in effect until
32 the statutory changes necessary to implement the per telephone
33 number fee have become effective.

34 (d) As part of the process of developing the
35 recommendations and preparing the report to the legislature
36 required under paragraph (a), the commissioner of commerce must,

1 at a minimum, consult regularly with the Departments of Public
2 Safety, Finance, and Administration, the Public Utilities
3 Commission, service providers, the chairs and ranking minority
4 members of the senate and house committees, subcommittees, and
5 divisions having jurisdiction over telecommunications and public
6 safety, and other affected parties.

7 Sec. 4. Minnesota Statutes 2004, section 237.701,
8 subdivision 1, is amended to read:

9 Subdivision 1. [FUND CREATED; AUTHORIZED EXPENDITURES.]

10 The telephone assistance fund is created as a separate account
11 in the state treasury to consist of amounts received by the
12 commissioner of public safety representing the surcharge
13 authorized by section 237.70, subdivision 6, and amounts earned
14 on the fund assets. Money in the fund may be used only for:

15 (1) reimbursement to local service providers for expenses
16 and credits allowed in section 237.70, subdivision 7, paragraph
17 (d), clause (5);

18 (2) reimbursement of the reasonable administrative expenses
19 of the commission ~~not-to-exceed-\$25,000-annually~~, a portion of
20 which may be used for periodic promotional activities,
21 including, but not limited to, radio or newspaper
22 advertisements, to inform eligible households of the
23 availability of the telephone assistance program; and

24 (3) reimbursement of the statewide indirect cost of the
25 commission.

26 Sec. 5. [325F.991] [911 EMERGENCY PHONE SERVICE
27 REPRESENTATIONS.]

28 Subdivision 1. [DEFINITIONS.] For purposes of this
29 section, the terms defined in this subdivision have the meanings
30 given them.

31 (a) "911 emergency telecommunications system" means a
32 dedicated emergency telecommunications system required by
33 section 403.025.

34 (b) "Person" means an individual, corporation, firm, or
35 other legal entity.

36 (c) "Service provider" means a person doing business in

1 Minnesota who provides real time, two-way voice service
2 interconnected with the public switched telephone network using
3 numbers allocated for Minnesota by the North American Numbering
4 Plan Administration.

5 Subd. 2. [REPRESENTATIONS OF 911 SERVICE.] A person shall
6 not advertise, market, or otherwise represent that the person
7 furnishes a service capable of providing access to emergency
8 services by dialing 911 unless the person provides a service
9 that routes 911 calls through the 911 emergency
10 telecommunications system.

11 Subd. 3. [DISCLOSURE.] A service provider that does not
12 provide 911 dialing that routes 911 calls through the 911
13 emergency telecommunications system must disclose that fact in
14 all advertisements, marketing materials, and contracts. The
15 disclosure must be in capital letters, in 12-point font, and on
16 the front page of the advertisement, marketing materials, and
17 contracts. The disclosure must state: "THIS SERVICE DOES NOT
18 ROUTE 911 CALLS THROUGH THE 911 EMERGENCY SYSTEM."

19 Subd. 4. [CERTAIN CALLS NOT 911 CALLS.] For purposes of
20 this section, 911 calls routed to the general access number at a
21 public safety answering point do not qualify as being routed
22 through a 911 emergency telecommunications system.

23 Sec. 6. Laws 1999, chapter 224, section 7, as amended by
24 Laws 2004, chapter 261, article 6, section 3, is amended to read:

25 Sec. 7. [SUNSET.]

26 ~~Sections 2 and 4 expire on August 17, 2005, and~~ Minnesota
27 Statutes 1998, sections 237.63, 237.65, and 237.68, expire on
28 December 31, 2004.

29 [EFFECTIVE DATE.] This section is effective the day
30 following final enactment.

31 Sec. 7. [REPEALER.]

32 Laws 1999, chapter 125, section 4, as amended by Laws 2002,
33 chapter 398, section 7, is repealed.

1 Page .., after line .., insert:

2 "Sec. ... [EXTENDED EMPLOYMENT PROGRAM WAGE RATES.]

3 The commissioner of employment and economic development
4 must study the issue of the appropriate level of wages to be
5 paid to participants in extended employment programs under
6 Minnesota Statutes, chapter 268A. The commissioner must consult
7 with employers, rehabilitation facilities, program participants
8 and their parents or legal guardians, advocacy groups, other
9 involved government agencies, and others the commissioner
10 determines necessary. The commissioner shall report the results
11 of the study along with any recommendations by February 1, 2006,
12 to the chairs of the legislative committees with fiscal or
13 policy jurisdiction over those extended employment programs."

14 Renumber the sections in sequence and correct the internal
15 references

16 Amend the title accordingly

MINUTES

Environment, Agriculture and Economic Development Budget Division
Chair: Sen. Dallas Sams
12:00 p.m. Room 107 Capitol
Thursday, April 21, 2005

MEMBERS PRESENT

Anderson
Bakk
Cohen
Dibble
Dille
Frederickson
Jungbauer
Kubly
Metzen
Pariseau
Rosen
Sams
Vickerman

MEMBERS ABSENT

Bachmann

The meeting was called to order at 12:10 p.m.

Senator Bakk presented the Omnibus Environment, Agriculture & Economic Development Budget bill. Senator Bakk moved the Article 1 spreadsheet regarding Environment and Agriculture. The motion prevailed. Article one was amended by members of the committee.

Senator Bakk moved the Article II Spreadsheet regarding Economic Development. The motion prevailed. Article II was amended by members of the committee.

Senator Bakk moved that the omnibus Environment, Agriculture and Economic Development bill as amended be referred to the Finance Committee. The motion prevailed.

The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Environment, Agriculture & Economic Development Budget Division

Senator Dallas Sams, Chair

Thursday, April 21, 2005- Noon

Room 107 State Capitol

A G E N D A

I. Call to Order

II. S.F. 1298 (Higgins): Minnesota Electronics Recycling Act of 2005

A. Author's Presentation

1. Testimony

III. S.F. 2133 (Rosen): Game & Fish licenses, permits and stamps issuing fee

A. Author's Presentation

IV. Omnibus Environment, Agriculture & Economic Development Budget Bill

V. Adjournment

Next Meeting:

Environment, Agriculture & Economic Development Budget Division

- TBA

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ARTICLE 1

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Section 1. [ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE APPROPRIATIONS.]

The sums in the columns marked "APPROPRIATIONS" are added to, or if shown in parentheses, are subtracted from the appropriations to the specific agencies in 2005 S.F. No. 1879, article 6, if enacted. The appropriations are from the general fund, unless another fund is named, and are available for the fiscal year indicated for each purpose. The figures "2006" and "2007," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2006, or June 30, 2007, respectively. The term "the first year" means the year ending June 30, 2006, and the term "the second year" means the year ending June 30, 2007. The biennium is fiscal years 2006 and 2007.

SUMMARY BY FUND

	2006	2007	TOTAL
General	\$...,...,000	\$...,...,000	\$...,...,000
Environmental	...,...,000	...,...,000	...,...,000
Natural Resources	...,...,000	...,...,000	...,...,000
Game and Fish	...,...,000	...,...,000	...,...,000
Great Lakes Protection	...,...,000	...,...,000	...,...,000

1	Bond Proceeds	.....,000	.....,000	.....,000
2	Permanent School	.....,000	.....,000	.....,000
3	Total	.....,000	.....,000	.....,000

4 Sec. 2. POLLUTION CONTROL
5 AGENCY

6	Subdivision 1. Total			
7	Appropriation		\$.....,000	\$.....,000

8 Summary by Fund

9	General	\$.....,000	\$.....,000	
10	Environmental	.....,000	.....,000	

11 The amounts that may be spent from this
12 appropriation for each program are
13 specified in the following subdivisions.

14 Subd. 2. Water

15	\$.....,000	\$.....,000		
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16 Summary by Fund

17	General,000,000	
18	Environmental,000,000	

19 Subd. 3. Air

20,000,000		
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21 Summary by Fund

22	Environmental,000,000	
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23 Subd. 4. Land

24,000,000		
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25 Of the money appropriated from the
26 remediation fund under Minnesota
27 Statutes, section 116.155, subdivision
28 2, \$6,800,000 for the biennium must be
29 used for cleanup at Mankato Plating;
30 Gopher Oil; Whiteway Cleaners; Reserve
31 Mining; and old unpermitted solid waste
32 disposal facilities.

33 Summary by Fund

34	Environmental,000,000	
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35 Subd. 5. Administrative Support

36,000,000		
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37 By December 1, 2005, the commissioner
38 shall submit a report to the
39 Environment and Natural Resources
40 Policy and Finance Committees of the
41 house and senate that provides a
42 benchmarking matrix and analysis that
43 compares the environmental review and
44 permitting requirements for forest
45 products and mining industry projects

1 in Minnesota with requirements in other
 2 states and countries. The matrix and
 3 analysis must include an assessment of
 4 whether the requirements in Minneosta
 5 and other states and countries are more
 6 strict, less strict, or equivalent to
 7 requirements of the federal
 8 Environmental Protection Agency and
 9 requirements under the National
 10 Environmental Policy Act.

11 Sec. 3. OFFICE OF ENVIRONMENTAL
 12 ASSISTANCE

13 Notwithstanding Minnesota Statutes,
 14 section 16B.37, the commissioner of
 15 administration shall not issue a
 16 reorganization order affecting the
 17 Office of Environmental Assistance or
 18 direct work by the office for another
 19 agency before July 1, 2007. The
 20 director of the Office of Environmental
 21 Assistance shall not enter into or
 22 continue any memorandum of
 23 understanding or other agreement that
 24 directs work by the office for another
 25 agency before July 1, 2007.

26 Sec. 4. ZOOLOGICAL BOARD .,.,.,,000 .,.,.,,000

27 Summary by Fund

28 Natural Resources .,.,,000 .,.,,000

29 \$.,.,,000 the first year and \$.,.,,000
 30 the second year are from the natural
 31 resources fund. This appropriation is
 32 from the revenue deposited in the
 33 natural resources fund under Minnesota
 34 Statutes, section 297A.94, paragraph
 35 (e), clause (5).

36 Sec. 5. NATURAL RESOURCES

37 Subdivision 1. Total
 38 Appropriation .,.,.,.,000 .,.,.,.,000

39 Summary by Fund

40 General .,.,.,.,000 .,.,.,.,000

41 Natural Resources .,.,.,.,000 .,.,.,.,000

42 Game and Fish .,.,.,.,000 .,.,.,.,000

43 Permanent School .,.,,000 .,.,,000

44 The amounts that may be spent from this
 45 appropriation for each program are
 46 specified in the following subdivisions.

47 Subd. 2. Land and Mineral Resources
 48 Management

49 .,.,.,,000 .,.,.,,000

50 Summary by Fund

51 General .,.,.,.,000 .,.,.,.,000

52 Natural Resources .,.,.,.,000 .,.,.,.,000

1	Game and Fish	...,000	...,000
2	Permanent School	...,000	...,000
3	\$.,000 the first year and \$.,000 the		
4	second year are from the state forest		
5	suspense account in the permanent		
6	school fund to identify, evaluate, and		
7	lease construction aggregate located on		
8	school trust lands.		
9	\$.,000 the first year is for a grant		
10	to the Board of Regents of the		
11	University of Minnesota to drill a		
12	5,000 foot core sampling bore hole at		
13	the Tower-Soudan mine complex in		
14	support of a National Science		
15	Foundation grant.		
16	Subd. 3. Water Resources Management		
17	...,000	...,000	
18	Summary by Fund		
19	General	...,000	...,000
20	Natural Resources	...,000	...,000
21	Subd. 4. Forest Management		
22	...,000	...,000	
23	Summary by Fund		
24	General	...,000	...,000
25	Natural Resources	...,000	...,000
26	Game and Fish	...,000	...,000
27	\$.,000 the first year and		
28	\$.,000 the second year are from the		
29	forest management investment account in		
30	the natural resources fund for only the		
31	purposes specified in Minnesota		
32	Statutes, section 89.039, subdivision 2.		
33	\$.,000 the first year and \$.,000		
34	the second year are for grants to the		
35	Natural Resources Research Institute		
36	for silvicultural research to improve		
37	the quality and quantity of timber		
38	fiber. The appropriation must be		
39	matched in the amount of \$200,000 each		
40	year, in cash or in-kind contributions,		
41	from the forest products industry		
42	members of the Minnesota Forest		
43	Productivity Research Cooperative.		
44	\$.,000 the first year and \$.,000		
45	the second year are from the game and		
46	fish fund to implement Ecological		
47	Classification Systems (ECS) standards		
48	on forested landscapes. This		
49	appropriation is from revenue deposited		
50	in the game and fish fund under		
51	Minnesota Statutes, section 297A.94,		
52	paragraph (e), clause (1).		
53	Subd. 5. Parks and Recreation		

1 Management

2 ...,...,000 ...,...,000

3 Summary by Fund

4 General ...,...,000 ...,...,000

5 Natural Resources ...,...,000 ...,...,000

6 \$.,...,000 the first year and

7 \$.,...,000 the second year are from the

8 natural resources fund for state park

9 and recreation area operations. This

10 appropriation is from the revenue

11 deposited to the natural resources fund

12 under Minnesota Statutes, section

13 297A.94, paragraph (e), clause (2).

14 Subd. 6. Trails and Waterways

15 Management

16 ...,...,000 ...,...,000

17 Summary by Fund

18 General .,...,000 .,...,000

19 Natural Resources .,...,000 .,...,000

20 Game and Fish .,...,000 .,...,000

21 \$.,...,000 the first year and

22 \$.,...,000 the second year are from the

23 snowmobile trails and enforcement

24 account in the natural resources fund

25 for snowmobile grants-in-aid. Any

26 unencumbered balance does not cancel at

27 the end of the first year and is

28 available for the second year.

29 \$..... in fiscal year 2006 and

30 \$..... in fiscal year 2007 are

31 appropriated from the snowmobile trails

32 and enforcement account to the

33 commissioner of natural resources to

34 acquire easements for permanent

35 recreational snowmobile trails.

36 The commissioner must work with trail

37 providers to increase grooming rates

38 and maintenance reimbursements,

39 consistent with funding appropriated by

40 the legislature, for grants provided

41 under Minnesota Statutes, section 84.83.

42 \$...,000 the first year and \$...,000

43 the second year are from the natural

44 resources fund for state trail

45 operations. This appropriation is from

46 the revenue deposited in the natural

47 resources fund under Minnesota

48 Statutes, section 297A.94, paragraph

49 (e), clause (2).

50 \$...,000 the first year and \$...,000

51 the second year are from the natural

52 resources fund for trail grants to

53 local units of government on land to be

54 maintained for at least 20 years for

55 the purposes of the grant. This

1 appropriation is from the revenue
 2 deposited in the natural resources fund
 3 under Minnesota Statutes, section
 4 297A.94, paragraph (e), clause (4).

5 \$..,000 the first year is from the
 6 all-terrain vehicle account in the
 7 natural resources fund for a study to
 8 determine the amount of gasoline used
 9 each year by all-terrain vehicle riders
 10 in the state. The commissioners of
 11 natural resources, revenue, and
 12 transportation shall jointly determine
 13 the amount of unrefunded gasoline tax
 14 attributable to all-terrain vehicle use
 15 in the state and shall report to the
 16 legislature by March 1, 2006, with an
 17 appropriate proposed revision to
 18 Minnesota Statutes, section 296A.18.

19 With money appropriated from the
 20 natural resources fund in S.F. No.
 21 1879, article 6, section 5, subdivision
 22 6, the department shall establish a
 23 boat launch and ramp at Horseshoe Bay
 24 in Cook County, and rehabilitate the
 25 historic fishing pier on Dower Lake in
 26 Todd County.

27 \$...,000 the first year is for a grant
 28 to the Duluth Port Authority to
 29 determine the cause of freshwater
 30 corrosion of harbor sheet piling,
 31 provided these state funds are matched
 32 on a dollar-for-dollar basis by
 33 nonstate funds.

34 \$...,000 is for a grant to the St.
 35 Louis and Lake Counties Regional
 36 Railroad Authority to complete
 37 constructing, furnishing, and equipping
 38 Mesabi Station along the 132-mile
 39 recreational trail known as Mesabi
 40 Trail and located at the intersection
 41 of U.S. 53 and marked Trunk Highway
 42 37. This appropriation is dependent
 43 upon a matching contribution of
 44 \$800,000 from other sources, public or
 45 private.

46 The appropriation in Laws 2003, chapter
 47 128, article 1, section 5, subdivision
 48 6, from the water recreation account in
 49 the natural resources fund for a
 50 cooperative project with the United
 51 States Army Corps of Engineers to
 52 develop the Mississippi Whitewater Park
 53 is available until June 30, 2007.

54 Subd. 7. Fish and Wildlife Management

55,000,000

56 Summary by Fund

57 General	.....,000	.....,000
58 Natural Resources	.....,000	.....,000
59 Game and Fish	.....,000	.....,000

1 \$.,.,.,000 the second year is a
2 reduction from the trout and salmon
3 management account for the purposes
4 specified in Minnesota Statutes,
5 section 97A.075, subdivision 3.

6 \$.,.,.,000 the first year and
7 \$.,.,.,000 the second year are from the
8 wildlife acquisition surcharge account
9 for only the purposes specified in
10 Minnesota Statutes, section 97A.071,
11 subdivision 2a.

12 \$.,.,.,000 the first year and
13 \$.,.,.,000 the second year are from the
14 deer habitat improvement account for
15 only the purposes specified in
16 Minnesota Statutes, section 97A.075,
17 subdivision 1, paragraph (b).

18 \$.,.,000 the first year and \$.,.,000
19 the second year are from the deer and
20 bear management account for only the
21 purposes specified in Minnesota
22 Statutes, section 97A.075, subdivision
23 1, paragraph (c).

24 \$.,.,000 the first year and \$.,.,000
25 the second year are a reduction from
26 the waterfowl habitat improvement
27 account for only the purposes specified
28 in Minnesota Statutes, section 97A.075,
29 subdivision 2.

30 \$.,.,000 the first year and \$.,.,000
31 the second year are from the pheasant
32 habitat improvement account for only
33 the purposes specified in Minnesota
34 Statutes, section 97A.075, subdivision
35 4.

36 \$.,.,000 the first year and \$.,.,000
37 the second year are from the wild
38 turkey management account for only the
39 purposes specified in Minnesota
40 Statutes, section 97A.075, subdivision
41 5. Of this amount, \$8,000 the first
42 year and \$8,000 the second year are
43 appropriated from the game and fish
44 fund for transfer to the wild turkey
45 management account for purposes
46 specified in Minnesota Statutes,
47 section 97A.075, subdivision 5.

48 \$.,.,.,000 the first year and
49 \$.,.,.,000 the second year are from the
50 heritage enhancement account in the
51 game and fish fund for only the
52 purposes specified in Minnesota
53 Statutes, section 297A.94, paragraph
54 (e), clause (1).

55 \$.,.,000 the first year and \$.,.,000
56 the second year are for coordination
57 and implementation of the roadsides for
58 wildlife program, including roadside
59 wildlife management training for road
60 managers and adjacent landowners,
61 development of local partnerships to
62 maximize roadside habitat benefits,
63 identification and cataloging of

1 existing and needed technical
 2 resources, and development of a
 3 steering group to monitor the progress
 4 of the program and identify and resolve
 5 issues of concern for wildlife
 6 management in roadsides.

7 \$...,000 the first year is for a grant
 8 to "Let's Go Fishing" of Minnesota to
 9 promote opportunities for fishing.

10 Subd. 8. Ecological Services

11 , , , , , 000 , , , , , 000

12 Summary by Fund

13	General	, , , , , 000	, , , , , 000
14	Natural Resources	, , , , , 000	, , , , , 000
15	Game and Fish	, , , , , 000	, , , , , 000

16 Notwithstanding Minnesota Statutes,
 17 section 290.431, \$100,000 the first
 18 year and \$100,000 the second year from
 19 the nongame wildlife management account
 20 is for nongame information, education,
 21 and promotion.

22 \$...,000 the first year and
 23 \$...,000 the second year are from the
 24 heritage enhancement account in the
 25 game and fish fund for only the
 26 purposes specified in Minnesota
 27 Statutes, section 297A.94, paragraph
 28 (e), clause (1).

29 \$...,000 the first year and \$...,000
 30 the second year are for a cost-share
 31 program with local government, lake
 32 associations, and conservation
 33 organizations for aquatic invasive
 34 species prevention and management
 35 activities, including: (1) development
 36 of prevention plans; (2) aquatic
 37 invasive species surveys and
 38 monitoring; (3) public education and
 39 training programs; or (4) conducting
 40 watercraft inspection programs. Of
 41 this amount, \$...,000 each year is from
 42 the general fund and \$...,000 each year
 43 is from the heritage enhancement
 44 account in the game and fish fund.

45 Subd. 9. Enforcement

46 , , , , , 000 , , , , , 000

47 Summary by Fund

48	General	, , , , , 000	, , , , , 000
49	Natural Resources	, , , , , 000	, , , , , 000
50	Game and Fish	, , , , , 000	, , , , , 000

51 Subd. 10. Operations Support

52 , , , , , 000 , , , , , 000

1

Summary by Fund

2 General,000,000

3 Natural Resources,000,000

4 Game and Fish,000,000

5 \$... ,000 the first year and \$... ,000
6 the second year are from the natural
7 resources fund for grants to be divided
8 equally between the city of St. Paul
9 for the Como Zoo and Conservatory and
10 the city of Duluth Zoo. This
11 appropriation is from the revenue
12 deposited to the natural resources fund
13 under Minnesota Statutes, section
14 297A.94, paragraph (e), clause (5).

15 Any reduction in general fund
16 appropriations in S.F. No. 1879,
17 article 10, section 33, if enacted,
18 must be taken from administrative costs
19 of the central office in St. Paul.

20 Sec. 6. BOARD OF WATER AND
21 SOIL RESOURCES,000,000

22 \$... ,000 the first year and \$... ,000
23 the second year are for grants to
24 watershed districts and other local
25 units of government in the southern
26 Minnesota River basin study area 2 for
27 floodplain management.

28 \$... ,000 the first year is for an
29 implementation assessment of public
30 drainage system buffers and their use,
31 maintenance, and benefits. The
32 assessment must be done in consultation
33 with farm groups, watershed districts,
34 soil and water conservation districts,
35 counties, and conservation
36 organizations, as well as federal
37 agencies implementing voluntary buffer
38 programs. The board shall report the
39 results to the senate and house of
40 representatives committees with
41 jurisdiction over drainage systems by
42 January 15, 2006.

43 \$50,000 the first year and \$50,000 the
44 second year are for beaver damage
45 control grants under new Minnesota
46 Statutes, section 103F.950.

47 The appropriations for grants in this
48 section are available until expended.
49 If an appropriation for grants in
50 either year is insufficient, the
51 appropriation in the other year is
52 available for it.

53 Sec. 7. METROPOLITAN COUNCIL,000,000

54 Summary by Fund

55 General,000,000

56 Natural Resources,000,000

1 \$,.,.,.,000 the first year and
 2 \$,.,.,.,000 the second year are from the
 3 natural resources fund for metropolitan
 4 area regional parks and trails
 5 maintenance and operations. This
 6 appropriation is from the revenue
 7 deposited in the natural resources fund
 8 under Minnesota Statutes, section
 9 297A.94, paragraph (e), clause (3).

10 Sec. 8. AGRICULTURE

11 Subdivision 1. Total
 12 Appropriation .,.,.,.,000 .,.,.,.,000

13 Summary by Fund

14 General .,.,.,.,000 .,.,.,.,000
 15 Remediation .,.,.,000 .,.,.,000
 16 Bond Proceeds .,.,.,000 .,.,.,000

17 The amounts that may be spent from this
 18 appropriation for each program are
 19 specified in the following subdivision.

20 Subd. 2. Protection Services

21 .,.,.,.,000 .,.,.,.,000

22 Summary by Fund

23 General .,.,.,.,000 .,.,.,.,000
 24 Remediation .,.,.,000 .,.,.,000

25 Subd. 3. Agricultural Marketing
26 and Development

27 .,.,.,.,000 .,.,.,.,000

28 Subd. 4. Value-Added Agricultural Products

29 .,.,.,.,000 .,.,.,.,000

30 \$,.,.,000 in the first year is for
 31 grants to gasoline service station
 32 owners who, after the effective date of
 33 this section, install pumps in this
 34 state for dispensing E85 gasoline. The
 35 commissioner may reimburse owners of
 36 gasoline service stations for up to 50
 37 percent of the total cost of installing
 38 an E85 pump, including the tank and any
 39 related components, up to a maximum of
 40 \$15,000 per E85 pump. The commissioner
 41 shall grant priority for E85 pumps
 42 installed in areas of the state where
 43 gasoline service stations with E85
 44 pumps are not reasonably available to
 45 the general public. This appropriation
 46 is available until spent.

47 \$,.,.,000 the first year and \$,.,.,000
 48 the second year is for ethanol
 49 combustion efficiency grants under
 50 Minnesota Statutes, section 41A.09,
 51 subdivision 9.

52 Subd. 5. Administration and

1 Financial Assistance

2 , , , , , , 000 , , , , , , 000

3 Summary by Fund

4 General , , , , , , 000 , , , , , , 000

5 Bond Proceeds , , , , , , 000 , , , , , , 000

6 \$.,,000 is to conduct a study, in close
7 consultation with the commissioner of
8 transportation, of the feasibility and
9 desirability of constructing a rail
10 container load-out facility in or near
11 the city of Willmar or the city of
12 Clara City. The study must include an
13 estimate of the costs and benefits of a
14 facility to the city and region and to
15 the state transportation system. The
16 commissioner shall report to the
17 governor and legislature on the results
18 of the study by January 15, 2006.

19 \$.,,000 in the first year and \$.,,000
20 in the second year from the general
21 fund appropriation in S.F. No. 1879,
22 article 6, section 10, subdivision 5,
23 are for transfer to the Board of
24 Trustees of the Minnesota State
25 Colleges and Universities for mental
26 health counseling support to farm
27 families and business operators through
28 farm business management programs at
29 Central Lakes College and Ridgewater
30 College.

31 \$.,,.,,000 each year are for grants to
32 the Minnesota Horticultural Society.

33 \$.,,.,,000 the first year and \$.,,.,,000
34 the second year are to provide training
35 and technical assistance to county and
36 town officials relating to livestock
37 siting issues and local zoning and land
38 use planning including a checklist
39 template that would clarify the
40 federal, state, and local government
41 requirements for consideration of an
42 animal agriculture modernization or
43 expansion project. In developing the
44 training and technical assistance
45 program, the commissioner may seek
46 assistance from the local planning
47 assistance center of the Department of
48 Administration and shall seek guidance,
49 advice, and support of livestock
50 producer organizations, general
51 agricultural organizations, local
52 government associations, academic
53 institutions, other government
54 agencies, and others with expertise in
55 land use and agriculture.

56 \$.,,.,,000 the first year is to contract
57 with the University of Minnesota for
58 further research and development of
59 livestock odor and air quality
60 management.

61 \$.,,.,,000 the first year and

1 \$.,.,.,000 the second year are for
2 grants to Second Harvest Heartland on
3 behalf of Minnesota's six Second
4 Harvest food banks for the purchase of
5 milk for distribution to Minnesota's
6 food shelves and other charitable
7 organizations that are eligible to
8 receive food from the food banks. Milk
9 purchased under the grants must be
10 acquired from Minnesota milk processors
11 and based on low-cost bids. The milk
12 must be allocated to each Second
13 Harvest food bank serving Minnesota
14 according to the formula used in the
15 distribution of United States
16 Department of Agriculture commodities
17 under The Emergency Food Assistance
18 Program (TEFAP). Second Harvest
19 Heartland must submit quarterly reports
20 to the commissioner on forms prescribed
21 by the commissioner. The reports must
22 include, but are not limited to,
23 information on the expenditure of
24 funds, the amount of milk purchased,
25 and the organizations to which the milk
26 was distributed. Second Harvest
27 Heartland may enter into contracts or
28 agreements with food banks for shared
29 funding or reimbursement of the direct
30 purchase of milk. Each food bank
31 receiving money from this appropriation
32 may use up to two percent of the grant
33 for administrative expenses.

34 \$18,000,000 is appropriated from the
35 bond proceeds fund for purposes as set
36 forth in the Minnesota Constitution,
37 article XI, section 5, clause (h), to
38 the Rural Finance Authority to purchase
39 participation interests in or to make
40 direct agricultural loans to farmers
41 under Minnesota Statutes, chapter 41B.
42 This appropriation is for the beginning
43 farmer program under Minnesota
44 Statutes, section 41B.039, the loan
45 restructuring program under Minnesota
46 Statutes, section 41B.04, the
47 seller-sponsored program under
48 Minnesota Statutes, section 41B.042,
49 the agricultural improvement loan
50 program under Minnesota Statutes,
51 section 41B.043, and the livestock
52 expansion loan program under Minnesota
53 Statutes, section 41B.045. All debt
54 service on bond proceeds used to
55 finance this appropriation must be
56 repaid by the Rural Finance Authority
57 under Minnesota Statutes, section
58 16A.643. Loan participations must be
59 priced to provide full interest and
60 principal coverage and a reserve for
61 potential losses. Priority for loans
62 must be given first to basic beginning
63 farmer loans; second, to
64 seller-sponsored loans; and third, to
65 agricultural improvement loans.

66 Sec. 9. BOND SALE

67 To provide the money appropriated in
68 this act from the bond proceeds fund,

1 \$449,000 the first year and \$450,000
 2 the second year are from the trust fund
 3 for administration as provided in
 4 Minnesota Statutes, section 116P.09,
 5 subdivision 5.

6 (b) Contract Administration 150,000

7 \$75,000 the first year and \$75,000 the
 8 second year are from the trust fund to
 9 the commissioner of natural resources
 10 for contract administration activities
 11 assigned to the commissioner in this
 12 section. This appropriation is
 13 available until June 30, 2008.

14 Subd. 4. Citizen Advisory Committee 10,000 10,000

15 Summary by Fund

16 Trust Fund 10,000 10,000

17 \$10,000 the first year and \$10,000 the
 18 second year are from the trust fund to
 19 the Legislative Commission on Minnesota
 20 Resources for expenses of the citizen
 21 advisory committee as provided in
 22 Minnesota Statutes, section 116P.06.
 23 Notwithstanding Minnesota Statutes,
 24 section 16A.281, the availability of
 25 \$15,000 of the appropriation from Laws
 26 2003, chapter 128, article 1, section
 27 9, subdivision 4, advisory committee,
 28 is extended to June 30, 2007.

29 Subd. 5. Fish and Wildlife Habitat 5,038,000 5,038,000

30 Summary by Fund

31 Trust Fund 5,038,000 5,038,000

32 (a) Restoring Minnesota's Fish and Wildlife
 33 Habitat Corridors-Phase III 4,062,000

34 \$2,031,000 the first year and
 35 \$2,031,000 the second year are from the
 36 trust fund to the commissioner of
 37 natural resources for the third
 38 biennium for acceleration of agency
 39 programs and cooperative agreements
 40 with Pheasants Forever, Minnesota Deer
 41 Hunters Association, Ducks Unlimited,
 42 Inc., National Wild Turkey Federation,
 43 the Nature Conservancy, Minnesota Land
 44 Trust, the Trust for Public Land,
 45 Minnesota Valley National Wildlife
 46 Refuge Trust, Inc., U.S. Fish and
 47 Wildlife Service, Red Lake Band of
 48 Chippewa, Leech Lake Band of Chippewa,
 49 Fond du Lac Band of Chippewa,
 50 USDA-Natural Resources Conservation
 51 Service, and the Board of Water and
 52 Soil Resources to plan, restore, and
 53 acquire fragmented landscape corridors
 54 that connect areas of quality habitat
 55 to sustain fish, wildlife, and plants.
 56 Expenditures are limited to the 11
 57 project areas as defined in the work
 58 program. Land acquired with this
 59 appropriation must be sufficiently
 60 improved to meet at least minimum

1 habitat and facility management
 2 standards as determined by the
 3 commissioner of natural resources.
 4 This appropriation may not be used for
 5 the purchase of residential structures,
 6 unless expressly approved in the work
 7 program. Any land acquired in fee
 8 title by the commissioner of natural
 9 resources with money from this
 10 appropriation must be designated: (1)
 11 as an outdoor recreation unit under
 12 Minnesota Statutes, section 86A.07; or
 13 (2) as provided in Minnesota Statutes,
 14 sections 89.018, subdivision 2,
 15 paragraph (a); 97A.101; 97A.125;
 16 97C.001; and 97C.011. The commissioner
 17 may similarly designate any lands
 18 acquired in less than fee title. This
 19 appropriation is available until June
 20 30, 2008, at which time the project
 21 must be completed and final products
 22 delivered, unless an earlier date is
 23 specified in the work program.

24 (b) Metropolitan Area Wildlife
 25 Corridors-Phase II

3,530,000

26 \$1,765,000 the first year and
 27 \$1,765,000 the second year are from the
 28 trust fund to the commissioner of
 29 natural resources for the second
 30 biennium for acceleration of agency
 31 programs and cooperative agreements
 32 with the Trust for Public Land, Ducks
 33 Unlimited, Inc., Friends of the
 34 Mississippi River, Great River
 35 Greening, Minnesota Land Trust,
 36 Minnesota Valley National Wildlife
 37 Refuge Trust, Inc., Pheasants Forever,
 38 Inc., and Friends of the Minnesota
 39 Valley for the purposes of planning,
 40 improving, and protecting important
 41 natural areas in the metropolitan
 42 region, as defined by Minnesota
 43 Statutes, section 473.121, subdivision
 44 2, and portions of the surrounding
 45 counties, through grants, contracted
 46 services, conservation easements, and
 47 fee acquisition. Land acquired with
 48 this appropriation must be sufficiently
 49 improved to meet at least minimum
 50 management standards as determined by
 51 the commissioner of natural resources.
 52 Expenditures are limited to the
 53 identified project areas as defined in
 54 the work program. This appropriation
 55 may not be used for the purchase of
 56 residential structures, unless
 57 expressly approved in the work
 58 program. Any land acquired in fee
 59 title by the commissioner of natural
 60 resources with money from this
 61 appropriation must be designated: (1)
 62 as an outdoor recreation unit under
 63 Minnesota Statutes, section 86A.07; or
 64 (2) as provided in Minnesota Statutes,
 65 sections 89.018, subdivision 2,
 66 paragraph (a); 97A.101; 97A.125;
 67 97C.001; and 97C.011. The commissioner
 68 may similarly designate any lands
 69 acquired in less than fee title. This

1 appropriation is available until June
 2 30, 2008, at which time the project
 3 must be completed and final products
 4 delivered, unless an earlier date is
 5 specified in the work program.

6 (c) Development of Scientific and Natural Areas 134,000

7 \$67,000 the first year and \$67,000 the
 8 second year are from the trust fund to
 9 the commissioner of natural resources
 10 to develop and enhance lands designated
 11 as scientific and natural areas. This
 12 appropriation is available until June
 13 30, 2008, at which time the project
 14 must be completed and final products
 15 delivered, unless an earlier date is
 16 specified in the work program.

17 (d) Prairie Stewardship of Private Lands 100,000

18 \$50,000 the first year and \$50,000 the
 19 second year are from the trust fund to
 20 the commissioner of natural resources
 21 to develop stewardship plans and
 22 implement prairie management on private
 23 prairie lands on a cost-share basis
 24 with private or federal funds. This
 25 appropriation is available until June
 26 30, 2008, at which time the project
 27 must be completed and final products
 28 delivered, unless an earlier date is
 29 specified in the work program.

30 (e) Local Initiative Grants-Conservation
 31 Partners and Environmental Partnerships 500,000

32 \$250,000 the first year and \$250,000
 33 the second year are from the trust fund
 34 to the commissioner of natural
 35 resources to provide matching grants of
 36 up to \$20,000 to local government and
 37 private organizations for enhancement,
 38 restoration, research, and education
 39 associated with natural habitat and
 40 environmental service projects.
 41 Subdivision 16 applies to grants
 42 awarded in the approved work program.
 43 This appropriation is available until
 44 June 30, 2008, at which time the
 45 project must be completed and final
 46 products delivered, unless an earlier
 47 date is specified in the work program.

48 (f) Minnesota ReLeaf Community Forest
 49 Development and Protection 500,000

50 \$250,000 the first year and \$250,000
 51 the second year are from the trust fund
 52 to the commissioner of natural
 53 resources for acceleration of the
 54 agency program and a cooperative
 55 agreement with Tree Trust to protect
 56 forest resources, develop
 57 inventory-based management plans, and
 58 provide matching grants to communities
 59 to plant native trees. At least
 60 \$390,000 of this appropriation must be
 61 used for grants to communities. For
 62 the purposes of this paragraph, the
 63 match must be a nonstate contribution,

1 but may be either cash or qualifying
2 in-kind. This appropriation is
3 available until June 30, 2008, at which
4 time the project must be completed and
5 final projects delivered, unless an
6 earlier date is specified in the work
7 program.

8 (g) Integrated and Pheromonal Control of
9 Common Carp 550,000

10 \$275,000 the first year and \$275,000
11 the second year are from the trust fund
12 to the University of Minnesota for the
13 second biennium to research new options
14 for controlling common carp. This
15 appropriation is available until June
16 30, 2009, at which time the project
17 must be completed and final products
18 delivered, unless an earlier date is
19 specified in the work program.

20 (h) Biological Control of European Buckthorn
21 and Garlic Mustard 200,000

22 \$100,000 the first year and \$100,000
23 the second year are from the trust fund
24 to the commissioner of natural
25 resources to research potential insects
26 for biological control of invasive
27 European buckthorn species for the
28 second biennium and to introduce and
29 evaluate insects for biological control
30 of garlic mustard. This appropriation
31 is available until June 30, 2008, at
32 which time the project must be
33 completed and final products delivered,
34 unless an earlier date is specified in
35 the work program.

36 (i) Land Exchange Revolving Fund for
37 Aitkin, Cass, and Crow Wing Counties 500,000

38 \$250,000 the first year and \$250,000
39 the second year are from the trust fund
40 to the commissioner of natural
41 resources for an agreement with Aitkin
42 County for a six-year revolving loan
43 fund to improve public and private land
44 ownership patterns, increase management
45 efficiency, and protect critical
46 habitat in Aitkin, Cass, and Crow Wing
47 Counties. By June 30, 2011, Aitkin
48 County shall repay the \$500,000 to the
49 commissioner of finance for deposit in
50 the environment and natural resources
51 trust fund.

52 Subd. 6. Recreation 7,160,000 5,559,000

53 Summary by Fund

54 Trust Fund 5,560,000 5,559,000

55 State Land and Water Conservation
56 Account (LAWCON) 1,600,000 -0-

57 (a) State Park and Recreation Area
58 Land Acquisition 2,000,000

59 \$1,000,000 the first year and

1 \$1,000,000 the second year are from the
 2 trust fund to the commissioner of
 3 natural resources to acquire
 4 in-holdings for state park and
 5 recreation areas. Land acquired with
 6 this appropriation must be sufficiently
 7 improved to meet at least minimum
 8 management standards as determined by
 9 the commissioner of natural resources.
 10 This appropriation is available until
 11 June 30, 2008, at which time the
 12 project must be completed and final
 13 products delivered, unless an earlier
 14 date is specified in the work program.

15 (b) LAWCON Federal Reimbursements 1,600,000

16 \$1,600,000 is from the State Land and
 17 Water Conservation Account (LAWCON) in
 18 the natural resources fund to the
 19 commissioner of natural resources for
 20 priorities established by the
 21 commissioner for eligible state
 22 projects and administrative and
 23 planning activities consistent with
 24 Minnesota Statutes, section 116P.14,
 25 and the federal Land and Water
 26 Conservation Fund Act. Subdivision 16
 27 applies to grants awarded in the
 28 approved work program. This
 29 appropriation is contingent upon
 30 receipt of the federal obligation and
 31 remains available until June 30, 2008,
 32 at which time the project must be
 33 completed and final products delivered,
 34 unless an earlier date is specified in
 35 the work program.

36 (c) State Park and Recreation Area
 37 Revenue-Enhancing Development 200,000

38 \$100,000 the first year and \$100,000
 39 the second year are from the trust fund
 40 to the commissioner of natural
 41 resources to enhance revenue generation
 42 in the state's park and recreation
 43 system.

44 (d) Best Management Practices for Parks
 45 and Outdoor Recreation 200,000

46 \$100,000 the first year and \$100,000
 47 the second year are from the trust fund
 48 to the commissioner of natural
 49 resources for an agreement with the
 50 Minnesota Recreation and Park
 51 Association to develop and evaluate
 52 opportunities to more efficiently
 53 manage Minnesota's parks and outdoor
 54 recreation areas.

55 (e) Metropolitan Regional Parks Acquisition,
 56 Rehabilitation, and Development 2,000,000

57 \$1,000,000 the first year and
 58 \$1,000,000 the second year are from the
 59 trust fund to the Metropolitan Council
 60 for subgrants for the acquisition,
 61 development, and rehabilitation in the
 62 metropolitan regional park system,
 63 consistent with the Metropolitan

1 Council regional recreation open space
 2 capital improvement plan. This
 3 appropriation may not be used for the
 4 purchase of residential structures, may
 5 be used to reimburse implementing
 6 agencies for acquisition as expressly
 7 approved in the work program, and must
 8 be matched by at least 40 percent of
 9 nonstate money. Subdivision 16 applies
 10 to grants awarded in the approved work
 11 program. This appropriation is
 12 available until June 30, 2008, at which
 13 time the project must be completed and
 14 final products delivered, unless an
 15 earlier date is specified in the work
 16 program. If a project financed under
 17 this program receives a federal grant
 18 award, the availability of the
 19 financing from this paragraph for that
 20 project is extended to equal the period
 21 of the federal grant.

22 (f) Gitchi-Gami State Trail 500,000

23 \$250,000 the first year and \$250,000
 24 the second year are from the trust fund
 25 to the commissioner of natural
 26 resources, in cooperation with the
 27 Gitchi-Gami Trail Association, for the
 28 fourth biennium, to design and
 29 construct approximately two miles of
 30 Gitchi-Gami State Trail segments. This
 31 appropriation is available until June
 32 30, 2008, at which time the project
 33 must be completed and final products
 34 delivered. If this project receives a
 35 federal grant award, the availability
 36 of the financing from this paragraph
 37 for the project is extended to equal
 38 the period of the federal grant.

39 (g) Casey Jones State Trail 1,200,000

40 \$600,000 the first year and \$600,000
 41 the second year are from the trust fund
 42 to the commissioner of natural
 43 resources in cooperation with the
 44 Friends of the Casey Jones Trail
 45 Association for land acquisition and
 46 development of the Casey Jones State
 47 Trail in southwest Minnesota. This
 48 appropriation is available until June
 49 30, 2008, at which time the project
 50 must be completed and final products
 51 delivered. If this project receives a
 52 federal grant award, the availability
 53 of the financing from this paragraph
 54 for the project is extended to equal
 55 the period of the federal grant.

56 (h) Paul Bunyan State Trail Connection 400,000

57 \$200,000 the first year and \$200,000
 58 the second year are from the trust fund
 59 to the commissioner of natural
 60 resources to acquire land to connect
 61 the Paul Bunyan State Trail within the
 62 city of Bemidji.

63 (i) Minnesota River Trail Planning 200,000

1 \$100,000 the first year and \$100,000
 2 the second year are from the trust fund
 3 to the commissioner of natural
 4 resources for an agreement with the
 5 University of Minnesota to provide
 6 trail planning assistance to three
 7 communities along the Minnesota River
 8 State Trail.

9 (j) Local Initiative Grants-Parks and Natural Areas 1,200,000

10 \$600,000 the first year and \$600,000
 11 the second year are from the trust fund
 12 to the commissioner of natural
 13 resources to provide matching grants to
 14 local governments for acquisition and
 15 development of natural and scenic areas
 16 and local parks as provided in
 17 Minnesota Statutes, section 85.019,
 18 subdivisions 2 and 4a, and regional
 19 parks outside of the metropolitan
 20 area. Grants may provide up to 50
 21 percent of the nonfederal share of the
 22 project cost, except nonmetropolitan
 23 regional park grants may provide up to
 24 60 percent of the nonfederal share of
 25 the project cost. \$500,000 of this
 26 appropriation is for land acquisition
 27 for a proposed county regional park on
 28 Kraemer Lake in Stearns County. The
 29 commission will monitor the grants for
 30 approximate balance over extended
 31 periods of time between the
 32 metropolitan area, under Minnesota
 33 Statutes, section 473.121, subdivision
 34 2, and the nonmetropolitan area through
 35 work program oversight and periodic
 36 allocation decisions. For the purposes
 37 of this paragraph, the match must be a
 38 nonstate contribution, but may be
 39 either cash or qualifying in-kind.
 40 Recipients may receive funding for more
 41 than one project in any given grant
 42 period. Subdivision 16 applies to
 43 grants awarded in the approved work
 44 program. This appropriation is
 45 available until June 30, 2008, at which
 46 time the project must be completed and
 47 final products delivered.

48 (k) Regional Park Planning for Nonmetropolitan
 49 Urban Areas 86,000

50 \$43,000 the first year and \$43,000 the
 51 second year are from the trust fund to
 52 the commissioner of natural resources
 53 for an agreement with the University of
 54 Minnesota to develop a plan for a
 55 system of regional recreation areas for
 56 major outstate urban complexes in
 57 Minnesota.

58 (l) Local and Regional Trail Grant Initiative Program 700,000

59 \$350,000 the first year and \$350,000
 60 the second year are from the trust fund
 61 to the commissioner of natural
 62 resources to provide matching grants to
 63 local units of government for the cost
 64 of acquisition, development,
 65 engineering services, and enhancement

1 of existing and new trail facilities.
 2 Subdivision 16 applies to grants
 3 awarded in the approved work program.
 4 This appropriation is available until
 5 June 30, 2008, at which time the
 6 project must be completed and final
 7 products delivered, unless an earlier
 8 date is specified in the work program.
 9 In addition, if a project financed
 10 under this program receives a federal
 11 grant award, the availability of the
 12 financing from this paragraph for that
 13 project is extended to equal the period
 14 of the federal grant.

15 (m) Mesabi Trail 1,000,000

16 \$500,000 the first year and \$500,000
 17 the second year are from the trust fund
 18 to the commissioner of natural
 19 resources for an agreement with St.
 20 Louis and Lake Counties Regional Rail
 21 Authority for the seventh biennium to
 22 acquire and develop segments for the
 23 Mesabi Trail. This appropriation is
 24 available until June 30, 2008, at which
 25 time the project must be completed and
 26 final products delivered. If this
 27 project receives a federal grant award,
 28 the availability of the financing from
 29 this paragraph for the project is
 30 extended to equal the period of the
 31 federal grant.

32 (n) Cannon Valley Trail Belle Creek Bridge
 33 Replacement 300,000

34 \$150,000 the first year and \$150,000
 35 the second year are from the trust fund
 36 to the commissioner of natural
 37 resources for an agreement with the
 38 Cannon Valley Trail Joint Powers Board
 39 for bridge replacement of the Belle
 40 Creek Bridge on the Cannon Valley
 41 Trail. This appropriation must be
 42 matched by at least \$44,000 of nonstate
 43 money.

44 (o) Arrowhead Regional Bike Trail Connections Plan 83,000

45 \$42,000 the first year and \$41,000 the
 46 second year are from the trust fund to
 47 the commissioner of natural resources
 48 for an agreement with the Arrowhead
 49 Regional Development Commission to
 50 analyze the Arrowhead's major bike
 51 trails and plan new trail connections.

52 (p) Land Acquisition, Minnesota Landscape Arboretum 650,000

53 \$325,000 the first year and \$325,000
 54 the second year are from the trust fund
 55 to the University of Minnesota for an
 56 agreement with the University of
 57 Minnesota Landscape Arboretum
 58 Foundation for the sixth biennium to
 59 acquire land from willing sellers.
 60 This appropriation must be matched by
 61 an equal amount of nonstate money.
 62 This appropriation is available until
 63 June 30, 2008, at which time the

1 project must be completed and final
 2 products delivered, unless an earlier
 3 date is specified in the work program.

4 (q) Development and Rehabilitation of Minnesota
 5 Shooting Ranges 300,000

6 \$150,000 the first year and \$150,000
 7 the second year are from the trust fund
 8 to the commissioner of natural
 9 resources to provide technical
 10 assistance and matching grants to local
 11 communities and recreational shooting
 12 and archery clubs for the purpose of
 13 developing or rehabilitating shooting
 14 and archery facilities for public use.
 15 Recipient facilities must be open to
 16 the general public at reasonable times
 17 and for a reasonable fee on a walk-in
 18 basis. This appropriation is available
 19 until June 30, 2008, at which time the
 20 project must be completed and final
 21 products delivered, unless an earlier
 22 date is specified in the work program.

23 (r) Birding Maps 100,000

24 \$50,000 the first year and \$50,000 the
 25 second year are from the trust fund to
 26 the commissioner of natural resources
 27 for an agreement with Audubon Minnesota
 28 to create a new birding trail guide for
 29 the North Shore/Arrowhead region and
 30 reprint and distribute guides for three
 31 existing birding trails.

32 Subd. 7. Water Resources 3,027,000 3,000,000

33 Summary by Fund

34 Trust Fund 2,999,000 3,000,000

35 Great Lakes Protection
 36 Account 28,000

37 (a) Local Water Management Matching Challenge Grants 1,000,000

38 \$500,000 the first year and \$500,000
 39 the second year are from the trust fund
 40 to the Board of Water and Soil
 41 Resources to accelerate the local water
 42 management challenge grant program
 43 under Minnesota Statutes, sections
 44 103B.3361 to 103B.3369, through
 45 matching grants to implement high
 46 priority activities in state-approved
 47 comprehensive water management plans.
 48 For the purposes of this paragraph, the
 49 match must be a nonstate contribution,
 50 but may be either cash or qualifying
 51 in-kind. The grants may be provided on
 52 an advance basis as specified in the
 53 work program. This appropriation is
 54 available until June 30, 2008, at which
 55 time the project must be completed and
 56 final products delivered, unless an
 57 earlier date is specified in the work
 58 program.

59 (b) Accelerating and Enhancing Surface Water
 60 Monitoring for Lakes and Streams 600,000

1 \$300,000 the first year and \$300,000
 2 the second year are from the trust fund
 3 to the commissioner of the Pollution
 4 Control Agency for acceleration of
 5 agency programs and cooperative
 6 agreements with the Minnesota Lakes
 7 Association, Rivers Council of
 8 Minnesota, and the University of
 9 Minnesota to accelerate monitoring
 10 efforts through assessments, citizen
 11 training, and implementation grants.
 12 This appropriation is available until
 13 June 30, 2008, at which time the
 14 project must be completed and final
 15 products delivered, unless an earlier
 16 date is specified in the work program.

17 (c) Effects of Land Retirements on the
 18 Minnesota River 300,000

19 \$150,000 the first year and \$150,000
 20 the second year are from the trust fund
 21 to the Board of Water and Soil
 22 Resources for a cooperative agreement
 23 with the U.S. Geological Survey to
 24 evaluate effects of retired or
 25 set-aside agricultural lands on the
 26 water quality and aquatic habitat of
 27 streams in the Minnesota River Basin in
 28 order to enhance prioritization of
 29 future land retirements. This
 30 appropriation must be matched by an
 31 equal amount of nonstate money. This
 32 appropriation is available until June
 33 30, 2008, at which time the project
 34 must be completed and final products
 35 delivered, unless an earlier date is
 36 specified in the work program.

37 (d) Recycling Treated Municipal Wastewater for
 38 Industrial Water Use 300,000

39 \$150,000 the first year and \$150,000
 40 the second year are from the trust fund
 41 to the commissioner of natural
 42 resources for an agreement with the
 43 Metropolitan Council to determine the
 44 feasibility of recycling treated
 45 municipal wastewater for industrial
 46 use, characterize industrial water
 47 demand and quality, and determine the
 48 costs to treat municipal wastewater to
 49 meet specific industrial needs.

50 (e) Unwanted Hormone Therapy: Protecting Water
 51 and Public Health 300,000

52 \$150,000 the first year and \$150,000
 53 the second year are from the trust fund
 54 to the University of Minnesota to
 55 determine where behavior-altering
 56 estrogenic compounds come from and how
 57 they are distributed in wastewater
 58 treatment plants. This appropriation
 59 is available until June 30, 2008, at
 60 which time the project must be
 61 completed and final products delivered,
 62 unless an earlier date is specified in
 63 the work program.

- 1 (f) Climate Change Impacts on Minnesota's
2 Aquatic Resources 250,000
- 3 \$125,000 the first year and \$125,000
4 the second year are from the trust fund
5 to the University of Minnesota, Natural
6 Resources Research Institute, to
7 quantify climate, hydrologic, and
8 ecological variability and trends; and
9 identify indicators of future climate
10 change effects on aquatic systems.
11 This appropriation is available until
12 June 30, 2008, at which time the
13 project must be completed and final
14 products delivered, unless an earlier
15 date is specified in the work program.
- 16 (g) Green Roof Cost Share and Monitoring 350,000
- 17 \$175,000 the first year and \$175,000
18 the second year are from the trust fund
19 to the commissioner of natural
20 resources for an agreement with Ramsey
21 Conservation District to install green,
22 vegetated roofs on four commercial or
23 industrial buildings in Roseville and
24 Falcon Heights and to monitor their
25 effectiveness for stormwater
26 management, flood reduction, water
27 quality, and energy efficiency. The
28 cost of the installations must be
29 matched by at least 50 percent nonstate
30 money.
- 31 (h) Woodchip Biofilter Treatment of Feedlot Runoff 270,000
- 32 \$135,000 the first year and \$135,000
33 the second year are from the trust fund
34 to the commissioner of natural
35 resources for agreements with Stearns
36 County Soil and Water Conservation
37 District and the University of
38 Minnesota to treat feedlot runoff with
39 woodchip biofilters to remove
40 pollutants and assess improvements to
41 surface water quality. This
42 appropriation is available until June
43 30, 2008, at which time the project
44 must be completed and final products
45 delivered, unless an earlier date is
46 specified in the work program.
- 47 (i) Improving Water Quality on the Central Sands 587,000
- 48 \$294,000 the first year and \$293,000
49 the second year are from the trust fund
50 to the commissioner of natural
51 resources for agreements with the
52 University of Minnesota and the Central
53 Lakes College Agricultural Center to
54 reduce nitrate and phosphorus losses to
55 groundwater and surface waters of sandy
56 ecoregions through the development,
57 promotion, and adoption of new farming
58 and land management practices and
59 techniques. This appropriation is
60 available until June 30, 2008, at which
61 time the project must be completed and
62 final products delivered, unless an
63 earlier date is specified in the work
64 program.

1 (j) Improving Impaired Watersheds: Conservation
2 Drainage Research 300,000

3 \$150,000 the first year and \$150,000
4 the second year are from the trust fund
5 to the commissioner of agriculture to
6 analyze conservation drainage systems
7 at University of Minnesota research and
8 outreach centers for opportunities to
9 retrofit drainage infrastructure with
10 water quality improvement
11 technologies. This appropriation is
12 available until June 30, 2008, at which
13 time the project must be completed and
14 final products delivered, unless an
15 earlier date is specified in the work
16 program.

17 (k) Hydrology, Habitat, and Energy Potential
18 of Mine Lakes 500,000

19 \$188,000 the first year and \$211,000
20 the second year are from the trust fund
21 to the commissioner of natural
22 resources for agency work and
23 agreements with Architectural
24 Resources, Inc., and Northeast
25 Technical Services, Inc., for a
26 coordinated effort of the Central Iron
27 Range Initiative to establish ultimate
28 mine water elevations, outflows, and
29 quality; design optimum future mineland
30 configurations for fish habitat and
31 lakeshore development; and evaluate
32 wind-pumped hydropower potential.
33 \$62,000 the first year and \$39,000 the
34 second year are from the trust fund to
35 the Minnesota Geological Survey at the
36 University of Minnesota to assess the
37 geology and mine pit morphometry.

38 (l) Hennepin County Beach Water Quality
39 Monitoring Project 100,000

40 \$50,000 the first year and \$50,000 the
41 second year are from the trust fund to
42 the commissioner of natural resources
43 for an agreement with Hennepin County
44 to develop a predictive model for
45 on-site determination of beach water
46 quality to prevent outbreaks of
47 waterborne illnesses and provide
48 related water safety outreach to the
49 public.

50 (m) Southwest Minnesota Floodwater Retention Projects 500,000

51 \$250,000 the first year and \$250,000
52 the second year are from the trust fund
53 to the commissioner of natural
54 resources for an agreement with Area II
55 MN River Basin Projects, Inc., to
56 acquire easements and construct four
57 floodwater retention projects in the
58 Minnesota River Basin to improve water
59 quality and waterfowl habitat.

60 (n) Upgrades to Blue Heron Research Vessel 295,000

61 \$28,000 is from the Great Lakes
62 protection account in the first year

1 and \$133,000 the first year and
 2 \$134,000 the second year are from the
 3 trust fund to the University of
 4 Minnesota, Large Lakes Observatory, to
 5 upgrade and overhaul the Blue Heron
 6 Research Vessel.

7 (o) Bassett Creek Valley Channel Restoration 175,000

8 \$87,000 the first year and \$88,000 the
 9 second year are from the trust fund to
 10 the commissioner of natural resources
 11 for an agreement with the city of
 12 Minneapolis for design and engineering
 13 activities for habitat restoration and
 14 water quality and channel improvements
 15 for Bassett Creek Valley.

16 (p) Restoration of Indian Lake 200,000

17 \$100,000 the first year and \$100,000
 18 the second year are from the trust fund
 19 to the commissioner of natural
 20 resources for agreements with MN
 21 Environmental Services and Bemidji
 22 State University to demonstrate the
 23 removal of excess nutrients from Indian
 24 Lake in Wright County. This
 25 appropriation is available until June
 26 30, 2008, at which time the project
 27 must be completed and final products
 28 delivered, unless an earlier date is
 29 specified in the work program, and is
 30 contingent on all appropriate permits
 31 being obtained.

32 Subd. 8. Land Use and Natural Resource
 33 Information 1,000,000 1,000,000

34 Summary by Fund

35 Trust Fund 1,000,000 1,000,000

36 (a) Minnesota County Biological Survey 1,000,000

37 \$500,000 the first year and \$500,000
 38 the second year are from the trust fund
 39 to the commissioner of natural
 40 resources for the tenth biennium to
 41 accelerate the survey that identifies
 42 significant natural areas and
 43 systematically collects and interprets
 44 data on the distribution and ecology of
 45 native plant communities, rare plants,
 46 and rare animals.

47 (b) Soil Survey 500,000

48 \$250,000 the first year and \$250,000
 49 the second year are from the trust fund
 50 to the Board of Water and Soil
 51 Resources to accelerate digitizing of
 52 completed soil surveys for Web-based
 53 user application and for agreements
 54 with Pine and Crow Wing Counties to
 55 begin soil surveys. The new soil
 56 surveys must be done on a cost-share
 57 basis with local and federal funds.
 58 This appropriation is available until
 59 June 30, 2008, at which time the
 60 project must be completed and final

1 products delivered, unless an earlier
2 date is specified in the work program.

3 (c) Land Cover Mapping for Natural Resource Protection 250,000

4 \$125,000 the first year and \$125,000
5 the second year are from the trust fund
6 to the commissioner of natural
7 resources for an agreement with
8 Hennepin County to develop GIS tools
9 for prioritizing natural areas for
10 protection and restoration and to
11 update and complete land cover
12 classification mapping.

13 (d) Open Space Planning and Protection 250,000

14 \$125,000 the first year and \$125,000
15 the second year are from the trust fund
16 to the commissioner of natural
17 resources for an agreement with Anoka
18 Conservation District to protect open
19 space by identifying high priority
20 natural resource corridors through
21 planning, conservation easements, and
22 land dedication as part of development
23 processes.

24 Subd. 9. Agriculture and Natural
25 Resource Industries 1,342,000 1,341,000

26 Summary by Fund

27 Trust Fund 1,342,000 1,341,000

28 (a) Completing Third-Party Certification
29 of DNR Forest Lands 250,000

30 \$125,000 the first year and \$125,000
31 the second year are from the trust fund
32 to the commissioner of natural
33 resources for third-party assessment
34 and certification of 4,470,000 acres of
35 DNR-administered lands under forest
36 sustainability standards established by
37 two internationally recognized forest
38 certification systems, the Forest
39 Stewardship Council system, and the
40 Sustainable Forestry Initiative system.

41 (b) Third-Party Certification of Private Woodlands 376,000

42 \$188,000 the first year and \$188,000
43 the second year are from the trust fund
44 to the University of Minnesota, Cloquet
45 Forestry Center, to pilot a third-party
46 certification assessment framework for
47 nonindustrial private forest owners.

48 (c) Sustainable Management of Private Forest Lands 874,000

49 \$437,000 the first year and \$437,000
50 the second year are from the trust fund
51 to the commissioner of natural
52 resources to develop stewardship plans
53 for private forested lands, implement
54 stewardship plans on a cost-share basis
55 and for conservation easements matching
56 federal funds. This appropriation is
57 available until June 30, 2008, at which
58 time the project must be completed and

1 final products delivered, unless an
2 earlier date is specified in the work
3 program.

4 (d) Evaluating Riparian Timber Harvesting
5 Guidelines: Phase 2 333,000

6 \$167,000 the first year and \$166,000
7 the second year are from the trust fund
8 to the University of Minnesota for a
9 second biennium to assess the timber
10 harvesting riparian management
11 guidelines for postharvest impacts on
12 terrestrial, aquatic, and wildlife
13 habitat. This appropriation is
14 available until June 30, 2008, at which
15 time the project must be completed and
16 final products delivered, unless an
17 earlier date is specified in the work
18 program.

19 (e) Third Crops for Water Quality-Phase 2 500,000

20 \$250,000 the first year and \$250,000
21 the second year are from the trust fund
22 to the commissioner of natural
23 resources for cooperative agreements
24 with Rural Advantage and the University
25 of Minnesota to accelerate adoption of
26 third crops to enhance water quality,
27 diversify cropping systems, supply
28 bioenergy, and provide wildlife habitat
29 through demonstration, research, and
30 education. This appropriation is
31 available until June 30, 2008, at which
32 time the project must be completed and
33 final products delivered, unless an
34 earlier date is specified in the work
35 program.

36 (f) Bioconversion of Potato Waste into
37 Marketable Biopolymers 350,000

38 \$175,000 the first year and \$175,000
39 the second year are from the trust fund
40 to the commissioner of natural
41 resources for an agreement with Bemidji
42 State University to evaluate the
43 bioconversion of potato waste into
44 plant-based plastics. This
45 appropriation is available until June
46 30, 2008, at which time the project
47 must be completed and final products
48 delivered, unless an earlier date is
49 specified in the work program.

50 Subd. 10. Energy 1,896,000 1,896,000

51 Summary by Fund

52 Trust Fund 1,896,000 1,896,000

53 (a) Clean Energy Resource Teams and Community Wind
54 Energy Rebate Programs 700,000

55 \$350,000 the first year and \$350,000
56 the second year are from the trust fund
57 to the commissioner of commerce.
58 \$300,000 of this appropriation is to
59 provide technical assistance to
60 implement cost-effective conservation,

1 energy efficiency, and renewable energy
2 projects. \$400,000 of this
3 appropriation is to assist two
4 Minnesota communities in developing
5 locally owned wind energy projects by
6 offering financial assistance rebates.

7 (b) Planning for Economic Development
8 via Energy Independence 240,000

9 \$120,000 the first year and \$120,000
10 the second year are from the trust fund
11 to the commissioner of natural
12 resources for an agreement with the
13 University of Minnesota-Duluth to
14 evaluate the socioeconomic benefits of
15 statewide and community renewable
16 energy production and distribution by
17 analyzing system installation,
18 technical capabilities,
19 cost-competitiveness, economic impacts,
20 and policy incentives.

21 (c) Manure Methane Digester Compatible Wastes
22 and Electrical Generation 100,000

23 \$50,000 the first year and \$50,000 the
24 second year are from the trust fund to
25 the commissioner of agriculture to
26 research the potential for a centrally
27 located, multifarm manure digester and
28 the potential use of compatible waste
29 streams with manure digesters.

30 (d) Dairy Farm Digesters 336,000

31 \$168,000 the first year and \$168,000
32 the second year are from the trust fund
33 to the commissioner of natural
34 resources for an agreement with the
35 Minnesota Project for a pilot project
36 to evaluate anaerobic digester
37 technology on average size dairy farms
38 of 50 to 300 cows.

39 (e) Wind to Hydrogen Demonstration 800,000

0 \$400,000 the first year and \$400,000
41 the second year are from the trust fund
42 to the commissioner of natural
43 resources for an agreement with the
44 University of Minnesota, West Central
45 Research and Outreach Center, to
46 develop a model community-scale
47 wind-to-hydrogen facility.

48 (f) Natural Gas Production from
49 Agricultural Biomass 100,000

50 \$50,000 the first year and \$50,000 the
51 second year are from the trust fund to
52 the commissioner of natural resources
53 for an agreement with Sebesta Blomberg
54 and Associates to demonstrate potential
55 natural gas yield using anaerobic
56 digestion of blends of chopped grasses
57 or crop residue with hog manure and
58 determine optimum operating conditions
59 for conversion to natural gas.

60 (g) Biomass-Derived Oils for Generating Electricity

1 and Reducing Emissions 150,000

2 \$75,000 the first year and \$75,000 the
3 second year are from the trust fund to
4 the University of Minnesota to evaluate
5 the environmental and performance
6 benefits of using renewable
7 biomass-derived oils, such as soybean
8 oil, for generating electricity.

9 (h) Phillips Biomass Community Energy System 900,000

10 \$450,000 the first year and \$450,000
11 the second year are from the trust fund
12 to the commissioner of natural
13 resources for an agreement with
14 Phillips Community Energy Cooperative
15 to assist in the distribution system
16 equipment and construction costs for a
17 biomass district energy system. This
18 appropriation is contingent on all
19 appropriate permits being obtained and
20 a signed commitment of financing for
21 the biomass electrical generating
22 facility being in place.

23 (i) Laurentian Energy Authority Biomass Project 466,000

24 \$233,000 the first year and \$233,000
25 the second year are from the trust fund
26 to the commissioner of natural
27 resources for an agreement with
28 Virginia Public Utility to lease land
29 and plant approximately 1,000 acres of
30 trees to support a proposed conversion
31 to a biomass power plant.

32 Subd. 11. Environmental Education 360,000 360,000

33 Summary by Fund

34 Trust Fund 360,000 360,000

35 (a) Enhancing Civic Understanding of Groundwater 150,000

36 \$75,000 the first year and \$75,000 the
37 second year are from the trust fund to
38 the commissioner of natural resources
39 for an agreement with the Science
40 Museum of Minnesota to create
41 groundwater exhibits and a statewide
42 traveling groundwater classroom
43 program. This appropriation is
44 available until June 30, 2008, at which
45 time the project must be completed and
46 final products delivered, unless an
47 earlier date is specified in the work
48 program.

49 (b) Cedar Creek Natural History Area Interpretive
50 Center and Restoration 400,000

51 \$200,000 the first year and \$200,000
52 the second year are from the trust fund
53 to the commissioner of natural
54 resources for an agreement with the
55 University of Minnesota, Cedar Creek
56 Natural History Area, to restore 400
57 acres of savanna and prairie; construct
58 a Science Interpretive Center to
59 publicly demonstrate technologies for

1 energy efficiency; and create
 2 interpretive trails. This
 3 appropriation is available until June
 4 30, 2008, at which time the project
 5 must be completed and final products
 6 delivered, unless an earlier date is
 7 specified in the work program.

8 (c) Environmental Problem-Solving Model
 9 for Twin Cities Schools 75,000

10 \$38,000 the first year and \$37,000 the
 11 second year are from the trust fund to
 12 the commissioner of natural resources
 13 for an agreement with Eco Education to
 14 train high school students and teachers
 15 on environmental problem solving.

16 (d) Tamarack Nature Center Exhibits 95,000

17 \$47,000 the first year and \$48,000 the
 18 second year are from the trust fund to
 19 the commissioner of natural resources
 20 for an agreement with Ramsey County
 21 Parks and Recreation Department to
 22 develop interactive ecological exhibits
 23 at Tamarack Nature Center.

24 Subd. 12. Children's Environmental
 25 Health 100,000 100,000

26 Summary by Fund

27 Trust Fund 100,000 100,000

28 Minnesota Children's Pesticide Exposure
 29 Reduction Initiative 200,000

30 \$100,000 the first year and \$100,000
 31 the second year are appropriated to the
 32 commissioner of agriculture to reduce
 33 children's pesticide exposure through
 34 parent education on alternative pest
 35 control methods and safe pesticide use.

36 Subd. 13. Data Availability Requirements

37 (a) During the biennium ending June 30,
 38 2007, data collected by the projects
 39 funded under this section that have
 40 value for planning and management of
 41 natural resource, emergency
 42 preparedness, and infrastructure
 43 investments must conform to the
 44 enterprise information architecture
 45 developed by the Office of Technology.
 46 Spatial data must conform to geographic
 47 information system guidelines and
 48 standards outlined in that architecture
 49 and adopted by the Minnesota Geographic
 50 Data Clearinghouse at the Land
 51 Management Information Center. A
 52 description of these data that adheres
 53 to Office of Technology geographic
 54 metadata standards must be submitted to
 55 the Land Management Information Center
 56 to be made available on-line through
 57 the clearinghouse, and the data
 58 themselves must be accessible and free
 59 to the public unless made private under
 60 the Data Practices Act, Minnesota

1 Statutes, chapter 13.

2 (b) To the extent practicable, summary
3 data and results of projects funded
4 under this section should be readily
5 accessible on the Internet and
6 identified as an environment and
7 natural resources trust fund project.

8 (c) As part of project expenditures,
9 recipients of land acquisition
10 appropriations must provide the
11 information necessary to update public
12 recreation information maps to the
13 Department of Natural Resources in the
14 form specified by the department.

15 Subd. 14. Project Requirements

16 It is a condition of acceptance of the
17 appropriations in this section that any
18 agency or entity receiving the
19 appropriation must comply with
20 Minnesota Statutes, chapter 116P, and
21 vegetation planted must be native to
22 Minnesota and preferably of the local
23 ecotype unless the work program
24 approved by the commission expressly
25 allows the planting of species that are
26 not native to Minnesota. Bridges that
27 are constructed with appropriations
28 under this section must be made out of
29 iron, concrete, or wood.

30 Subd. 15. Match Requirements

31 Unless specifically authorized,
32 appropriations in this section that
33 must be matched and for which the match
34 has not been committed by December 31,
35 2005, are canceled, and in-kind
36 contributions may not be counted as
37 matching funds.

38 Subd. 16. Payment Conditions and Capital Equipment Expenditures

39 All agreements, grants, or contracts
40 referred to in this section must be
41 administered on a reimbursement basis
42 unless otherwise provided in this
43 section. Notwithstanding Minnesota
44 Statutes, section 16A.41, expenditures
45 made on or after July 1, 2005, or the
46 date the work program is approved,
47 whichever is later, are eligible for
48 reimbursement unless otherwise provided
49 in this section. Payment must be made
50 upon receiving documentation that
51 project-eligible, reimbursable dollar
52 amounts have been expended, except that
53 reasonable amounts may be advanced to
54 projects to accommodate cash flow needs
55 or match federal funds. The advances
56 must be approved as part of the work
57 program. No expenditures for capital
58 equipment are allowed unless expressly
59 authorized in the project work program.

60 Subd. 17. Purchase of Recycled and Recyclable Materials

61 A political subdivision, public or

1 private corporation, or other entity
2 that receives an appropriation in this
3 section must use the appropriation in
4 compliance with Minnesota Statutes,
5 sections 16B.121 and 16B.122, requiring
6 the purchase of recycled, repairable,
7 and durable materials; the purchase of
8 uncoated paper stock; and the use of
9 soy-based ink, the same as if it were a
10 state agency.

11 Subd. 18. Energy Conservation

12 A recipient to whom an appropriation is
13 made in this section for a capital
14 improvement project shall ensure that
15 the project complies with the
16 applicable energy conservation
17 standards contained in law, including
18 Minnesota Statutes, sections 216C.19
19 and 216C.20, and rules adopted
20 thereunder. The recipient may use the
21 energy planning, advocacy, and state
22 energy office units of the Department
23 of Commerce to obtain information and
24 technical assistance on energy
25 conservation and alternative energy
26 development relating to the planning
27 and construction of the capital
28 improvement project.

29 Subd. 19. Accessibility

30 Structural and nonstructural facilities
31 must meet the design standards in the
32 Americans with Disability Act (ADA)
33 accessibility guidelines.

34 Sec. 12. Minnesota Statutes 2004, section 16A.125,
35 subdivision 5, is amended to read:

36 Subd. 5. [FOREST TRUST LANDS.] (a) The term "state forest
37 trust fund lands" as used in this subdivision, means public land
38 in trust under the Constitution set apart as "forest lands under
39 the authority of the commissioner" of natural resources as
40 defined by section 89.001, subdivision 13.

41 (b) The commissioner of finance shall credit the revenue
42 from the forest trust fund lands to the forest suspense
43 account. The account must specify the trust funds interested in
44 the lands and the respective receipts of the lands.

45 (c) After a fiscal year, the commissioner of finance shall
46 certify the total costs incurred for forestry during that year
47 under appropriations for the protection, improvement,
48 administration, and management of state forest trust fund lands
49 and construction and improvement of forest roads to enhance the
50 forest value of the lands. The certificate must specify the

1 trust funds interested in the lands. The commissioner of
2 natural resources shall supply the commissioner of finance with
3 the information needed for the certificate.

4 (d) After a fiscal year, the commissioner shall distribute
5 the receipts credited to the suspense account during that fiscal
6 year as follows:

7 (a) (1) the amount of the certified costs incurred by the
8 state for forest management, forest improvement, and road
9 improvement during the fiscal year shall be transferred to
10 the ~~general-fund~~ forest management investment account
11 established under section 89.039;

12 (2) the balance of the certified costs incurred by the
13 state during the fiscal year shall be transferred to the general
14 fund; and

15 (b) (3) the balance of the receipts shall then be returned
16 prorated to the trust funds in proportion to their respective
17 interests in the lands which produced the receipts.

18 Sec. 13. Minnesota Statutes 2004, section 17.03,
19 subdivision 13, is amended to read:

20 Subd. 13. [SEMIANNUAL REPORTS.] (a) ~~By-October-15-and~~
21 ~~April-15-of-each-year,~~ The commissioner shall submit to the
22 legislative committees having jurisdiction over appropriations
23 from the agricultural fund in section 16A.531 ~~a-report~~ reports
24 on the amount of revenue raised in each fee account within the
25 fund, the expenditures from each account, and the purposes for
26 which the expenditures were made. The reports must be issued in
27 February and November each year, to coincide with the forecasts
28 of revenue and expenditures prepared under section 16A.103.

29 (b) The report delivered ~~on-October-15~~ in February of each
30 year must include the commissioner's recommendations, if any,
31 for changes in statutes relating to the fee accounts of the
32 agricultural fund.

33 Sec. 14. Minnesota Statutes 2004, section 17.117, is
34 amended by adding a subdivision to read:

35 Subd. 5b. [APPLICATION FEE.] The commissioner may impose a
36 nonrefundable application fee of \$50 for each loan issued under

1 the program. The fees must be credited to the agricultural best
2 management practices administration account, which is hereby
3 established in the agricultural fund. Interest earned in the
4 account accrues to the account. Money in the account and
5 interest earned in the accounts established in the agricultural
6 fund under subdivision 5a are appropriated to the commissioner
7 for administrative expenses of the program.

8 Sec. 15. Minnesota Statutes 2004, section 17B.03,
9 subdivision 1, is amended to read:

10 Subdivision 1. [COMMISSIONER'S POWERS.] The commissioner
11 of agriculture shall exercise general supervision over the
12 inspection, grading, weighing, sampling, and analysis of grain
13 subject to the provisions of the United States Grain Standards
14 Act of 1976 and the rules promulgated thereunder by the United
15 States Department of Agriculture. This activity may take place
16 within or outside the state of Minnesota. Scale testing must be
17 performed at export locations or, upon request from and with the
18 consent of the delegated authority, at domestic locations. Fees
19 for the testing of scales and weighing equipment shall be fixed
20 by the commissioner and must be uniform with those charged by
21 the Division of Weights and Measures of the Department of
22 Commerce.

23 Sec. 16. Minnesota Statutes 2002, section 18B.05,
24 subdivision 1, is amended to read:

25 Subdivision 1. [ESTABLISHMENT.] A pesticide regulatory
26 account is established in the agricultural fund. Fees,
27 assessments, and penalties collected under this chapter must be
28 deposited in the agricultural fund and credited to the pesticide
29 regulatory account. Money in the account, including interest,
30 is appropriated to the commissioner for the administration and
31 enforcement of this chapter.

32 Sec. 17. Minnesota Statutes 2004, section 18B.08,
33 subdivision 4, is amended to read:

34 Subd. 4. [APPLICATION FEE.] A person ~~initially~~ applying
35 for a chemigation permit must pay a nonrefundable application
36 fee of ~~\$50~~ \$250. A person who holds a fertilizer chemigation

1 permit under section 18C.205, is exempt from the fee in this
2 subdivision.

3 Sec. 18. Minnesota Statutes 2004, section 18B.26,
4 subdivision 3, is amended to read:

5 Subd. 3. [APPLICATION FEE.] (a) A registrant shall pay an
6 annual application fee for each pesticide to be registered, and
7 this fee is set at one-tenth of one percent for calendar year
8 1990, at one-fifth of one percent for calendar year 1991, and at
9 two-fifths of one percent for calendar year 1992 and thereafter
10 of annual gross sales within the state and annual gross sales of
11 pesticides used in the state, with a minimum nonrefundable fee
12 of \$250. The registrant shall determine when and which
13 pesticides are sold or used in this state. The registrant shall
14 secure sufficient sales information of pesticides distributed
15 into this state from distributors and dealers, regardless of
16 distributor location, to make a determination. Sales of
17 pesticides in this state and sales of pesticides for use in this
18 state by out-of-state distributors are not exempt and must be
19 included in the registrant's annual report, as required under
20 paragraph (c), and fees shall be paid by the registrant based
21 upon those reported sales. Sales of pesticides in the state for
22 use outside of the state are exempt from the application fee in
23 this paragraph if the registrant properly documents the sale
24 location and distributors. A registrant paying more than the
25 minimum fee shall pay the balance due by March 1 based on the
26 gross sales of the pesticide by the registrant for the preceding
27 calendar year. The fee for disinfectants and sanitizers shall
28 be the minimum. The minimum fee is due by December 31 preceding
29 the year for which the application for registration is made.
30 The commissioner shall spend at least \$300,000 per fiscal year
31 from the pesticide regulatory account for the purposes of the
32 waste pesticide collection program.

33 (b) An additional fee of \$100 must be paid by the applicant
34 for each pesticide to be registered if the application is a
35 renewal application that is submitted after December 31.

36 (c) A registrant must annually report to the commissioner

1 the amount and type of each registered pesticide sold, offered
2 for sale, or otherwise distributed in the state. The report
3 shall be filed by March 1 for the previous year's registration.
4 The commissioner shall specify the form of the report and
5 require additional information deemed necessary to determine the
6 amount and type of pesticides annually distributed in the
7 state. The information required shall include the brand name,
8 amount, and formulation of each pesticide sold, offered for
9 sale, or otherwise distributed in the state, but the information
10 collected, if made public, shall be reported in a manner which
11 does not identify a specific brand name in the report.

12 (d) A registrant who is required to pay more than the
13 minimum fee for any pesticide under paragraph (a) must pay a
14 late fee penalty of \$100 for each pesticide application fee paid
15 after March 1 in the year for which the license is to be issued.

16 Sec. 19. Minnesota Statutes 2004, section 18B.31,
17 subdivision 5, is amended to read:

18 Subd. 5. [APPLICATION FEE.] (a) An application for a
19 pesticide dealer license must be accompanied by a nonrefundable
20 application fee of \$50 \$150.

21 (b) If an application for renewal of a pesticide dealer
22 license is not filed before January 1 of the year for which the
23 license is to be issued, an additional fee of \$20 must be paid
24 by the applicant before the license is issued.

25 Sec. 20. Minnesota Statutes 2004, section 18B.315,
26 subdivision 6, is amended to read:

27 Subd. 6. [FEES.] (a) An applicant for an aquatic pest
28 control license for a business must pay a nonrefundable
29 application fee of ~~\$100~~ \$200. An employee of a licensed
30 business must pay a nonrefundable application fee of \$50 for an
31 individual aquatic pest control license.

32 (b) An application received after expiration of the aquatic
33 pest control license is subject to a penalty of 50 percent of
34 the application fee.

35 (c) An applicant that meets renewal requirements by
36 reexamination instead of attending workshops must pay the

1 equivalent workshop fee for the reexamination as determined by
2 the commissioner.

3 Sec. 21. Minnesota Statutes 2004, section 18B.32,
4 subdivision 6, is amended to read:

5 Subd. 6. [FEES.] (a) An applicant for a structural pest
6 control license for a business must pay a nonrefundable
7 application fee of ~~\$100~~ \$200. An employee of a licensed
8 business must pay a nonrefundable application fee of \$50 for an
9 individual structural pest control license.

10 (b) An application received after expiration of the
11 structural pest control license is subject to a penalty fee of
12 50 percent of the application fee.

13 (c) An applicant that meets renewal requirements by
14 reexamination instead of attending workshops must pay the
15 equivalent workshop fee for the reexamination as determined by
16 the commissioner.

17 Sec. 22. Minnesota Statutes 2004, section 18B.33,
18 subdivision 7, is amended to read:

19 Subd. 7. [APPLICATION FEES.] (a) A person initially
20 applying for or renewing a commercial applicator license must
21 pay a nonrefundable application fee of \$50.

22 (b) ~~If A license renewal application is not filed~~
23 ~~before received after March 1 of in the year for which the~~
24 ~~license is to be issued, an additional is subject to a penalty~~
25 ~~fee of \$10-must-be-paid-before-the-commercial-applicator 50~~
26 ~~percent of the application fee. The penalty fee must be paid~~
27 ~~before the renewal license may be issued.~~

28 (c) An application for a duplicate commercial applicator
29 license must be accompanied by a nonrefundable application fee
30 of \$10.

31 Sec. 23. Minnesota Statutes 2004, section 18B.34,
32 subdivision 5, is amended to read:

33 Subd. 5. [FEES.] (a) A person initially applying for or
34 renewing a noncommercial applicator license must pay a
35 nonrefundable application fee of \$50, except an applicant who is
36 a government or Minnesota Conservation Corps employee who uses

1 pesticides in the course of performing official duties must pay
2 a nonrefundable application fee of \$10.

3 (b) ~~If an A license renewal application for renewal of a~~
4 ~~noncommercial license is not filed before~~ received after March 1
5 in the year for which the license is to be issued, ~~an additional~~
6 is subject to a penalty fee of \$10 must be paid before the 50
7 percent of the application fee. The penalty fee must be paid
8 before the renewal license may be issued.

9 (c) An application for a duplicate noncommercial applicator
10 license must be accompanied by a nonrefundable application fee
11 of \$10.

12 Sec. 24. Minnesota Statutes 2004, section 18C.141,
13 subdivision 1, is amended to read:

14 Subdivision 1. [PROGRAM ESTABLISHMENT.] The commissioner
15 shall establish ~~a program~~ voluntary programs to certify the
16 accuracy of analyses from soil and manure testing laboratories
17 and promote standardization of soil and manure testing
18 procedures and analytical results.

19 Sec. 25. Minnesota Statutes 2004, section 18C.141,
20 subdivision 3, is amended to read:

21 Subd. 3. [ANALYSES REPORTING STANDARDS.] (a) The results
22 obtained from soil, manure, or plant analysis must be reported
23 in accordance with standard reporting units established by the
24 commissioner by rule. The standard reporting units must conform
25 as far as practical to uniform standards that are adopted on a
26 regional or national basis.

27 (b) If a certified laboratory offers a recommendation for
28 use in Minnesota, the University of Minnesota recommendation or
29 that of another land grant college in a contiguous state must be
30 offered in addition to other recommendations, and the source of
31 the recommendation must be identified on the recommendation
32 form. If relative levels such as low, medium, or high are
33 presented to classify the analytical results, the corresponding
34 relative levels based on the analysis as designated by the
35 University of Minnesota or the land grant college in a
36 contiguous state must also be presented.

1 Sec. 26. Minnesota Statutes 2004, section 18C.141,
2 subdivision 5, is amended to read:

3 Subd. 5. [~~CERTIFICATION FEES.~~] (a) The commissioner may
4 charge the actual costs for check sample preparation and
5 shipping.

6 ~~(b) A laboratory applying for certification shall pay an~~
7 ~~application fee of \$100 and a certification fee of \$100 before~~
8 ~~the certification is issued~~ may be charged a nonrefundable
9 certification fee to cover the actual costs for administration
10 of the program.

11 ~~(b) (c) Certification is valid for one year and the renewal~~
12 ~~fee is \$100. The commissioner shall charge an additional~~
13 ~~application fee of \$100 if a certified laboratory allows~~
14 ~~certification to lapse before applying for renewed certification~~
15 renewable on an annual basis.

16 ~~(e) The commissioner shall notify a certified lab that its~~
17 ~~certification lapses within 30 to 60 days of the date when the~~
18 ~~certification lapses.~~

19 (d) The commissioner may accept donations to support the
20 development and operation of soil and manure programs.

21 (e) Revenues under this section are deposited in the
22 fertilizer account of the agricultural fund.

23 Sec. 27. Minnesota Statutes 2004, section 18C.425,
24 subdivision 6, is amended to read:

25 Subd. 6. [INSPECTION FEES.] The person responsible for
26 payment of the inspection fees for fertilizers, soil amendments,
27 or plant amendments sold and used in this state must pay an
28 inspection fee of ~~±5~~ 30 cents per ton of fertilizer, soil
29 amendment, and plant amendment sold or distributed in this
30 state, with a minimum of \$10 on all tonnage reports. Products
31 sold or distributed to manufacturers or exchanged between them
32 are exempt from the inspection fee imposed by this subdivision
33 if the products are used exclusively for manufacturing purposes.

34 Sec. 28. Minnesota Statutes 2004, section 18E.03,
35 subdivision 2, is amended to read:

36 Subd. 2. [EXPENDITURES.] (a) Money in the agricultural

1 chemical response and reimbursement account may only be used:

2 (1) to pay for the commissioner's responses to incidents
3 under chapters 18B, 18C, and 18D that are not eligible for
4 payment under section 115B.20, subdivision 2;

5 (2) to pay for emergency responses that are otherwise
6 unable to be funded;

7 (3) to reimburse and pay corrective action costs under
8 section 18E.04; and

9 (4) by the board to reimburse the commissioner for board
10 staff and other administrative costs up to ~~\$175,000~~ \$225,000 per
11 fiscal year.

12 (b) Money in the agricultural chemical response and
13 reimbursement account is appropriated to the commissioner to
14 make payments as provided in this subdivision.

15 Sec. 29. Minnesota Statutes 2004, section 18G.10,
16 subdivision 5, is amended to read:

17 Subd. 5. [CERTIFICATE FEES.] (a) The commissioner shall
18 assess the fees in paragraphs (b) to (f) for the inspection,
19 service, and work performed in carrying out the issuance of a
20 phytosanitary certificate or export certificate. The inspection
21 fee must be based on mileage and inspection time.

22 (b) Mileage charge: current United States Internal Revenue
23 Service mileage rate.

24 (c) Inspection time: \$50 per hour minimum or fee necessary
25 to cover department costs. Inspection time includes the driving
26 time to and from the location in addition to the time spent
27 conducting the inspection.

28 ~~(d) A fee must be charged for any certificate issued that~~
29 ~~requires laboratory analysis before issuance. The fee must be~~
30 ~~deposited into the laboratory account as authorized in section~~
31 ~~17.85. If laboratory analysis or other technical analysis is~~
32 ~~required to issue a certificate, the commissioner must set and~~
33 ~~collect the fee to recover this additional cost.~~

34 (e) Certificate fee for product value greater than \$250:
35 \$75 for each phytosanitary or export certificate issued for any
36 single shipment valued at more than \$250 in addition to any

1 mileage or inspection time charges that are assessed.

2 (f) Certificate fee for product value less than \$250: \$25
3 for each phytosanitary or export certificate issued for any
4 single shipment valued at less than \$250 in addition to any
5 mileage or inspection time charges that are assessed.

6 (g) For services provided for in subdivision 7 that are
7 goods and services provided for the direct and primary use of a
8 private individual, business, or other entity, the commissioner
9 must set and collect the fees to cover the cost of the services
10 provided.

11 Sec. 30. Minnesota Statutes 2004, section 18G.10,
12 subdivision 7, is amended to read:

13 Subd. 7. [~~PLANT-PROTECTION-INSPECTIONS,~~ SUPPLEMENTAL,
14 ADDITIONAL, OR OTHER CERTIFICATES, AND PERMITS,~~AND FEES.~~] (a)
15 The commissioner may provide inspection, sampling, or
16 certification services to ensure that Minnesota plant products
17 or commodities meet import requirements of other states or
18 countries.

19 (b) The state plant regulatory official may issue permits
20 and certificates verifying that various Minnesota agricultural
21 products or commodities meet specified phytosanitary plant
22 health requirements, treatment requirements, or pest absence
23 assurances based on determinations by the commissioner. ~~The~~
24 ~~commissioner may collect fees sufficient to recover costs for~~
25 ~~these permits or certificates. The fees must be deposited in~~
26 ~~the nursery and phytosanitary account.~~

27 Sec. 31. Minnesota Statutes 2004, section 18G.16,
28 subdivision 1, is amended to read:

29 Subdivision 1. [DEFINITIONS.] (a) The definitions in this
30 subdivision apply to this section.

31 (b) "Metropolitan area" means the counties of Anoka,
32 Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

33 (c) "Municipality" means a home rule charter or statutory
34 city or a town located in the metropolitan area that exercises
35 municipal powers under section 368.01 or any general or special
36 law; a special park district organized under chapter 398; a

1 special-purpose park and recreation board organized under the
2 city charter of a city of the first class located in the
3 metropolitan area; a county in the metropolitan area for the
4 purposes of county-owned property or any portion of a county
5 located outside the geographic boundaries of a city or a town
6 exercising municipal powers; and a municipality or county
7 located outside the metropolitan area with an approved disease
8 control program.

9 (d) "Shade tree disease pest" means ~~Dutch-elm-disease, oak~~
10 ~~wilt, or any disorder~~ pests or pathogens affecting the growth
11 and life of shade trees.

12 (e) "Wood utilization or disposal system" means facilities,
13 equipment, or systems used for the removal and disposal of
14 diseased or pest-infested shade trees, including collection,
15 transportation, processing, or storage of wood and assisting in
16 the recovery of materials or energy from wood.

17 (f) "Approved disease pest control program" means a
18 municipal plan approved by the commissioner to control or
19 eradicate a shade tree disease pest.

20 (g) "Disease Pest control area" means an area approved by
21 the commissioner within which a municipality will conduct an
22 approved disease pest control program.

23 (h) "Sanitation" means the identification, inspection,
24 disruption of a common root system, girdling, trimming, removal,
25 and disposal of dead, pest-infested or diseased wood of shade
26 trees, including subsidies for trees removed pursuant to
27 subdivision 4, on public or private property within a disease
28 control area.

29 (i) "Reforestation" means the replacement of shade trees
30 removed from public property and the planting of a tree as part
31 of a municipal disease control program. For purposes of this
32 paragraph, "public property" includes private property within
33 five feet of the boulevard or street terrace in a city that
34 enacted an ordinance on or before January 1, 1977, that
35 prohibits or requires a permit for the planting of trees in the
36 public right-of-way.

1 (j) "Shade tree" means a woody perennial grown primarily
2 for aesthetic or environmental purposes.

3 Sec. 32. Minnesota Statutes 2004, section 18G.16,
4 subdivision 2, is amended to read:

5 Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner
6 may adopt rules relating to shade tree pest and disease control
7 in any municipality. The rules must prescribe control measures
8 to be used to prevent the spread of shade tree pests and
9 diseases and must include the following:

10 (1) a definition of shade tree;

11 (2) qualifications for tree inspectors;

12 (3) methods of identifying diseased or pest-infested shade
13 trees;

14 (4) procedures for giving reasonable notice of inspection
15 of private real property;

16 (5) measures for the removal of any shade tree which may
17 contribute to the spread of shade tree pests or disease and for
18 reforestation of pest or disease control areas;

19 (6) approved methods of treatment of shade trees;

20 (7) criteria for priority designation areas in an approved
21 pest or disease control program; and

22 (8) any other matters determined necessary by the
23 commissioner to prevent the spread of shade tree pests or
24 disease and enforce this section.

25 Sec. 33. Minnesota Statutes 2004, section 18G.16,
26 subdivision 3, is amended to read:

27 Subd. 3. [DIAGNOSTIC LABORATORY.] The commissioner shall
28 operate a diagnostic laboratory for culturing diseased or pest-
29 infested trees for positive identification of diseased or pest-
30 infested shade trees.

31 Sec. 34. Minnesota Statutes 2004, section 18G.16,
32 subdivision 4, is amended to read:

33 Subd. 4. [COOPERATION BY UNIVERSITY.] The University of
34 Minnesota College of Natural Resources shall cooperate with the
35 department in control of shade tree disease, pests, and
36 disorders and management of shade tree populations. The College

1 of Natural Resources shall cooperate with the department to
2 conduct tree inspector certification and recertification
3 workshops for certified tree inspectors. The College of Natural
4 Resources shall also conduct research into means for identifying
5 diseased or pest-infested shade trees, develop and evaluate
6 control measures, and develop means for disposing of and using
7 diseased or pest-infested shade trees.

8 Sec. 35. Minnesota Statutes 2004, section 18G.16,
9 subdivision 5, is amended to read:

10 Subd. 5. [EXPERIMENTAL PROGRAMS.] The commissioner may
11 establish experimental programs for sanitation or treatment of
12 shade tree diseases and for research into tree varieties most
13 suitable for municipal reforestation. The research must include
14 considerations of disease resistance, energy conservation, and
15 other factors considered appropriate. The commissioner may make
16 grants to municipalities or enter into contracts with
17 municipalities, nurseries, colleges, universities, or state or
18 federal agencies in connection with experimental shade tree
19 programs including research to assist municipalities in
20 establishing priority designation areas for shade tree disease
21 pest control and energy conservation.

22 Sec. 36. Minnesota Statutes 2004, section 18G.16,
23 subdivision 6, is amended to read:

24 Subd. 6. [REMOVAL OF DISEASED OR PEST-INFESTED TREES.]
25 After reasonable notice of inspection, an owner of real property
26 containing a shade tree that is diseased, infested, or may
27 contribute to the spread of pests or disease, must remove or
28 treat the tree within the period of time and in the manner
29 established by the commissioner. Trees that are not removed in
30 compliance with the commissioner's rules must be declared a
31 public nuisance and removed or treated by approved methods by
32 the municipality, which may assess all or part of the expense,
33 limited to the lowest contract rates available that include wage
34 levels which meet Minnesota minimum wage standards, to the
35 property and the expense becomes a lien on the property. A
36 municipality may assess not more than 50 percent of the expense

1 of treating with an approved method or removing diseased or
2 pest-infested shade trees located on street terraces or
3 boulevards to the abutting properties and the assessment becomes
4 a lien on the property.

5 Sec. 37. Minnesota Statutes 2004, section 18G.16,
6 subdivision 7, is amended to read:

7 Subd. 7. [RULES; APPLICABILITY TO MUNICIPALITIES.] The
8 rules of the commissioner apply in a municipality unless the
9 municipality adopts an ordinance determined by the commissioner
10 to be more stringent than the rules of the commissioner. The
11 rules of the commissioner or the municipality apply to all state
12 agencies, special purpose districts, and metropolitan
13 commissions as defined in section 473.121, subdivision 5a, that
14 own or control land adjacent to or within a shade tree ~~disease~~
15 pest control area.

16 Sec. 38. Minnesota Statutes 2004, section 18G.16,
17 subdivision 8, is amended to read:

18 Subd. 8. [GRANTS TO MUNICIPALITIES.] (a) The commissioner
19 may, in the name of the state and within the limit of
20 appropriations provided, make a grant to a municipality with an
21 approved ~~disease~~ pest control program for the partial funding of
22 municipal sanitation and reforestation programs to replace trees
23 lost to pest, disease or natural disaster. The commissioner may
24 make a grant to a home rule charter or statutory city, a special
25 purpose park and recreation board organized under a charter of a
26 city of the first class, a nonprofit corporation serving a city
27 of the first class, or a county having an approved disease
28 control program for the acquisition or implementation of a wood
29 use or disposal system.

30 (b) The commissioner shall adopt rules for the
31 administration of grants under this subdivision. The rules must
32 contain:

33 (1) procedures for grant applications;

34 (2) conditions and procedures for the administration of
35 grants;

36 (3) criteria of eligibility for grants including, but not

1 limited to, those specified in this subdivision; and

2 (4) other matters the commissioner may find necessary to
3 the proper administration of the grant program.

4 (c) Grants for wood utilization and disposal systems made
5 by the commissioner under this subdivision must not exceed 50
6 percent of the total cost of the system. Grants for sanitation
7 and reforestation must be combined into one grant program.
8 Grants to a municipality for sanitation must not exceed 50
9 percent of sanitation costs approved by the commissioner
10 including any amount of sanitation costs paid by special
11 assessments, ad valorem taxes, federal grants, or other funds.
12 A municipality must not specially assess a property owner an
13 amount greater than the amount of the tree's sanitation cost
14 minus the amount of the tree's sanitation cost reimbursed by the
15 commissioner. Grants to municipalities for reforestation must
16 not exceed 50 percent of the wholesale cost of the trees planted
17 under the reforestation program; provided that a reforestation
18 grant to a county may include 90 percent of the cost of the
19 first 50 trees planted on public property in a town not included
20 in the definition of municipality in subdivision 1 and with less
21 than 1,000 population when the town applies to the county.
22 Reforestation grants to towns and home rule charter or statutory
23 cities of less than 4,000 population with an approved ~~disease~~
24 pest control program may include 90 percent of the cost of the
25 first 50 trees planted on public property. The governing body
26 of a municipality that receives a reforestation grant under this
27 section must appoint up to seven residents of the municipality
28 or designate an existing municipal board or committee to serve
29 as a reforestation advisory committee to advise the governing
30 body of the municipality in the administration of the
31 reforestation program. For the purpose of this subdivision,
32 "cost" does not include the value of a gift or dedication of
33 trees required by a municipal ordinance but does include
34 documented "in-kind" services or voluntary work for
35 municipalities with a population of less than 1,000 according to
36 the most recent federal census.

1 (d) Based upon estimates submitted by the municipality to
2 the commissioner, which state the estimated costs of sanitation
3 and reforestation in the succeeding quarter under an approved
4 program, the commissioner shall direct quarterly advance
5 payments to be made by the state to the municipality commencing
6 April 1. The commissioner shall direct adjustment of any
7 overestimate in a succeeding quarter. A municipality may elect
8 to receive the proceeds of its sanitation and reforestation
9 grants on a periodic cost reimbursement basis.

10 (e) A home rule charter or statutory city, county outside
11 the metropolitan area, or any municipality, as defined in
12 subdivision 1, may submit an application for a grant authorized
13 by this subdivision concurrently with its request for approval
14 of a disease pest control program.

15 (f) The commissioner shall not make grants for sanitation
16 and reforestation or wood utilization and disposal systems in
17 excess of 67 percent of the amounts appropriated for those
18 purposes to the municipalities located within the metropolitan
19 area, as defined in subdivision 1.

20 Sec. 39. Minnesota Statutes 2004, section 18G.16,
21 subdivision 9, is amended to read:

22 Subd. 9. [SUBSIDIES TO CERTAIN OWNERS.] A municipality may
23 provide subsidies to nonprofit organizations, to owners of
24 private residential property of five acres or less, to owners of
25 property used for a homestead of more than five acres but less
26 than 20 acres, and to nonprofit cemeteries for the approved
27 treatment or removal of diseased or pest-infested shade trees.

28 Notwithstanding any law to the contrary, an owner of
29 property on which shade trees are located may contract with a
30 municipality to provide protection against the cost of approved
31 treatment or removal of diseased or pest-infested shade trees or
32 shade trees that will contribute to the spread of shade tree
33 diseases or pest infestations. Under the contract, the
34 municipality must pay for the removal or approved treatment
35 under terms and conditions determined by its governing body.

36 Sec. 40. Minnesota Statutes 2004, section 18G.16,

1 subdivision 14, is amended to read:

2 Subd. 14. [MUNICIPAL OPTION TO PARTICIPATE IN PROGRAM.]

3 The term "municipality" shall include only those municipalities
4 which have informed the commissioner of their intent to continue
5 an approved disease pest control program. Any municipality
6 desiring to participate in the grants-in-aid for the partial
7 funding of municipal sanitation and reforestation programs must
8 notify the commissioner in writing before the beginning of the
9 calendar year in which it wants to participate and must have an
10 approved disease pest control program during any year in which
11 it receives grants-in-aid. Notwithstanding the provisions of
12 any law to the contrary, no municipality shall be required to
13 have an approved disease control program after December 31, 1981.

14 Sec. 41. Minnesota Statutes 2004, section 18H.07,
15 subdivision 1, is amended to read:

16 Subdivision 1. [ESTABLISHMENT OF FEES.] The commissioner
17 shall establish fees sufficient to allow for the administration
18 and enforcement of this chapter and rules adopted under this
19 chapter, including the portion of general support costs and
20 statewide indirect costs of the agency attributable to that
21 function, with a reserve sufficient for up to six months. The
22 commissioner shall review the fee schedule annually in
23 consultation with the Minnesota Nursery and Landscape Advisory
24 Committee. For the certificate year beginning January 1, 2004
25 2006, the fees are as described in this section.

26 Sec. 42. Minnesota Statutes 2004, section 18H.07,
27 subdivision 2, is amended to read:

28 Subd. 2. [NURSERY STOCK GROWER CERTIFICATE.] (a) A nursery
29 stock grower must pay an annual fee based on the area of all
30 acreage on which nursery stock is grown for certification as
31 follows:

- 32 (1) less than one-half acre, \$150;
- 33 (2) from one-half acre to two acres, \$200;
- 34 (3) over two acres up to five acres, \$300;
- 35 (4) over five acres up to ten acres, \$350;
- 36 (5) over ten acres up to 20 acres, \$500;

- 1 (6) over 20 acres up to 40 acres, \$650;
2 (7) over 40 acres up to 50 acres, \$800;
3 (8) over 50 acres up to 200 acres, \$1,100;
4 (9) over 200 acres up to 500 acres, \$1,500; and
5 (10) over 500 acres, \$1,500 plus \$2 for each additional
6 acre.

7 (b) In addition to the fees in paragraph (a), a penalty of
8 ten percent of the fee due must be charged for each month, or
9 portion thereof, that the fee is delinquent up to a maximum of
10 30 percent for any application for renewal not received by
11 January 1 of the year following expiration of a certificate.

12 Sec. 43. Minnesota Statutes 2004, section 18H.07,
13 subdivision 3, is amended to read:

14 Subd. 3. [NURSERY STOCK DEALER CERTIFICATE.] (a) A nursery
15 stock dealer must pay an annual fee based on the dealer's gross
16 sales of certified nursery stock per location during the
17 preceeding most recent certificate year. A certificate applicant
18 operating for the first time must pay the minimum fee. The fees
19 per sales location are:

- 20 (1) gross sales up to ~~\$20,000~~ \$5,000, \$150;
21 (2) gross sales over ~~\$20,000~~ \$5,000 up to ~~\$100,000~~ \$20,000,
22 \$175;
23 (3) gross sales over ~~\$100,000~~ \$20,000 up to
24 ~~\$250,000~~ \$50,000, \$300;
25 (4) gross sales over ~~\$250,000~~ \$50,000 up to
26 ~~\$500,000~~ \$75,000, \$425;
27 (5) gross sales over ~~\$500,000~~ \$75,000 up to
28 ~~\$1,000,000~~ \$100,000, \$550;
29 (6) gross sales over ~~\$1,000,000~~ \$100,000 up to
30 ~~\$2,000,000~~ \$200,000, \$675; and
31 (7) gross sales over ~~\$2,000,000~~ \$200,000, \$800.

32 (b) In addition to the fees in paragraph (a), a penalty of
33 ten percent of the fee due must be charged for each month, or
34 portion thereof, that the fee is delinquent up to a maximum of
35 30 percent for any application for renewal not received by
36 January 1 of the year following expiration of a certificate.

1 Sec. 44. Minnesota Statutes 2004, section 19.64,
2 subdivision 1, is amended to read:

3 Subdivision 1. [REGISTRATION.] Every person who owns,
4 leases, or possesses colonies of bees ~~or who intends to bring~~
5 ~~bees into the state under an entry permit~~ shall register the
6 bees with the commissioner on or before ~~April 15~~ June 1 of each
7 year or within 15 days of entry into Minnesota or taking
8 possession of hives, whichever comes first. The registration
9 application shall include the name and address of the applicant,
10 a description of the exact location of each of the applicant's
11 apiaries by county, township, range and quarter section, and
12 other information required by the commissioner. The fee for
13 registration under this subdivision is a minimum of \$10 per
14 beekeeper and 25 cents per colony maintained in the state. ~~The~~
15 ~~commissioner shall provide registered beekeepers with the~~
16 ~~Minnesota pest report.~~

17 If colonies numbers increase at any time of year from
18 splitting, purchasing, or otherwise, the additional fees per
19 colony are required within 15 days of the increase in number of
20 colonies. The registration required by this section is not
21 transferable. At least one colony in each location must be
22 plainly and legibly marked with the owner's name and telephone
23 number and address, and other information required by the
24 commissioner. The department shall provide information on
25 colony locations as reported on the registrations on an Internet
26 Web site or through other appropriate measures.

27 Sec. 45. Minnesota Statutes 2004, section 25.341,
28 subdivision 2, is amended to read:

29 Subd. 2. [APPLICATION; FEE; TERM.] A person who is
30 required to have a commercial feed license shall submit an
31 application on a form provided or approved by the commissioner
32 accompanied by a ~~license~~ fee of \$25 paid to the commissioner for
33 each ~~facility~~ location. A license is not transferable from one
34 person to another, from one ownership to another, or from one
35 location to another. The license year is the calendar year. A
36 license expires on December 31 of the year for which it is

1 issued, except that a license is valid through January 31 of the
 2 next year or until the issuance of the renewal license,
 3 whichever comes first, if the licensee has filed a renewal
 4 application with the commissioner on or before December 31 of
 5 the year for which the current license was issued. ~~A new~~
 6 ~~applicant-who~~ Any person who is required to have, but fails to
 7 ~~obtain a license within 15 working days of notification of the~~
 8 ~~requirement to obtain a license,~~ or a licensee who fails to
 9 comply with license renewal requirements, shall pay a \$50 late
 10 fee in addition to the license fee. ~~The commissioner may issue~~
 11 ~~a withdrawal from distribution order on any commercial feed that~~
 12 ~~an unlicensed person produces or distributes in the state until~~
 13 ~~a license is issued.~~

14 Sec. 46. [25.342] [CERTIFICATES, FREE SALE.]

15 A nonrefundable application fee of \$25 must accompany all
 16 free sale certificate requests to facilitate the movement of
 17 Minnesota processed and manufactured feeds destined for export
 18 from the state. Each label submitted for review must be
 19 accompanied by a nonrefundable \$50 application fee.

20 Sec. 47. Minnesota Statutes 2004, section 25.39,
 21 subdivision 1, is amended to read:

22 Subdivision 1. [AMOUNT OF FEE.] (a) An inspection fee at
 23 the rate of 16 cents per ton must be paid to the commissioner on
 24 commercial feeds distributed in this state by the person who
 25 first distributes the commercial feed, except that:

26 (1) no fee needs to need be paid on:

27 ~~{1}~~ (i) a commercial feed if the payment has been made by a
 28 previous distributor; or

29 ~~{2}~~ (ii) customer formula feeds if the inspection fee is
 30 paid on the commercial feeds which are used as ingredients; or

31 ~~{3}-commercial-feeds-used-as-ingredients-for-the~~

32 ~~manufacture-of-commercial-feeds-if-the-fee-has-been-paid-by-a~~

33 ~~previous-distributor---If-the-fee-has-already-been-paid,-credit~~

34 ~~must-be-given-for-that-payment.~~ (2) a Minnesota feed distributor

35 who distributes can substantiate that greater than 50 percent of

36 the distribution of commercial feed is to purchasers outside the

1 state may purchase commercial feeds, without payment by any
2 person of the inspection fee required on these purchases, under
3 a tonnage fee exemption permit issued by the commissioner. Such
4 location specific permits shall only be issued on a calendar
5 year basis to commercial feed distributors who submit a \$100
6 nonrefundable application fee and comply with rules adopted by
7 the commissioner relative to record keeping, tonnage of
8 commercial feed distributed in Minnesota, total of all
9 commercial feed tonnage distributed, and all other information
10 which the commissioner may require so as to ensure that proper
11 inspection fee payment has been made.

12 (b) In the case of pet food distributed in the state only
13 in packages of ten pounds or less, a listing of each product and
14 a current label for each product must be submitted annually on
15 forms provided by the commissioner and accompanied by an annual
16 fee of \$50 for each product in lieu of the inspection fee. This
17 annual fee is due by July 1. The inspection fee required by
18 paragraph (a) applies to pet food distributed in packages
19 exceeding ten pounds.

20 (c) In the case of specialty pet food distributed in the
21 state only in packages of ten pounds or less, a listing of each
22 product and a current label for each product must be submitted
23 annually on forms provided by the commissioner and accompanied
24 by an annual fee of \$25 for each product in lieu of the
25 inspection fee. This annual fee is due by July 1. The
26 inspection fee required by paragraph (a) applies to specialty
27 pet food distributed in packages exceeding ten pounds.

28 (d) The minimum inspection fee is \$10 per annual reporting
29 period.

30 Sec. 48. Minnesota Statutes 2004, section 25.39,
31 subdivision 4, is amended to read:

32 Subd. 4. [COMMERCIAL FEED INSPECTION ACCOUNT.] A
33 commercial feed inspection account is established in the
34 agricultural fund. Fees and penalties collected under sections
35 ~~25-35-25-43~~ this chapter and interest attributable to money
36 in the account must be deposited in the agricultural fund and

1 credited to the commercial feed inspection account. Money in
2 the account, including interest earned, is appropriated to the
3 commissioner for the administration and enforcement of sections
4 ~~25-341-to-25-43~~ this chapter.

5 Sec. 49. Minnesota Statutes 2004, section 41A.09,
6 subdivision 2a, is amended to read:

7 Subd. 2a. [DEFINITIONS.] For the purposes of this section,
8 the terms defined in this subdivision have the meanings given
9 them.

10 (a) "Ethanol" means fermentation ethyl alcohol derived from
11 agricultural products, including potatoes, cereal grains, cheese
12 whey, and sugar beets; forest products; or other renewable
13 resources, including residue and waste generated from the
14 production, processing, and marketing of agricultural products,
15 forest products, and other renewable resources, that:

16 (1) meets all of the specifications in ASTM specification
17 D4806-01; and

18 (2) is denatured as specified in Code of Federal
19 Regulations, title 27, parts 20 and 21.

20 (b) "Ethanol plant" means a plant at which ethanol is
21 produced.

22 (c) "Commissioner" means the commissioner of agriculture.

23 (d) "Rural economic infrastructure" means the development
24 activities that will enhance the value of agricultural crop or
25 livestock commodities or by-products or waste from farming
26 operations.

27 Sec. 50. Minnesota Statutes 2004, section 41A.09,
28 subdivision 3a, is amended to read:

29 Subd. 3a. [ETHANOL PRODUCER PAYMENTS.] (a) The
30 commissioner shall make cash payments to producers of ethanol
31 located in the state that have begun production at a specific
32 location by June 30, 2000. For the purpose of this subdivision,
33 an entity that holds a controlling interest in more than one
34 ethanol plant is considered a single producer. The amount of
35 the payment for each producer's annual production, except as
36 provided in paragraph (c), is 20 cents per gallon for each

1 gallon of ethanol produced at a specific location on or before
2 June 30, 2000, or ten years after the start of production,
3 whichever is later. Annually, within 90 days of the end of its
4 fiscal year, an ethanol producer receiving payments under this
5 subdivision must file a disclosure statement on a form provided
6 by the commissioner. The initial disclosure statement must
7 include a summary description of the organization of the
8 business structure of the claimant, a listing of the percentages
9 of ownership by any person or other entity with an ownership
10 interest of five percent or greater, and a copy of its annual
11 audited financial statements, including the auditor's report and
12 footnotes. The disclosure statement must include information
13 demonstrating what percentage of the entity receiving payments
14 under this section is owned by farmers or other entities
15 eligible to farm or own agricultural land in Minnesota under the
16 provisions of section 500.24. Subsequent annual reports must
17 reflect noncumulative changes in ownership of ten percent or
18 more of the entity. The report need not disclose the identity
19 of the persons or entities eligible to farm or own agricultural
20 land with ownership interests, individuals residing within 30
21 miles of the plant, or of any other entity with less than ten
22 percent ownership interest, but the claimant must retain
23 information within its files confirming the accuracy of the data
24 provided. This data must be made available to the commissioner
25 upon request. Not later than the 15th day of February in each
26 year the commissioner shall deliver to the chairs of the
27 standing committees of the senate and the house of
28 representatives that deal with agricultural policy and
29 agricultural finance issues an annual report summarizing
30 aggregated data from plants receiving payments under this
31 section during the preceding calendar year. Audited financial
32 statements and notes and disclosure statements submitted to the
33 commissioner are nonpublic data under section 13.02, subdivision
34 9. Notwithstanding the provisions of chapter 13 relating to
35 nonpublic data, summaries of the submitted audited financial
36 reports and notes and disclosure statements will be contained in

1 the report to the committee chairs and will be public data.

2 (b) No payments shall be made for ethanol production that
3 occurs after June 30, 2010. A producer of ethanol shall not
4 transfer the producer's eligibility for payments under this
5 section to an ethanol plant at a different location.

6 (c) If the level of production at an ethanol plant
7 increases due to an increase in the production capacity of the
8 plant, the payment under paragraph (a) applies to the additional
9 increment of production until ten years after the increased
10 production began. Once a plant's production capacity reaches
11 15,000,000 gallons per year, no additional increment will
12 qualify for the payment.

13 (d) Total payments under paragraphs (a) and (c) to a
14 producer in a fiscal year may not exceed \$3,000,000.

15 (e) By the last day of October, January, April, and July,
16 each producer shall file a claim for payment for ethanol
17 production during the preceding three calendar months. A
18 producer that files a claim under this subdivision shall include
19 a statement of the producer's total ethanol production in
20 Minnesota during the quarter covered by the claim. For each
21 claim and statement of total ethanol production filed under this
22 subdivision, the volume of ethanol production must be examined
23 by an independent certified public accountant in accordance with
24 standards established by the American Institute of Certified
25 Public Accountants.

26 (f) Payments shall be made November 15, February 15, May
27 15, and August 15. A separate payment shall be made for each
28 claim filed. Except as provided in paragraph (g), the total
29 quarterly payment to a producer under this paragraph may not
30 exceed \$750,000.

31 (g) Notwithstanding the quarterly payment limits of
32 paragraph (f), the commissioner shall make an additional payment
33 in the fourth quarter of each fiscal year to ethanol producers
34 for the lesser of: (1) 20 cents per gallon of production in the
35 fourth quarter of the year that is greater than 3,750,000
36 gallons; or (2) the total amount of payments lost during the

1 first three quarters of the fiscal year due to plant outages,
2 repair, or major maintenance. Total payments to an ethanol
3 producer in a fiscal year, including any payment under this
4 paragraph, must not exceed the total amount the producer is
5 eligible to receive based on the producer's approved production
6 capacity. The provisions of this paragraph apply only to
7 production losses that occur in quarters beginning after
8 December 31, 1999.

9 (h) The commissioner shall reimburse ethanol producers for
10 any deficiency in payments during earlier quarters if the
11 deficiency occurred because of unallotment or because
12 appropriated money was insufficient to make timely payments in
13 the full amount provided in paragraph (a). Notwithstanding the
14 quarterly or annual payment limitations in this subdivision, the
15 commissioner shall begin making payments for earlier
16 deficiencies in each fiscal year that appropriations for ethanol
17 payments exceed the amount required to make eligible scheduled
18 payments. Payments for earlier deficiencies must continue until
19 the deficiencies for each producer are paid in full.

20 (i) The commissioner may make direct payments to producers
21 of rural economic infrastructure with any amount of the annual
22 appropriation for ethanol producer payments and rural economic
23 infrastructure that is in excess of the amount required to make
24 scheduled ethanol producer payments and deficiency payments
25 under paragraphs (a) to (h).

26 Sec. 51. Minnesota Statutes 2004, section 41A.09, is
27 amended by adding a subdivision to read:

28 Subd. 9. [MOTOR VEHICLES; ETHANOL COMBUSTION EFFICIENCY
29 GRANTS.] From within the appropriation for each fiscal year to
30 the ethanol development program under this section, or from
31 other appropriated money, the commissioner shall make up to two
32 grants, each in an amount not exceeding \$50,000, to qualified
33 applicants proposing to do research on, but not limited to,
34 ethanol's effect on fuel system materials compatibility and ways
35 to improve the energy efficiency of ethanol fuel blends in motor
36 vehicles while meeting all requirements for control of tailpipe

1 emissions. A grant recipient may receive funding for no more
2 than two consecutive years. A research project must be matched
3 by \$2 of nonstate money for each \$3 of state grant money.

4 Sec. 52. Minnesota Statutes 2004, section 41A.09, is
5 amended by adding a subdivision to read:

6 Subd. 10. [GUIDELINES.] The commissioner shall establish
7 guidelines not subject to chapter 14 for the submission and
8 review of applications and the awarding of grants under
9 subdivision 9.

10 Sec. 53. Minnesota Statutes 2004, section 41B.046,
11 subdivision 5, is amended to read:

12 Subd. 5. [LOANS.] (a) The authority may participate in a
13 stock loan with an eligible lender to a farmer who is eligible
14 under subdivision 4. Participation is limited to 45 percent of
15 the principal amount of the loan or \$40,000, whichever is less.
16 The interest rates and repayment terms of the authority's
17 participation interest may differ from the interest rates and
18 repayment terms of the lender's retained portion of the loan,
19 but the authority's interest rate must not exceed 50 percent of
20 the lender's interest rate.

21 (b) No more than 95 percent of the purchase price of the
22 stock may be financed under this program.

23 (c) Security for stock loans must be the stock purchased, a
24 personal note executed by the borrower, and whatever other
25 security is required by the eligible lender or the authority.

26 (d) The authority may impose a reasonable nonrefundable
27 application fee for each application for a stock loan. The
28 authority may review the fee annually and make adjustments as
29 necessary. The application fee is initially \$50. Application
30 fees received by the authority must be deposited in the
31 value-added agricultural product revolving fund.

32 (e) Stock loans under this program will be made using money
33 in the ~~value-added-agricultural-product~~ revolving fund loan
34 account established ~~under-subdivision-3~~ in section 41B.06.

35 (f) The authority may not grant stock loans in a cumulative
36 amount exceeding \$2,000,000 for the financing of stock purchases

1 in any one cooperative.

2 (g) Repayments of financial assistance under this section,
 3 including principal and interest, must be deposited into the
 4 revolving loan account established in section 41B.06.

5 Sec. 54. Minnesota Statutes 2004, section 41B.049,
 6 subdivision 2, is amended to read:

7 Subd. 2. [~~REVOLVING-FUND DEPOSIT OF REPAYMENTS.~~] ~~There is~~
 8 ~~established in the state treasury a revolving fund, which is~~
 9 ~~eligible to receive appropriations and the transfer of funds~~
 10 ~~from other services.~~ All repayments of financial assistance
 11 granted under subdivision 1, including principal and interest,
 12 must be deposited into ~~this fund.~~ ~~Interest earned on money in~~
 13 ~~the fund accrues to the fund, and money in the fund is~~
 14 ~~appropriated to the commissioner of agriculture for purposes of~~
 15 ~~the manure digester loan program, including costs incurred by~~
 16 ~~the authority to establish and administer the program~~ the
 17 revolving loan account established in section 41B.06.

18 Sec. 55. [41B.055] [LIVESTOCK EQUIPMENT PILOT LOAN
 19 PROGRAM.]

20 Subdivision 1. [ESTABLISHMENT.] The authority must
 21 establish and implement a livestock equipment pilot loan program
 22 to help finance the first purchase of livestock-related
 23 equipment and make livestock facilities improvements.

4 Subd. 2. [ELIGIBILITY.] Notwithstanding section 41B.03, to
 25 be eligible for this program a borrower must:

26 (1) be a resident of Minnesota or general partnership or a
 27 family farm corporation, authorized farm corporation, family
 28 farm partnership, or authorized farm partnership as defined in
 29 section 500.24, subdivision 2;

30 (2) be the principal operator of a livestock farm;

31 (3) have a total net worth, including assets and
 32 liabilities of the borrower's spouse and dependents, no greater
 33 than the amount stipulated in section 41B.03, subdivision 3;

4 (4) demonstrate an ability to repay the loan; and

35 (5) hold an appropriate feedlot registration or be using
 36 the loan under this program to meet registration requirements.

1 In addition to the requirements in clauses (1) to (5),
2 preference must be given to applicants who have farmed less than
3 ten years as evidenced by their filing of schedule F in their
4 federal tax returns.

5 Subd. 3. [LOANS.] (a) The authority may participate in a
6 livestock equipment loan equal to 90 percent of the purchased
7 equipment value with an eligible lender to a farmer who is
8 eligible under subdivision 2. Participation is limited to 45
9 percent of the principal amount of the loan or \$40,000,
10 whichever is less. The interest rates and repayment terms of
11 the authority's participation interest may differ from the
12 interest rates and repayment terms of the lender's retained
13 portion of the loan, but the authority's interest rate must not
14 exceed three percent. The authority may review the interest
15 annually and make adjustments as necessary.

16 (b) Standards for loan amortization must be set by the
17 rural finance authority and must not exceed seven years.

18 (c) Security for a livestock equipment loan must be a
19 personal note executed by the borrower and whatever other
20 security is required by the eligible lender or the authority.

21 (d) Refinancing of existing debt is not an eligible purpose.

22 (e) The authority may impose a reasonable, nonrefundable
23 application fee for a livestock equipment loan. The authority
24 may review the fee annually and make adjustments as necessary.
25 The initial application fee is \$50. Application fees received
26 by the authority must be deposited in the revolving loan account
27 established in section 41B.06.

28 (f) Loans under this program must be made using money in
29 the revolving loan account established in section 41B.06.

30 Subd. 4. [ELIGIBLE EXPENDITURES.] Money may be used for
31 loans for the acquisition of equipment for animal housing,
32 confinement, animal feeding, milk production, and waste
33 management, including the following, if related to animal
34 husbandry:

35 (1) fences;

36 (2) watering facilities;

- 1 (3) feed storage and handling equipment;
- 2 (4) milking parlors;
- 3 (5) milking equipment;
- 4 (6) scales;
- 5 (7) milk storage and cooling facilities;
- 6 (8) manure pumping and storage facilities; and
- 7 (9) capital investment in pasture.

8 Sec. 56. [41B.06] [RURAL FINANCE AUTHORITY REVOLVING LOAN
9 ACCOUNT.]

10 There is established in the rural finance administration
11 fund a rural finance authority revolving loan account that is
12 eligible to receive appropriations and the transfer of loan
13 funds from other programs. All repayments of financial
14 assistance granted from this account, including principal and
15 interest, must be deposited into this account. Interest earned
16 on money in the account accrues to the account, and the money in
17 the account is appropriated to the commissioner of agriculture
18 for purposes of the rural finance authority, livestock equipment
19 methane digester, and value-added agricultural product loan
20 programs, including costs incurred by the authority to establish
21 and administer the programs.

22 Sec. 57. Minnesota Statutes 2004, section 84.027,
23 subdivision 12, is amended to read:

24 Subd. 12. [PROPERTY DISPOSAL; GIFT ACKNOWLEDGMENT;
25 ADVERTISING SALES.] (a) The commissioner may give away to
26 members of the public items with a value of less than ~~\$10~~ \$50
27 that are intended to promote conservation of natural resources
28 or create awareness of the state and its resources or natural
29 resource management programs. The total value of items given to
30 the public under this paragraph may not exceed \$25,000 per year.

31 (b) The commissioner may recognize the contribution of
32 money or in-kind services on plaques, signs, publications,
33 audio-visual materials, and media advertisements by allowing the
34 organization's contribution to be acknowledged in print of
35 readable size.

36 (c) The commissioner may accept paid advertising for

1 departmental publications. Advertising revenues received are
2 appropriated to the commissioner to be used to defray costs of
3 publications, media productions, or other informational
4 materials. The commissioner may not accept paid advertising
5 from any elected official or candidate for elective office.

6 Sec. 58. Minnesota Statutes 2004, section 84.027,
7 subdivision 15, is amended to read:

8 Subd. 15. [ELECTRONIC TRANSACTIONS.] (a) The commissioner
9 may receive an application for, sell, and issue any license,
10 stamp, permit, pass, sticker, duplicate safety training
11 certification, registration, or transfer under the jurisdiction
12 of the commissioner by electronic means, including by telephone.
13 Notwithstanding section 97A.472, electronic and telephone
14 transactions may be made outside of the state. The commissioner
15 may:

16 (1) provide for the electronic transfer of funds generated
17 by electronic transactions, including by telephone;

18 (2) assign a ~~license~~ an identification number to an
19 applicant who purchases a hunting or fishing license or
20 recreational vehicle registration by electronic means, to serve
21 as temporary authorization to engage in the ~~licensed~~ activity
22 requiring a license or registration until the license or
23 registration is received or expires;

24 (3) charge and permit agents to charge a fee of individuals
25 who make electronic transactions and transactions by
26 telephone or Internet, including the issuing ~~fee under section~~
27 ~~97A.4857-subdivision-67~~ fees and an additional transaction fee
28 not to exceed \$3.50;

29 ~~(4) collect-issuing-or-filing-fees-as-provided-under~~
30 ~~sections-84.7887-subdivision-37-paragraph-(e)-84.7987~~
31 ~~subdivision-37-paragraph-(b)-84.827-subdivision-27-paragraph~~
32 ~~(d)-84.82057-subdivisions-5-and-67-84.9227-subdivision-27~~
33 ~~paragraph-(e)-85.417-subdivision-57-86B.4157-subdivision-87-and~~
34 ~~97A.4857-subdivision-67-and-collect~~ establish, by written order,
35 an electronic licensing system commission on to be paid by
36 revenues generated from all sales of licenses-as-provided-under

1 ~~sections-85-43, paragraph-(b), and-97A-485, subdivision-7~~ made
2 through the electronic licensing system. The commissioner shall
3 establish the commission in a manner that neither significantly
4 overrecovers nor underrecovers costs involved in providing the
5 electronic licensing system; and

6 (5) adopt rules to administer the provisions of this
7 subdivision.

8 (b) ~~Establishment-of The transaction-fee~~ fees established
9 under paragraph (a), clause (3), and the commission established
10 under paragraph (a), clause (4), is are not subject to the
11 rulemaking procedures of chapter 14 and section 14.386 does not
12 apply.

13 (c) Money received from fees and commissions collected
14 under this subdivision, including interest earned, is annually
15 appropriated from the game and fish fund and the natural
16 resources fund to the commissioner for the cost of electronic
17 licensing.

18 **[EFFECTIVE DATE.]** This section is effective on July 6, 2005.

19 Sec. 59. Minnesota Statutes 2004, section 84.0911,
20 subdivision 2, is amended to read:

21 Subd. 2. **[RECEIPTS.]** Money received from the sale of wild
22 rice licenses issued by the commissioner under section 84.091,
23 subdivision 3, paragraph (a), clauses (1), (3), and (4), and
24 subdivision 3, paragraph (b), except for the electronic
25 licensing system commission established by the commissioner
26 under section 84.027, subdivision 15, shall be credited to the
27 wild rice management account.

28 **[EFFECTIVE DATE.]** This section is effective on July 1, 2006.

29 Sec. 60. **[84.785] [OFF-HIGHWAY VEHICLE SAFETY AND**
30 **CONSERVATION GRANT PROGRAM.]**

31 Subdivision 1. [CREATION.] The commissioner of natural
32 resources shall establish an off-highway vehicle safety and
33 conservation grant program to make grants to organizations that
34 meet the eligibility requirements under subdivision 3.

35 Subd. 2. [PURPOSE.] The purpose of the off-highway vehicle
36 safety and conservation grant program is to encourage

1 off-highway vehicle clubs to assist in safety training;
2 environmental education; and improving, maintaining, and
3 monitoring public trails. This section does not grant law
4 enforcement authority.

5 Subd. 3. [ELIGIBILITY.] To be eligible for a grant under
6 this section, an organization must:

7 (1) be a statewide, nonprofit organization that promotes
8 the operation of off-highway vehicles in a manner that is safe
9 and responsible;

10 (2) support the safe operation of off-highway vehicles in a
11 manner that does not conflict with the laws and rules that
12 relate to the operation of off-highway vehicles;

13 (3) have an interest in the safe, lawful, and responsible
14 operation of off-highway vehicles;

15 (4) be governed by a board of directors that has a majority
16 of members who are representatives of off-highway vehicle clubs;
17 and

18 (5) provide support to off-highway vehicle clubs.

19 Subd. 4. [USE OF GRANT.] An organization receiving a grant
20 under this section shall use the grant money to promote and
21 provide support to the Department of Natural Resources by:

22 (1) training volunteers to assist in improving,
23 maintaining, and monitoring public trails and other public
24 lands;

25 (2) providing assistance to the department in locating,
26 recruiting, and training instructors;

27 (3) publishing a manual in cooperation with the
28 commissioner to be used to train volunteers in monitoring the
29 operation of off-highway vehicles for safety, environmental, and
30 other issues that relate to the responsible operation of
31 off-highway vehicles;

32 (4) collecting data on the operation of off-highway
33 vehicles in the state; and

34 (5) publishing an annual report outlining accomplishments
35 and annual costs related to the efforts under this subdivision.

36 The report must be approved by the commissioner.

1 Subd. 5. [VOLUNTEER STATUS.] Volunteers of the nonprofit
2 organization and any volunteers under this section are not
3 volunteers for purposes of section 84.089.

4 Subd. 6. [WORKER DISPLACEMENT PROHIBITED.] The
5 commissioner may not enter into any agreement that has the
6 purpose of or results in the displacement of public employees by
7 volunteers participating in the off-highway vehicle safety and
8 conservation grant program under this section. The commissioner
9 must certify to the appropriate bargaining agent that the work
10 performed by a volunteer will not result in the displacement of
11 currently employed workers or workers on seasonal layoff or
12 layoff from a substantially equivalent position, including
13 partial displacement such as reduction in hours of nonovertime
14 work, wages, or other employment benefits.

15 Sec. 61. Minnesota Statutes 2004, section 84.788,
16 subdivision 3, is amended to read:

17 Subd. 3. [APPLICATION; ISSUANCE; REPORTS.] (a) Application
18 for registration or continued registration must be made to the
19 commissioner or an authorized deputy registrar of motor vehicles
20 in a form prescribed by the commissioner. The form must state
21 the name and address of every owner of the off-highway
22 motorcycle.

23 (b) A person who purchases from a retail dealer an
24 off-highway motorcycle shall make application for registration
25 to the dealer at the point of sale. The dealer shall issue a
26 dealer temporary ten-day registration permit to each purchaser
27 who applies to the dealer for registration. The dealer shall
28 submit the completed registration applications and fees to the
29 deputy registrar at least once each week. No fee may be charged
30 by a dealer to a purchaser for providing the temporary permit.

31 (c) Upon receipt of the application and the appropriate
32 fee, the commissioner or deputy registrar shall issue to the
33 applicant, or provide to the dealer, ~~a-60-day-temporary-receipt~~
34 and-shall-assign-a an assigned registration number that or a
35 commissioner or deputy registrar temporary ten-day permit. Once
36 issued, the registration number must be affixed to the

1 motorcycle ~~in-a-manner-prescribed-by-the-commissioner~~ according
2 to paragraph (f). A dealer subject to paragraph (b) shall
3 provide the registration materials and or temporary receipt
4 permit to the purchaser within the ten-day temporary permit
5 period.

6 (d) The commissioner shall develop a registration system to
7 register vehicles under this section. A deputy registrar of
8 motor vehicles acting under section 168.33, is also a deputy
9 registrar of off-highway motorcycles. The commissioner of
10 natural resources in agreement with the commissioner of public
11 safety may prescribe the accounting and procedural requirements
12 necessary to ensure efficient handling of registrations and
13 registration fees. Deputy registrars shall strictly comply with
14 the accounting and procedural requirements.

15 (e) In addition to other fees prescribed by law, a filing
16 fee of \$4.50 is charged for each off-highway motorcycle
17 registration renewal, duplicate or replacement registration
18 card, and replacement decal and a filing fee of \$7 is charged
19 for each off-highway motorcycle registration and registration
20 transfer issued by:

21 (1) a deputy registrar and must be deposited in the
22 treasury of the jurisdiction where the deputy is appointed, or
23 kept if the deputy is not a public official; or

24 (2) the commissioner and must be deposited in the state
25 treasury and credited to the off-highway motorcycle account.

26 (f) Unless exempted under paragraph (g), the owner of an
27 off-highway motorcycle must display a registration decal issued
28 by the commissioner. If the motorcycle is licensed as a motor
29 vehicle, a registration decal must be affixed on the upper left
30 corner of the rear license plate. If the motorcycle is not
31 licensed as a motor vehicle, the decal must be attached on the
32 side of the motorcycle and may be attached to the fork tube.
33 The decal must be attached so that it is visible while a rider
34 is on the motorcycle. The decals must not exceed three inches
35 high and three inches wide.

36 (g) Display of a registration decal is not required for an

1 off-highway motorcycle while being operated on private property
2 or while competing in a closed-course competition event.

3 Sec. 62. Minnesota Statutes 2004, section 84.788, is
4 amended by adding a subdivision to read:

5 Subd. 11. [REFUNDS.] The commissioner may issue a refund
6 on a registration, not including any issuing fees paid under
7 subdivision 3, paragraph (e), or section 84.027, subdivision 15,
8 paragraph (a), clause (3), if the refund request is received
9 within 12 months of the original registration and:

10 (1) the off-highway motorcycle was registered incorrectly
11 by the commissioner or the deputy registrar; or

12 (2) the off-highway motorcycle was registered twice, once
13 by the dealer and once by the customer.

14 Sec. 63. Minnesota Statutes 2004, section 84.791,
15 subdivision 2, is amended to read:

16 Subd. 2. [FEES.] For the purposes of administering the
17 program and to defray a portion of the expenses of training and
18 certifying vehicle operators, the commissioner shall collect a
19 fee not to exceed \$5 from each person who receives the training.
20 The commissioner shall collect a fee for issuing a duplicate
21 off-highway motorcycle safety certificate. The commissioner
22 shall establish the fee for a duplicate off-highway motorcycle
23 safety certificate, to include a \$1 issuing fee for licensing
24 agents, that neither significantly overrecovers nor
25 underrecovers costs, including overhead costs, involved in
26 providing the service. The fees must, except for the issuing
27 fee for licensing agents under this subdivision, shall be
28 deposited in the state treasury and credited to the off-highway
29 motorcycle account in the natural resources fund.

30 [EFFECTIVE DATE.] This section is effective on July 1, 2005.

31 Sec. 64. Minnesota Statutes 2004, section 84.798, is
32 amended by adding a subdivision to read:

33 Subd. 10. [REFUNDS.] The commissioner may issue a refund
34 on a registration, not including any issuing fees paid under
35 subdivision 3, paragraph (b), or section 84.027, subdivision 15,
36 paragraph (a), clause (3), if the refund request is received

1 within 12 months of the original registration and the vehicle
2 was registered incorrectly by the commissioner or the deputy
3 registrar.

4 Sec. 65. Minnesota Statutes 2004, section 84.82,
5 subdivision 2, is amended to read:

6 Subd. 2. [APPLICATION, ISSUANCE, REPORTS, ADDITIONAL FEE.]

7 (a) Application for registration or reregistration shall be made
8 to the commissioner or an authorized deputy registrar of motor
9 vehicles in a format prescribed by the commissioner and shall
10 state the legal name and address of every owner of the
11 snowmobile.

12 (b) A person who purchases a snowmobile from a retail
13 dealer shall make application for registration to the dealer at
14 the point of sale. The dealer shall issue a dealer temporary
15 ten-day registration permit to each purchaser who applies to the
16 dealer for registration. ~~The temporary registration is valid~~
17 ~~for 60 days from the date of issue.~~ Each retail dealer shall
18 submit completed registration and fees to the deputy registrar
19 at least once a week. No fee may be charged by a dealer to a
20 purchaser for providing the temporary permit.

21 (c) Upon receipt of the application and the appropriate fee
22 as hereinafter provided, ~~such snowmobile shall be registered and~~
23 ~~a~~ the commissioner or deputy registrar shall issue to the
24 applicant, or provide to the dealer, an assigned registration
25 ~~number assigned which shall~~ or a commissioner or deputy
26 registrar temporary ten-day permit. Once issued, the
27 registration number must be affixed to the snowmobile in a
28 clearly visible and permanent manner for enforcement purposes as
29 the commissioner of natural resources shall prescribe. A dealer
30 subject to paragraph (b) shall provide the registration
31 materials or temporary permit to the purchaser within the
32 temporary ten-day permit period. The registration is not valid
33 unless signed by at least one owner.

34 (e) (d) Each deputy registrar of motor vehicles acting
35 pursuant to section 168.33, shall also be a deputy registrar of
36 snowmobiles. The commissioner of natural resources in agreement

1 with the commissioner of public safety may prescribe the
2 accounting and procedural requirements necessary to assure
3 efficient handling of registrations and registration fees.
4 Deputy registrars shall strictly comply with these accounting
5 and procedural requirements.

6 ~~(d)~~ (e) A fee of \$2 in addition to that otherwise
7 prescribed by law shall be charged for:

8 (1) each snowmobile registered by the registrar or a deputy
9 registrar and the additional fee shall be disposed of in the
10 manner provided in section 168.33, subdivision 2; or

11 (2) each snowmobile registered by the commissioner and the
12 additional fee shall be deposited in the state treasury and
13 credited to the snowmobile trails and enforcement account in the
14 natural resources fund.

15 Sec. 66. Minnesota Statutes 2004, section 84.82, is
16 amended by adding a subdivision to read:

17 Subd. 11. [REFUNDS.] The commissioner may issue a refund
18 on a registration, not including any issuing fees paid under
19 subdivision 2, paragraph (e), or section 84.027, subdivision 15,
20 paragraph (a), clause (3), if the refund request is received
21 within 12 months of the original registration and:

22 (1) the snowmobile was registered incorrectly by the
23 commissioner or the deputy registrar; or

24 (2) the snowmobile was registered twice, once by the dealer
25 and once by the customer.

26 Sec. 67. Minnesota Statutes 2004, section 84.8205,
27 subdivision 1, is amended to read:

28 Subdivision 1. [STICKER REQUIRED; FEE.] A person may not
29 operate a snowmobile ~~that-is-not-registered-in-this-state~~ on a
30 state or grant-in-aid snowmobile trail unless a snowmobile state
31 trail sticker is affixed to the snowmobile. The commissioner of
32 natural resources shall issue a sticker upon application and
33 payment of a \$15 fee. The fee for a three-year snowmobile state
34 trail sticker that is purchased at the time of snowmobile
35 registration is \$30. In addition to other penalties prescribed
36 by law, a person in violation of this subdivision must purchase

1 an annual state trail sticker for a fee of \$30. The sticker is
 2 valid from November 1 through April 30. Fees collected under
 3 this section, except for the issuing fee for licensing agents
 4 under this section and for the electronic licensing system
 5 commission established by the commissioner under section 84.027,
 6 subdivision 15, shall be deposited in the state treasury and
 7 credited to the snowmobile trails and enforcement account in the
 8 natural resources fund and must be used for grants-in-aid or
 9 acquisition of easements for permanent recreational snowmobile
 10 trails.

11 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

12 Sec. 68. Minnesota Statutes 2004, section 84.8205,
 13 subdivision 3, is amended to read:

14 Subd. 3. [LICENSE AGENTS.] ~~County-auditors-are-appointed~~
 15 ~~agents-of-the-commissioner-for-the-sale-of-snowmobile-state~~
 16 ~~trail-stickers.~~ The commissioner may appoint ~~other-state~~
 17 ~~agencies-as~~ agents ~~for-the-sale-of-the~~ to issue and sell state
 18 trail stickers. ~~A-county-auditor-may-appoint-subagents-within~~
 19 ~~the-county-or-within-adjacent-counties-to-sell-stickers.--Upon~~
 20 ~~appointment-of-a-subagent,-the-auditor-shall-notify-the~~
 21 ~~commissioner-of-the-name-and-address-of-the-subagent.--The~~
 22 ~~auditor-may-revoke-the-appointment-of-a-subagent,-and~~ The
 23 commissioner may revoke the appointment of a state agency an
 24 agent at any time. ~~The-commissioner-may-require-an-auditor-to~~
 25 ~~revoke-a-subagent's-appointment.--The-auditor-shall-furnish~~
 26 ~~stickers-on-consignment-to-any-subagent-who-furnishes-a-surety~~
 27 ~~bond-in-favor-of-the-county-in-an-amount-at-least-equal-to-the~~
 28 ~~value-of-the-stickers-to-be-consigned-to-that-subagent.--A~~
 29 ~~surety-bond-is-not-required-for-a-state-agency-appointed-by-the~~
 30 ~~commissioner.--The-county-auditor-shall-be-responsible-for-all~~
 31 ~~stickers-issued-to-and-user-fees-received-by-agents-except-in-a~~
 32 ~~county-where-the-county-auditor-does-not-retain-fees-paid-for~~
 33 ~~license-purposes.--In-these-counties,-the-responsibilities~~
 34 ~~imposed-by-this-section-upon-the-county-auditor-are-imposed-upon~~
 35 the county. The commissioner may promulgate adopt additional
 36 rules governing the accounting and procedures for handling state

1 trail-stickers as provided in section 97A.485, subdivision 11.

2 ~~Any resident desiring to sell snowmobile state trail~~
 3 ~~stickers may either purchase for cash or obtain on consignment~~
 4 ~~stickers from a county auditor in groups of not less than ten~~
 5 ~~individual stickers. In selling stickers, the resident shall be~~
 6 ~~deemed a subagent of the county auditor and the commissioner,~~
 7 and An agent shall observe all rules promulgated adopted by the
 8 commissioner for accounting and handling of licenses and
 9 stickers pursuant to section 97A.485, subdivision 11.

10 ~~The county auditor~~ An agent shall promptly deposit and
 11 remit all money received from the sale of the stickers with the
 12 ~~county treasurer and shall promptly transmit any reports~~
 13 ~~required by the commissioner, plus 96 percent of the price paid~~
 14 ~~by each stickerholder, exclusive of the issuing fee, for each~~
 15 ~~sticker sold or consigned by the auditor and subsequently sold~~
 16 ~~to a stickerholder during the accounting period. The county~~
 17 ~~auditor shall retain as a commission four percent of all sticker~~
 18 ~~fees, excluding the issuing fee for stickers consigned to~~
 19 ~~subagents and the issuing fee on stickers sold by the auditor to~~
 20 ~~stickerholders~~ to the commissioner.

21 ~~Unsold stickers in the hands of any subagent shall be~~
 22 ~~redeemed by the commissioner if presented for redemption within~~
 23 ~~the time prescribed by the commissioner. Any stickers not~~
 24 ~~presented for redemption within the period prescribed shall be~~
 25 ~~conclusively presumed to have been sold, and the subagent~~
 26 ~~possessing the same or to whom they are charged shall be~~
 27 ~~accountable.~~

28 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

29 Sec. 69. Minnesota Statutes 2004, section 84.8205,
 30 subdivision 4, is amended to read:

31 Subd. 4. [DISTRIBUTION ISSUANCE OF STICKERS.] The
 32 commissioner and agents shall provide issue and sell snowmobile
 33 state trail stickers ~~to all agents authorized to issue stickers~~
 34 ~~by the commissioner.~~

35 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

36 Sec. 70. Minnesota Statutes 2004, section 84.8205,

1 subdivision 6, is amended to read:

2 Subd. 6. [DUPLICATE STATE TRAIL STICKERS.] The
3 commissioner and agents shall issue a duplicate sticker to
4 persons whose sticker is lost or destroyed using the process
5 established under section 97A.405, subdivision 3, and rules
6 promulgated thereunder. The fee for a duplicate state trail
7 sticker is \$2, with an issuing fee of 50 cents.

8 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

9 Sec. 71. Minnesota Statutes 2002, section 84.83,
10 subdivision 3, is amended to read:

11 Subd. 3. [PURPOSES FOR THE ACCOUNT.] The money deposited
12 in the account and interest earned on that money may be expended
13 only as appropriated by law for the following purposes:

14 (1) for a grant-in-aid program to counties and
15 municipalities for construction and maintenance of snowmobile
16 trails, including maintenance of trails on lands and waters of
17 Voyageurs National Park, on Lake of the Woods, on Rainy Lake,
18 and on the following lakes in St. Louis County: Burntside,
19 Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;

20 (2) for acquisition, development, and maintenance of state
21 recreational snowmobile trails;

22 (3) for snowmobile safety programs; and

23 (4) for the administration and enforcement of sections
24 84.81 to 84.91 and appropriated grants to local law enforcement
25 agencies.

26 Sec. 72. Minnesota Statutes 2002, section 84.83,
27 subdivision 4, is amended to read:

28 Subd. 4. [PROVISIONS APPLICABLE TO FUNDING RECIPIENTS.]

29 (a) Recipients of Minnesota trail assistance program funds must
30 be afforded the same protection and be held to the same standard
31 of liability as a political subdivision under chapter 466 for
32 activities associated with the administration, design,
33 construction, maintenance, and grooming of snowmobile trails.

34 (b) Recipients of Minnesota trail assistance program funds
35 who maintain ice trails on public waters listed under
36 subdivision 3, clause (1), or on waters of Voyageurs National

1 Park are expressly immune from liability under section 466.03,
2 subdivision 6e.

3 Sec. 73. Minnesota Statutes 2004, section 84.86,
4 subdivision 1, is amended to read:

5 Subdivision 1. [REQUIRED RULES.] With a view of achieving
6 maximum use of snowmobiles consistent with protection of the
7 environment the commissioner of natural resources shall adopt
8 rules in the manner provided by chapter 14, for the following
9 purposes:

10 (1) Registration of snowmobiles and display of registration
11 numbers.

12 (2) Use of snowmobiles insofar as game and fish resources
13 are affected.

14 (3) Use of snowmobiles on public lands and waters, or on
15 grant-in-aid trails.

16 (4) Uniform signs to be used by the state, counties, and
17 cities, which are necessary or desirable to control, direct, or
18 regulate the operation and use of snowmobiles.

19 (5) Specifications relating to snowmobile mufflers.

20 (6) A comprehensive snowmobile information and safety
21 education and training program, including but not limited to the
22 preparation and dissemination of snowmobile information and
23 safety advice to the public, the training of snowmobile
24 operators, and the issuance of snowmobile safety certificates to
25 snowmobile operators who successfully complete the snowmobile
26 safety education and training course. For the purpose of
27 administering such program and to defray expenses of training
28 and certifying snowmobile operators, the commissioner shall
29 collect a fee from each person who receives the youth or adult
30 training. The commissioner shall collect a fee, to include a \$1
31 issuing fee for licensing agents, for issuing a duplicate
32 snowmobile safety certificate. The commissioner shall establish
33 both fees in a manner that neither significantly overrecovers
34 nor underrecovers costs, including overhead costs, involved in
35 providing the services. The fees are not subject to the
36 rulemaking provisions of chapter 14 and section 14.386 does not

1 apply. The fees may be established by the commissioner
2 notwithstanding section 16A.1283. The fees must, except for the
3 issuing fee for licensing agents under this subdivision, shall
4 be deposited in the snowmobile trails and enforcement account in
5 the natural resources fund and the amount thereof, except for
6 the electronic licensing system commission established by the
7 commissioner under section 84.027, subdivision 15, and issuing
8 fees collected by the commissioner, is appropriated annually to
9 the Enforcement Division of the Department of Natural Resources
10 for the administration of such programs. In addition to the fee
11 established by the commissioner, instructors may charge each
12 person up to the established fee amount for class materials and
13 expenses. The commissioner shall cooperate with private
14 organizations and associations, private and public corporations,
15 and local governmental units in furtherance of the program
16 established under this clause. School districts may cooperate
17 with the commissioner and volunteer instructors to provide space
18 for the classroom portion of the training. The commissioner
19 shall consult with the commissioner of public safety in regard
20 to training program subject matter and performance testing that
21 leads to the certification of snowmobile operators.

22 (7) The operator of any snowmobile involved in an accident
23 resulting in injury requiring medical attention or
24 hospitalization to or death of any person or total damage to an
25 extent of \$500 or more, shall forward a written report of the
26 accident to the commissioner on such form as the commissioner
27 shall prescribe. If the operator is killed or is unable to file
28 a report due to incapacitation, any peace officer investigating
29 the accident shall file the accident report within ten business
30 days.

31 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

32 Sec. 74. Minnesota Statutes 2004, section 84.922,
33 subdivision 2, is amended to read:

34 Subd. 2. [APPLICATION, ISSUANCE, REPORTS.] (a) Application
35 for registration or continued registration shall be made to the
36 ~~commissioner of natural resources, the commissioner of public~~

1 safety or an authorized deputy registrar of motor vehicles in a
2 form prescribed by the commissioner. The form must state the
3 name and address of every owner of the vehicle.

4 (b) A person who purchases an all-terrain vehicle from a
5 retail dealer shall make application for registration to the
6 dealer at the point of sale. The dealer shall issue a dealer
7 temporary ten-day registration permit to each purchaser who
8 applies to the dealer for registration. The dealer shall submit
9 the completed registration application and fees to the deputy
10 registrar at least once each week. No fee may be charged by a
11 dealer to a purchaser for providing the temporary permit.

12 (c) Upon receipt of the application and the appropriate
13 fee, the commissioner or deputy registrar shall issue to the
14 applicant, or provide to the dealer, ~~a 60-day-temporary-receipt~~
15 ~~and-shall-assign-a~~ an assigned registration number ~~that~~ or a
16 commissioner or deputy registrar temporary ten-day permit. Once
17 issued, the registration number must be affixed to the vehicle
18 in a manner prescribed by the commissioner. A dealer subject to
19 paragraph (b) shall provide the registration materials ~~and~~ or
20 temporary ~~receipt~~ permit to the purchaser within the ten-day
21 temporary permit period. The commissioner shall use the
22 snowmobile registration system to register vehicles under this
23 section.

24 (d) Each deputy registrar of motor vehicles acting under
25 section 168.33, is also a deputy registrar of all-terrain
26 vehicles. The commissioner of natural resources in agreement
27 with the commissioner of public safety may prescribe the
28 accounting and procedural requirements necessary to assure
29 efficient handling of registrations and registration fees.
30 Deputy registrars shall strictly comply with the accounting and
31 procedural requirements.

32 (e) In addition to other fees prescribed by law, a filing
33 fee of \$4.50 is charged for each all-terrain vehicle
34 registration renewal, duplicate or replacement registration
35 card, and replacement decal and a filing fee of \$7 is charged
36 for each all-terrain vehicle registration and registration

1 transfer issued by:

2 (1) a deputy registrar and shall be deposited in the
3 treasury of the jurisdiction where the deputy is appointed, or
4 retained if the deputy is not a public official; or

5 (2) the commissioner and shall be deposited to the state
6 treasury and credited to the all-terrain vehicle account in the
7 natural resources fund.

8 Sec. 75. Minnesota Statutes 2004, section 84.922, is
9 amended by adding a subdivision to read:

10 Subd. 12. [REFUNDS.] The commissioner may issue a refund
11 on a registration, not including any issuing fees paid under
12 subdivision 2, paragraph (e), or section 84.027, subdivision 15,
13 paragraph (a), clause (3), if the refund request is received
14 within 12 months of the original registration and:

15 (1) the vehicle was registered incorrectly by the
16 commissioner or the deputy registrar; or

17 (2) the vehicle was registered twice, once by the dealer
18 and once by the customer.

19 Sec. 76. Minnesota Statutes 2004, section 84.925,
20 subdivision 1, is amended to read:

21 Subdivision 1. [PROGRAM ESTABLISHED.] (a) The commissioner
22 shall establish a comprehensive all-terrain vehicle
23 environmental and safety education and training program,
24 including the preparation and dissemination of vehicle
25 information and safety advice to the public, the training of
26 all-terrain vehicle operators, and the issuance of all-terrain
27 vehicle safety certificates to vehicle operators over the age of
28 12 years who successfully complete the all-terrain vehicle
29 environmental and safety education and training course.

30 (b) For the purpose of administering the program and to
31 defray a portion of the expenses of training and certifying
32 vehicle operators, the commissioner shall collect a fee of \$15
33 from each person who receives the training. The commissioner
34 shall collect a fee, to include a \$1 issuing fee for licensing
35 agents, for issuing a duplicate all-terrain vehicle safety
36 certificate. The commissioner shall establish the fee for a

1 duplicate all-terrain vehicle safety certificate that neither
2 significantly overrecovers nor underrecovers costs, including
3 overhead costs, involved in providing the service. Fee
4 proceeds, except for the issuing fee for licensing agents under
5 this subdivision, shall be deposited in the all-terrain vehicle
6 account in the natural resources fund.

7 (c) The commissioner shall cooperate with private
8 organizations and associations, private and public corporations,
9 and local governmental units in furtherance of the program
10 established under this section. School districts may cooperate
11 with the commissioner and volunteer instructors to provide space
12 for the classroom portion of the training. The commissioner
13 shall consult with the commissioner of public safety in regard
14 to training program subject matter and performance testing that
15 leads to the certification of vehicle operators. By June 30,
16 2003, the commissioner shall incorporate a riding component in
17 the safety education and training program.

18 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

19 Sec. 77. Minnesota Statutes 2004, section 84D.03,
20 subdivision 4, is amended to read:

21 Subd. 4. [COMMERCIAL FISHING AND TURTLE, FROG, AND
22 CRAYFISH HARVESTING RESTRICTIONS IN INFESTED AND NONINFESTED
23 WATERS.] (a) All nets, traps, buoys, anchors, stakes, and lines
24 used for commercial fishing or turtle, frog, or crayfish
25 harvesting in an infested waters, water that is designated
26 because ~~the-waters-contain~~ it contains invasive fish or
27 invertebrates, may not be used in noninfested any other waters.
28 If a commercial licensee operates in both ~~noninfested-waters-and~~
29 an infested waters water designated because ~~the-waters-contain~~
30 it contains invasive fish or invertebrates and other waters, all
31 nets, traps, buoys, anchors, stakes, and lines used for
32 commercial fishing or turtle, frog, or crayfish harvesting in
33 ~~noninfested~~ waters not designated as infested with invasive fish
34 or invertebrates must be tagged with tags provided by the
35 commissioner, as specified in the commercial licensee's license
36 or permit, and may not be used in infested waters designated

1 because the waters contain invasive fish or invertebrates.

2 (b) ~~In-infested-waters-designated-solely-because-the-waters~~
3 ~~contain-Eurasian-water-milfoil~~, All nets, traps, buoys, anchors,
4 stakes, and lines used for commercial fishing or turtle, frog,
5 or crayfish harvesting in an infested water that is designated
6 solely because it contains Eurasian water milfoil must be dried
7 for a minimum of ten days or frozen for a minimum of two days
8 before they are used in ~~noninfested~~ any other waters, except as
9 provided in this paragraph. Commercial ~~operators~~ licensees must
10 notify the department's regional or area fisheries office or a
11 conservation officer when before removing nets or equipment from
12 an infested waters water designated solely because it contains
13 Eurasian water milfoil and before resetting those nets or
14 equipment in ~~noninfested~~ any other waters. ~~All-aquatic~~
15 ~~macrophytes~~ Upon notification, the commissioner may authorize a
16 commercial licensee to move nets or equipment to another water
17 without freezing or drying, if that water is designated as
18 infested solely because it contains Eurasian water milfoil.

19 (c) A commercial licensee must be-removed remove all
20 aquatic macrophytes from nets and other equipment when the nets
21 and equipment are removed from ~~infested~~ waters of the state.

22 (d) The commissioner shall provide a commercial licensee
23 with a current listing of designated infested waters at the time
24 that a license or permit is issued.

25 Sec. 78. Minnesota Statutes 2004, section 85.054,
26 subdivision 1, is amended to read:

27 Subdivision 1. [STATE PARK OPEN HOUSE DAY.] (a) A state
28 park permit is not required for a motor vehicle to enter a state
29 park, state monument, state recreation area, or state wayside,
30 on one day each calendar year at each park, which the
31 commissioner may designate as State Park Open House Day. The
32 commissioner may designate two consecutive days as State Park
33 Open House Day, if the open house is held in conjunction with a
34 special pageant described in section 85.052, subdivision 2.

35 (b) The commissioner shall announce the date of each state
36 park open house day at least 30 days in advance of the date it

1 occurs.

2 (c) The state park open house day is to acquaint the
3 public with state parks, recreation areas, and waysides.

4 Sec. 79. Minnesota Statutes 2004, section 85.054, is
5 amended by adding a subdivision to read:

6 Subd. 11. [BIG BOG STATE RECREATION AREA.] A state park
7 permit is not required and a fee may not be charged for motor
8 vehicle entry or parking at the parking area located north of
9 Tamarac River in the southern unit of Big Bog State Recreation
10 Area, Beltrami County.

11 Sec. 80. Minnesota Statutes 2004, section 85.055, is
12 amended by adding a subdivision to read:

13 Subd. 1b. [DISCOUNTS.] Except as otherwise specified in
14 law, and notwithstanding section 16A.1285, subdivision 2, the
15 commissioner may by written order authorize waiver or reduction
16 of state park entrance fees.

17 Sec. 81. Minnesota Statutes 2004, section 85.055,
18 subdivision 2, is amended to read:

19 Subd. 2. [FEE DEPOSIT AND APPROPRIATION.] The fees
20 collected under this section shall be deposited in the natural
21 resources fund and credited to a the state parks account. Money
22 in the account, except for the electronic licensing system
23 commission established by the commissioner under section 84.027,
24 subdivision 15, is annually appropriated to the commissioner to
25 operate and maintain the state park system.

26 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

27 Sec. 82. Minnesota Statutes 2004, section 85.43, is
28 amended to read:

29 85.43 [DISPOSITION OF RECEIPTS; PURPOSE.]

30 {a} Fees from cross-country ski passes shall be deposited
31 in the state treasury and credited to a cross-country ski
32 account in the natural resources fund and, ~~except as provided in~~
33 paragraph-(b) for the electronic licensing system commission
34 established by the commissioner under section 84.027,
35 subdivision 15, are appropriated to the commissioner of natural
36 resources for:

1 (1) grants-in-aid for cross-country ski trails sponsored by
2 local units of government and special park districts as provided
3 in section 85.44; and

4 (2) maintenance, winter grooming, and associated
5 administrative costs for cross-country ski trails under the
6 jurisdiction of the commissioner.

7 ~~(b)-The-commissioner-shall-retain-for-the-operation-of-the~~
8 ~~electronic-licensing-system-a-commission-of-4.7-percent-of-all~~
9 ~~cross-country-ski-pass-fees-collected-~~

10 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

11 Sec. 83. Minnesota Statutes 2004, section 86B.415, is
12 amended by adding a subdivision to read:

13 Subd. 11. [REFUNDS.] The commissioner may issue a refund
14 on a license or title, not including any issuing fees paid under
15 subdivision 8 or section 84.027, subdivision 15, paragraph (a),
16 clause (3), or 86B.870, subdivision 1, paragraph (b), if the
17 refund request is received within 12 months of the original
18 license or title and:

19 (1) the watercraft was licensed or titled incorrectly by
20 the commissioner or the deputy registrar;

21 (2) the customer was incorrectly charged a title fee; or

22 (3) the watercraft was licensed or titled twice, once by
23 the dealer and once by the customer.

24 Sec. 84. [86B.706] [WATER RECREATION ACCOUNT; RECEIPTS AND
25 PURPOSE.]

26 Subdivision 1. [CREATION.] The water recreation account is
27 created in the state treasury in the natural resources fund.

28 Subd. 2. [MONEY DEPOSITED IN ACCOUNT.] The following shall
29 be deposited in the state treasury and credited to the water
30 recreation account:

31 (1) fees and surcharges from titling and licensing of
32 watercraft under this chapter;

33 (2) fines, installment payments, and forfeited bail
34 according to section 86B.705, subdivision 2;

35 (3) civil penalties according to section 84D.13;

36 (4) mooring fees and receipts from the sale of marine gas

1 at state-operated or state-assisted small craft harbors and
2 mooring facilities according to section 86A.21;

3 (5) the unrefunded gasoline tax attributable to watercraft
4 use under section 296A.18; and

5 (6) fees for permits issued to control or harvest aquatic
6 plants other than wild rice under section 103G.615, subdivision
7 2.

8 Subd. 3. [PURPOSES.] The money in the account may be
9 expended only as appropriated by law for the following purposes:

10 (1) as directed under section 296A.18, subdivision 2, for
11 acquisition, development, maintenance, and rehabilitation of
12 public water access and boating facilities on public waters;
13 lake and river improvements; and boat and water safety;

14 (2) from the fees collected at state-operated or
15 state-assisted small craft harbors and mooring facilities from
16 daily and seasonal moorings and the sale of marine gas, for
17 maintenance, operation, replacement, and expansion of these
18 facilities and for the debt service on state bonds sold to
19 finance these facilities;

20 (3) for administration and enforcement of this chapter as
21 it pertains to titling and licensing of watercraft and use and
22 safe operation of watercraft; grants for county-sponsored and
23 administered boat and water safety programs; and state boat and
24 water safety efforts;

25 (4) for management of aquatic invasive species and the
26 implementation of chapter 84D as it pertains to aquatic invasive
27 species, including control, public awareness, law enforcement,
28 assessment and monitoring, management planning, and research;
29 and

30 (5) for management of aquatic plants and the implementation
31 of section 103G.615 as it pertains to aquatic plants, including
32 plant removal permitting, control, public awareness, law
33 enforcement, assessment and monitoring, management planning, and
34 research.

35 Sec. 85. Minnesota Statutes 2004, section 88.6435,
36 subdivision 4, is amended to read:

1 Subd. 4. [FOREST BOUGH ACCOUNT; DISPOSITION OF PERMIT FEES
2 AND-PENALTIES.] (a) The forest bough account is established in
3 the state treasury within the natural resources fund.

4 (b) Fees for permits issued under this section shall be
5 deposited in the state treasury and credited to the ~~special~~
6 revenue-fund forest bough account and, except for the electronic
7 licensing system commission established by the commissioner
8 under section 84.027, subdivision 15, are annually appropriated
9 to the commissioner of natural resources for costs associated
10 with balsam bough educational programs for harvesters and buyers.

11 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

12 Sec. 86. Minnesota Statutes 2004, section 89.039,
13 subdivision 1, is amended to read:

14 Subdivision 1. [ACCOUNT ESTABLISHED; SOURCES.] The forest
15 management investment account is created in the natural
16 resources fund in the state treasury and money in the account
17 may be spent only for the purposes provided in subdivision 2.
18 The following revenue shall be deposited in the forest
19 management investment account:

20 (1) timber sales receipts transferred from the consolidated
21 conservation areas account as provided in section 84A.51,
22 subdivision 2;

23 (2) timber sales receipts from forest lands as provided in
24 section 89.035; and

25 (3) money transferred from the forest suspense account
26 according to section 16A.125, subdivision 5; and

27 (4) interest accruing from investment of the account.

28 Sec. 87. Minnesota Statutes 2004, section 89.37, is
29 amended by adding a subdivision to read:

30 Subd. 4a. [SURCHARGE.] For tree seedlings sold according
31 to this section, the commissioner may assess a 2.5 cent
32 surcharge on each tree seedling. All surcharges collected under
33 this subdivision must be deposited in the state treasury and
34 credited to the forest nursery account and are annually
35 appropriated to the commissioner for the purpose of forestry
36 education and technical assistance.

1 Sec. 88. Minnesota Statutes 2004, section 90.195, is
2 amended to read:

3 90.195 [SPECIAL USE PERMIT.]

4 The commissioner may issue a permit to salvage or cut not
5 to exceed 12 cords of fuelwood per year for personal use from
6 either or both of the following sources: (1) dead, down, and
7 diseased trees; (2) other trees that are of negative value under
8 good forest management practices. The permits may be issued for
9 a period not to exceed one year. The commissioner shall charge
10 a fee, not less than \$5, in an amount up to the stumpage for the
11 permit that shall cover the commissioner's cost of issuing the
12 permit and shall not exceed the current market value of fuelwood
13 of similar species, grade, and volume that is being sold in the
14 area where the salvage or cutting is authorized under the permit.

15 Sec. 89. [93.2236] [MINERALS MANAGEMENT ACCOUNT.]

16 (a) The minerals management account is created as an
17 account in the natural resources fund. Interest earned on money
18 in the account accrues to the account. Money in the account may
19 be spent or distributed only as provided in paragraphs (b) and
20 (c).

21 (b) If the balance in the minerals management account
22 exceeds \$3,000,000 on June 30, the amount exceeding \$3,000,000
23 must be distributed to the permanent school fund and the
24 permanent university fund. The amount distributed to each fund
25 must be in the same proportion as the total mineral lease
26 revenue received in the previous biennium from school trust
27 lands and university lands.

28 (c) Subject to appropriation by the legislature, money in
29 the minerals management account may be spent by the commissioner
30 of natural resources for mineral resource management and
31 projects to enhance future mineral income and promote new
32 mineral resource opportunities.

33 Sec. 90. Minnesota Statutes 2004, section 97A.055,
34 subdivision 4b, is amended to read:

35 Subd. 4b. [CITIZEN OVERSIGHT SUBCOMMITTEES.] (a) The
36 commissioner shall appoint subcommittees of affected persons to

1 review the reports prepared under subdivision 4; review the
2 proposed work plans and budgets for the coming year; propose
3 changes in policies, activities, and revenue enhancements or
4 reductions; review other relevant information; and make
5 recommendations to the legislature and the commissioner for
6 improvements in the management and use of money in the game and
7 fish fund.

8 (b) The commissioner shall appoint the following
9 subcommittees, each comprised of at least three affected persons:

10 (1) a Fisheries Operations Subcommittee to review fisheries
11 funding, excluding activities related to trout and salmon stamp
12 funding;

13 (2) a Wildlife Operations Subcommittee to review wildlife
14 funding, excluding activities related to migratory waterfowl,
15 pheasant, and turkey stamp funding and excluding review of the
16 amounts available under section 97A.075, subdivision 1,
17 paragraphs (b) and (c);

18 (3) a Big Game Subcommittee to review the report required
19 in subdivision 4, paragraph (a), clause (2);

20 (4) an Ecological Services Operations Subcommittee to
21 review ecological services funding;

22 (5) a subcommittee to review game and fish fund funding of
23 enforcement, support services, and Department of Natural
24 Resources administration;

25 (6) a subcommittee to review the trout and salmon stamp
26 report and address funding issues related to trout and salmon;

27 (7) a subcommittee to review the report on the migratory
28 waterfowl stamp and address funding issues related to migratory
29 waterfowl;

30 (8) a subcommittee to review the report on the pheasant
31 stamp and address funding issues related to pheasants; and

32 (9) a subcommittee to review the report on the turkey stamp
33 and address funding issues related to wild turkeys.

34 (c) The chairs of each of the subcommittees shall form a
35 Budgetary Oversight Committee to coordinate the integration of
36 the subcommittee reports into an annual report to the

1 legislature; recommend changes on a broad level in policies,
2 activities, and revenue enhancements or reductions; provide a
3 forum to address issues that transcend the subcommittees; and
4 submit a report for any subcommittee that fails to submit its
5 report in a timely manner.

6 (d) The Budgetary Oversight Committee shall develop
7 recommendations for a biennial budget plan and report for
8 expenditures on game and fish activities. By August 15 of each
9 even-numbered year, the committee shall submit the budget plan
10 recommendations to the commissioner.

11 (e) Each subcommittee shall choose its own chair, except
12 that the chair of the Budgetary Oversight Committee shall be
13 appointed by the commissioner and may not be the chair of any of
14 the subcommittees.

15 (f) The Budgetary Oversight Committee must make
16 recommendations to the commissioner for outcome goals from
17 expenditures.

18 (g) Notwithstanding section 15.059, subdivision 5, or other
19 law to the contrary, the Budgetary Oversight Committee and
20 subcommittees do not expire until June 30, ~~2005~~ 2010.

21 [EFFECTIVE DATE.] This section is effective the day
22 following final enactment.

23 Sec. 91. Minnesota Statutes 2004, section 97A.061,
24 subdivision 1, is amended to read:

25 Subdivision 1. [APPLICABILITY; AMOUNT.] (a) The
26 commissioner shall annually make a payment to each county having
27 public hunting areas and game refuges. Money to make the
28 payments is annually appropriated for that purpose from the
29 general fund. Except as provided in paragraph (b), this section
30 does not apply to state trust fund land and other state land not
31 purchased for game refuge or public hunting purposes. Except as
32 provided in paragraph (b), the payment shall be the greatest of:

33 (1) 35 percent of the gross receipts from all special use
34 permits and leases of land acquired for public hunting and game
35 refuges;

36 (2) 50 cents per acre on land purchased actually used for

1 public hunting or game refuges; or

2 (3) three-fourths of one percent of the appraised value of
3 purchased land actually used for public hunting and game refuges.

4 (b) The payment shall be 50 percent of the dollar amount
5 adjusted for inflation as determined under section 477A.12,
6 subdivision 1, paragraph (a), clause (1), multiplied by the
7 number of acres of land in the county that are owned by another
8 state agency for military purposes and designated as a game
9 refuge under section 97A.085.

10 (c) The payment must be reduced by the amount paid under
11 subdivision 3 for croplands managed for wild geese.

12 ~~(e)~~ (d) The appraised value is the purchase price for five
13 years after acquisition. The appraised value shall be
14 determined by the county assessor every five years after
15 acquisition.

16 [EFFECTIVE DATE.] This section is effective for aids paid
17 in calendar year 2007 and thereafter.

18 Sec. 92. Minnesota Statutes 2004, section 97A.075,
19 subdivision 3, is amended to read:

20 Subd. 3. [TROUT AND SALMON STAMP.] (a) Ninety percent of
21 the revenue from trout and salmon stamps must be credited to the
22 trout and salmon management account. Money in the account may
23 be used only for:

24 (1) the development, restoration, maintenance, improvement,
25 protection, and preservation of habitat for trout and salmon in
26 trout streams and lakes, including, but not limited to,
27 evaluating habitat; stabilizing eroding stream banks; adding
28 fish cover; modifying stream channels; managing vegetation to
29 protect, shade, or reduce runoff on stream banks; and purchasing
30 equipment to accomplish these tasks;

31 (2) rearing of trout and salmon ~~and,~~ including utility and
32 service costs associated with coldwater hatchery buildings and
33 systems; stocking of trout and salmon in streams and lakes and
34 Lake Superior; and monitoring and evaluating stocked trout and
35 salmon;

36 (3) acquisition of easements and fee title along trout

1 waters;

2 (4) identifying easement and fee title areas along trout
3 waters; and

4 (5) research and special management projects on trout
5 streams, trout lakes, and Lake Superior and the-anadromous
6 portions of its tributaries.

7 (b) Money in the account may not be used for costs unless
8 they are directly related to a specific parcel of land or body
9 of water under paragraph (a) or, to specific fish rearing
10 activities under paragraph (a), clause (2), or for costs
11 associated with supplies and equipment to implement trout and
12 salmon management activities under paragraph (a).

13 Sec. 93. Minnesota Statutes 2004, section 97A.4742,
14 subdivision 4, is amended to read:

15 Subd. 4. [ANNUAL REPORT.] By December 15 each year, the
16 commissioner shall submit a report to the legislative committees
17 having jurisdiction over environment and natural resources
18 appropriations and environment and natural resources policy.
19 The report shall state the amount of revenue received in and
20 expenditures made from revenue transferred from the lifetime
21 fish and wildlife trust fund to the game and fish fund ~~and shall~~
22 ~~describe-projects-funded,--locations-of-the-projects,--and-results~~
23 ~~and-benefits-from-the-projects.~~ The report may be included in
24 the game and fish fund report required by section 97A.055,
25 subdivision 4. The commissioner shall make the annual report
26 available to the public.

27 Sec. 94. Minnesota Statutes 2003 Supplement, section
28 97A.482, is amended to read:

29 97A.482 [LICENSE APPLICATIONS; COLLECTION OF SOCIAL
30 SECURITY NUMBERS.]

31 (a) All applicants for individual noncommercial game and
32 fish licenses under this chapter and chapters 97B and 97C must
33 include the applicant's social security number on the license
34 application. If an applicant does not have a Social Security
35 number, the applicant must certify that the applicant does not
36 have a Social Security number.

1 (b) The Social Security numbers collected by the
2 commissioner on game and fish license applications are private
3 data under section 13.49, subdivision 1, and must be provided by
4 the commissioner to the commissioner of human services for child
5 support enforcement purposes. Title IV-D of the Social Security
6 Act, United States Code, title 42, section 666(a)(13), requires
7 the collection of Social Security numbers on game and fish
8 license applications for child support enforcement purposes.

9 (c) The commissioners of human services and natural
10 resources shall request a waiver from the secretary of health
11 and human services to exclude any applicant under the age of 16
12 from the requirement under this section to provide the
13 applicant's Social Security number. If a waiver is granted,
14 this section will be so amended effective January 1, 2006, or
15 upon the effective date of the waiver, whichever is later.

16 Sec. 95. Minnesota Statutes 2004, section 97A.485,
17 subdivision 7, is amended to read:

18 Subd. 7. [ELECTRONIC LICENSING SYSTEM COMMISSION.] The
19 commissioner shall retain for the operation of the electronic
20 licensing system ~~a-commission-of-4.7-percent-of~~ the commission
21 established under section 84.027, subdivision 15, and issuing
22 fees collected by the commissioner on all license fees
23 collected, excluding:

- 24 (1) the small game surcharge; and
25 (2) ~~all-issuing-fees,~~ and
26 ~~{3}~~ \$2.50 of the license fee for the licenses in section
27 97A.475, subdivisions 6, clauses (1), (2), and (4), 7, 8, 12,
28 and 13.

29 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

30 Sec. 96. Minnesota Statutes 2004, section 97A.551, is
31 amended by adding a subdivision to read:

32 Subd. 6. [TAGGING AND REGISTRATION.] The commissioner may,
33 by rule, require persons taking, possessing, and transporting
34 certain species of fish to tag the fish with a special fish
35 management tag and may require registration of tagged fish. A
36 person may not possess or transport a fish species taken in the

1 state for which a special fish management tag is required unless
2 a tag is attached to the fish in a manner prescribed by the
3 commissioner. The commissioner shall prescribe the manner of
4 issuance and the type of tag as authorized under section
5 97C.087. The tag must be attached to the fish as prescribed by
6 the commissioner immediately upon reducing the fish to
7 possession and must remain attached to the fish until the fish
8 is processed or consumed. Species for which a special fish
9 management tag is required must be transported undressed.

10 Sec. 97. Minnesota Statutes 2004, section 97B.015,
11 subdivision 7, is amended to read:

12 Subd. 7. [FEE FOR DUPLICATE CERTIFICATE.] The commissioner
13 shall collect a fee, to include a \$1 issuing fee for licensing
14 agents, for issuing a duplicate firearms safety certificate.
15 The commissioner shall establish a fee that neither
16 significantly overrecovers nor underrecovers costs, including
17 overhead costs, involved in providing the service. The fee is
18 not subject to the rulemaking provisions of chapter 14 and
19 section 14.386 does not apply. The commissioner may establish
20 the fee notwithstanding section 16A.1283. The duplicate
21 certificate fees, except for the issuing fee for licensing
22 agents under this subdivision, shall be deposited in the game
23 and fish fund and, except for the electronic licensing system
24 commission established by the commissioner under section 84.027,
25 subdivision 15, and issuing fees collected by the commissioner,
26 are appropriated annually to the Enforcement Division of the
27 Department of Natural Resources for the administration of the
28 firearm safety course program.

29 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

30 Sec. 98. Minnesota Statutes 2004, section 97B.025, is
31 amended to read:

32 97B.025 [HUNTER AND TRAPPER EDUCATION.]

33 (a) The commissioner may establish education courses for
34 hunters and trappers. The commissioner shall collect a fee from
35 each person attending a course. A fee, to include a \$1 issuing
36 fee for licensing agents, shall be collected for issuing a

1 duplicate certificate. The commissioner shall establish the
2 fees in a manner that neither significantly overrecovers nor
3 underrecovers costs, including overhead costs, involved in
4 providing the services. The fees are not subject to the
5 rulemaking provisions of chapter 14 and section 14.386 does not
6 apply. The commissioner may establish the fees notwithstanding
7 section 16A.1283. The fees, except for the issuing fee for
8 licensing agents under this subdivision, shall be deposited in
9 the game and fish fund and the amount thereof, except for the
10 electronic licensing system commission established by the
11 commissioner under section 84.027, subdivision 15, is
12 appropriated annually to the Enforcement Division of the
13 Department of Natural Resources for the administration of the
14 program. In addition to the fee established by the commissioner
15 for each course, instructors may charge each person up to the
16 established fee amount for class materials and expenses. School
17 districts may cooperate with the commissioner and volunteer
18 instructors to provide space for the classroom portion of the
19 training.

20 (b) The commissioner shall enter into an agreement with a
21 statewide nonprofit trappers association to conduct a trapper
22 education program. At a minimum, the program must include at
23 least six hours of classroom and in the field training. The
24 program must include a review of state trapping laws and
25 regulations, trapping ethics, the setting and tending of traps
26 and snares, tagging and registration requirements, and the
27 preparation of pelts. The association shall be responsible for
28 all costs of conducting the education program, and shall not
29 charge any fee for attending the course.

30 [EFFECTIVE DATE.] This section is effective on July 6, 2005.

31 Sec. 99. Minnesota Statutes 2004, section 97C.085, is
32 amended to read:

33 97C.085 [PERMIT REQUIRED FOR TAGGING FISH.]

34 A person may not tag or otherwise mark a live fish for
35 identification without a permit from the commissioner, except
36 for special fish management tags as authorized under section

1 97A.551.

2 Sec. 100. [97C.087] [SPECIAL FISH MANAGEMENT TAGS.]

3 Subdivision 1. [TAGS TO BE ISSUED.] If the commissioner
4 determines it is necessary to require that a species of fish be
5 tagged with a special fish management tag, the commissioner
6 shall prescribe, by rule, the species to be tagged, tagging
7 procedures, and eligibility requirements.

8 Subd. 2. [APPLICATION FOR TAG.] Application for special
9 fish management tags must be accompanied by a \$5, nonrefundable
10 application fee for each tag. A person may not make more than
11 one tag application each year. If a person makes more than one
12 application, the person is ineligible for a special fish
13 management tag for that season after determination by the
14 commissioner, without a hearing.

15 Sec. 101. Minnesota Statutes 2004, section 103E.081, is
16 amended by adding a subdivision to read:

17 Subd 2a. [PLANTING TREES OVER PUBLIC TILE.] A person must
18 not knowingly plant trees over a public drain tile, unless the
19 person planting the trees receives permission from the drainage
20 authority.

21 Sec. 102. Minnesota Statutes 2004, section 103E.081, is
22 amended by adding a subdivision to read:

23 Subd. 2b. [PLANTING TREES OVER PRIVATE TILE.] A person
24 must not knowingly plant trees over a private drain tile that
25 provides for the drainage of land owned or leased by another
26 person, unless the person planting the trees receives permission
27 from all persons who receive drainage benefits from the drain
28 tile.

29 Sec. 103. [103F.950] [BEAVER DAMAGE CONTROL GRANTS.]

30 Subdivision 1. [ESTABLISHMENT.] The Board of Water and
31 Soil Resources shall establish a beaver damage control grant
32 program to provide grants for the control of beaver activities
33 causing damage to public waters, roads, and ditches and adjacent
34 private property. The grants may be made to:

35 (1) a joint powers board established under section 471.59
36 by two or more governmental units;

1 (2) soil and water conservation districts; and

2 (3) Indian tribal governments.

3 Subd. 2. [GRANT AMOUNT.] The board may provide up to 50
4 percent of the costs of implementing a beaver damage control
5 program by a joint powers board.

6 Subd. 3. [AWARDING OF GRANTS.] Applications for grants
7 must be made to the board on forms prescribed by the
8 commissioner. The board shall consult with town supervisors and
9 county commissioners representing different areas of the state
10 in developing the application form. A joint powers board
11 seeking a grant may be required to supply information on the
12 beaver control program it has adopted, the extent of the problem
13 in the geographic area covered by the joint powers agreement,
14 and the ability of the joint powers board to match the state
15 grant. The board may prioritize the grant applications based
16 upon the information requested as part of the grant application.

17 Subd. 4. [REPORT.] (a) Within one year after receiving a
18 grant under this section, a joint powers board must report to
19 the Board of Water and Soil Resources on the joint powers
20 board's efforts to control beaver in the area.

21 (b) By December 15 of each even-numbered year, the board
22 shall report to the senate and house environment and natural
23 resources policy and finance committees on the efforts under
24 this section to control beaver.

25 Sec. 104. Minnesota Statutes 2004, section 103G.271,
26 subdivision 6, is amended to read:

27 Subd. 6. [WATER USE PERMIT PROCESSING FEE.] (a) Except as
28 described in paragraphs (b) to (f), a water use permit
29 processing fee must be prescribed by the commissioner in
30 accordance with the schedule of fees in this subdivision for
31 each water use permit in force at any time during the year. The
32 schedule is as follows, with the stated fee in each clause
33 applied to the total amount appropriated:

34 (1) \$101 for amounts not exceeding 50,000,000 gallons per

35 (2) \$3 per 1,000,000 gallons for amounts greater than

36 50,000,000 gallons but less than 100,000,000 gallons per year;

1 (3) \$3.50 per 1,000,000 gallons for amounts greater than
2 100,000,000 gallons but less than 150,000,000 gallons per year;

3 (4) \$4 per 1,000,000 gallons for amounts greater than
4 150,000,000 gallons but less than 200,000,000 gallons per year;

5 (5) \$4.50 per 1,000,000 gallons for amounts greater than
6 200,000,000 gallons but less than 250,000,000 gallons per year;

7 (6) \$5 per 1,000,000 gallons for amounts greater than
8 250,000,000 gallons but less than 300,000,000 gallons per year;

9 (7) \$5.50 per 1,000,000 gallons for amounts greater than
10 300,000,000 gallons but less than 350,000,000 gallons per year;

11 (8) \$6 per 1,000,000 gallons for amounts greater than
12 350,000,000 gallons but less than 400,000,000 gallons per year;

13 (9) \$6.50 per 1,000,000 gallons for amounts greater than
14 400,000,000 gallons but less than 450,000,000 gallons per year;

15 (10) \$7 per 1,000,000 gallons for amounts greater than
16 450,000,000 gallons but less than 500,000,000 gallons per year;

17 and

18 (11) \$7.50 per 1,000,000 gallons for amounts greater than
19 500,000,000 gallons per year.

20 (b) For once-through cooling systems, a water use
21 processing fee must be prescribed by the commissioner in
22 accordance with the following schedule of fees for each water
23 use permit in force at any time during the year:

24 (1) for nonprofit corporations and school districts, \$150
25 per 1,000,000 gallons; and

26 (2) for all other users, ~~\$200~~ \$300 per 1,000,000 gallons.

27 (c) The fee is payable based on the amount of water
28 appropriated during the year and, except as provided in
29 paragraph (f), the minimum fee is \$100.

30 (d) For water use processing fees other than once-through
31 cooling systems:

32 (1) the fee for a city of the first class may not exceed
33 \$250,000 per year;

34 (2) the fee for other entities for any permitted use may
35 not exceed:

36 (i) \$50,000 per year for an entity holding three or fewer

1 permits;

2 (ii) \$75,000 per year for an entity holding four or five
3 permits;

4 (iii) \$250,000 per year for an entity holding more than
5 five permits;

6 (3) the fee for agricultural irrigation may not exceed \$750
7 per year;

8 (4) the fee for a municipality that furnishes electric
9 service and cogenerates steam for home heating may not exceed
10 \$10,000 for its permit for water use related to the cogeneration
11 of electricity and steam; and

12 (5) no fee is required for a project involving the
13 appropriation of surface water to prevent flood damage or to
14 remove flood waters during a period of flooding, as determined
15 by the commissioner.

16 (e) Failure to pay the fee is sufficient cause for revoking
17 a permit. A penalty of two percent per month calculated from
18 the original due date must be imposed on the unpaid balance of
19 fees remaining 30 days after the sending of a second notice of
20 fees due. A fee may not be imposed on an agency, as defined in
21 section 16B.01, subdivision 2, or federal governmental agency
22 holding a water appropriation permit.

23 (f) The minimum water use processing fee for a permit
24 issued for irrigation of agricultural land is \$20 for years in
25 which:

26 (1) there is no appropriation of water under the permit; or

27 (2) the permit is suspended for more than seven consecutive
28 days between May 1 and October 1.

29 (g) A surcharge of \$20 per million gallons in addition to
30 the fee prescribed in paragraph (a) shall be applied to the
31 volume of water used in June, July, and August that exceeds the
32 volume of water used in January for municipal water use,
33 irrigation of golf courses, and landscape irrigation.

34 Sec. 105. Minnesota Statutes 2004, section 103G.301,
35 subdivision 2, is amended to read:

36 Subd. 2. [PERMIT APPLICATION FEES.] (a) An application for

1 a permit authorized under this chapter, and each request to
2 amend or transfer an existing permit, must be accompanied by a
3 permit application fee to defray the costs of receiving,
4 recording, and processing the application or request to amend or
5 transfer.

6 (b) The fee to apply for a permit to appropriate water, a
7 permit to construct or repair a dam that is subject to dam
8 safety inspection, or a state general permit or to apply for the
9 state water bank program is \$75 \$150. The application fee for a
10 permit to work in public waters or to divert waters for mining
11 must be at least \$75 \$150, but not more than \$500 \$1,000,
12 according to a schedule of fees adopted under section 16A.1285.

13 Sec. 106. Minnesota Statutes 2004, section 103G.615,
14 subdivision 2, is amended to read:

15 Subd. 2. [FEES.] (a) The commissioner shall establish a
16 fee schedule for permits to control or harvest aquatic plants
17 other than wild rice. The fees must be set by rule, and section
18 16A.1283 does not apply. The fees may not exceed \$750 per
19 permit based upon the cost of receiving, processing, analyzing,
20 and issuing the permit, and additional costs incurred after the
21 application to inspect and monitor the activities authorized by
22 the permit, and enforce aquatic plant management rules and
23 permit requirements.

24 (b) The fee for a permit for the control of rooted aquatic
25 vegetation is \$35 for each contiguous parcel of shoreline owned
26 by an owner. This fee may not be charged for permits issued in
27 connection with purple loosestrife control or lakewide Eurasian
28 water milfoil control programs.

29 (c) A fee may not be charged to the state or a federal
30 governmental agency applying for a permit.

31 (d) The money received for the permits under this
32 subdivision shall be deposited in the treasury and credited to
33 the ~~game-and-fish-fund~~ water recreation account.

34 Sec. 107. Minnesota Statutes 2004, section 103I.681,
35 subdivision 11, is amended to read:

36 Subd. 11. [PERMIT FEE SCHEDULE.] (a) The commissioner of

1 natural resources shall adopt a permit fee schedule under
2 chapter 14. The schedule may provide minimum fees for various
3 classes of permits, and additional fees, which may be imposed
4 subsequent to the application, based on the cost of receiving,
5 processing, analyzing, and issuing the permit, and the actual
6 inspecting and monitoring of the activities authorized by the
7 permit, including costs of consulting services.

8 (b) A fee may not be imposed on a state or federal
9 governmental agency applying for a permit.

10 (c) The fee schedule may provide for the refund of a fee,
11 in whole or in part, under circumstances prescribed by the
12 commissioner of natural resources. ~~Permit Fees~~ received must be
13 deposited in the state treasury and credited to the general
14 fund. ~~The amount of money necessary to pay the refunds is~~
15 Permit fees received are appropriated annually from the general
16 fund to the commissioner of natural resources for the costs of
17 inspecting and monitoring the activities authorized by the
18 permit, including costs of consulting services.

19 Sec. 108. Minnesota Statutes 2004, section 115.03,
20 subdivision 4a, is amended to read:

21 Subd. 4a. [SECTION 401 CERTIFICATIONS.] (a) The following
22 definitions apply to this subdivision:

23 (1) "section 401 certification" means a water quality
24 certification required under section 401 of the federal Clean
25 Water Act, United States Code, title 33, section 1341; and

26 (2) "nationwide federal general permit" means a nationwide
27 general permit issued by the United States Army Corps of
28 Engineers ~~and listed in Code of Federal Regulations, title 40,~~
29 ~~part 330, appendix A~~ under section 404 of the federal Clean
30 Water Act, United States Code, title 33, section 1344; and

31 (3) "professional review" means review of federal permits
32 or licenses that require section 401 certification before
33 issuance by professional or technical agency staff experienced
34 with 401 water quality certification.

35 (b) The agency commissioner is responsible for providing
36 section 401 certifications for nationwide federal permits or

1 licenses that require section 401 certification before issuance
2 of the federal permit or license.

3 (c) Before making a final decision on a section 401
4 certification for regional conditions on a nationwide federal
5 general permit, the agency commissioner shall hold at least one
6 public meeting outside the seven-county metropolitan area.

7 (d) In addition to other notice required by law, the agency
8 shall provide written notice of a meeting at which the agency
9 will be considering a section 401 certification for regional
10 conditions on a nationwide federal general permit at least 21
11 days before the date of the meeting to the members of the senate
12 and house of ~~representatives-environment-and-natural-resources~~
13 ~~committees, the senate Agriculture and Rural Development~~
14 ~~Committee, and the house of representatives Agriculture~~
15 Committee policy committees with jurisdiction over environment
16 and agriculture.

17 (e) Beginning July 1, 2005, the commissioner shall collect
18 a fee on individual section 401 certifications that are not
19 subject to a federal general permit or a letter of permission in
20 the amount of \$350 per certification and an additional \$200 for
21 each acre of wetland or surface water that is subject to the
22 section 401 certification. All fees collected by the
23 commissioner under this section shall be deposited in the
24 environmental fund and are appropriated to the agency for the
25 purpose of providing professional review and notification.

26 (f) A decision by the commissioner to waive review of
27 section 401 certification must include a written notice to
28 project applicants that they remain responsible for complying
29 with all water quality standards and other applicable statutes
30 and rules and that the commissioner retains the authority to
31 enforce violations of applicable standards, statutes, and rules,
32 including assessment of penalties.

33 (g) The commissioner shall provide access to all public
34 notices of applications for section 401 certification, their
35 status, and the decision to certify, deny, or waive any
36 application on the agency's Internet Web site, and may publish

1 these documents in any other appropriate public medium. All
2 public comments must be attached to the official public record
3 waiver decision and be available for review upon request. All
4 publications shall include the project's location, including
5 county, township, range and section, street address or
6 directions.

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

9 Sec. 109. Minnesota Statutes 2003 Supplement, section
10 115.551, is amended to read:

11 115.551 [TANK FEE.]

12 (a) An installer shall pay a fee of \$25 for each septic
13 system tank installed in the previous calendar year. The fees
14 required under this section must be paid to the commissioner by
15 January 30 of each year. The revenue derived from the fee
16 imposed under this section shall be deposited in the
17 environmental fund and is exempt from section 16A.1285.

18 (b) Notwithstanding paragraph (a), for the purposes of
19 performance based individual sewage treatment systems, the tank
20 fee is limited to \$25 per household system installation.

21 Sec. 110. [115A.9165] [DEFINITIONS.]

22 Subdivision 1. [APPLICABILITY.] For the purposes of
23 sections 115A.9165 to 115A.9169, the following terms have the
24 meanings given them.

25 Subd. 2. [END-OF-LIFE MOTOR VEHICLE.] "End-of-life motor
26 vehicle" means any motor vehicle that is sold, given, or
27 otherwise conveyed to a motor vehicle crusher, recycler, or
28 scrap recycling facility for the purpose of recycling.

29 Subd. 3. [MANUFACTURER.] "Manufacturer" means any person,
30 firm, association, partnership, corporation, governmental
31 entity, organization, combination, or joint venture that
32 produces or assembles motor vehicles, or in the case of an
33 imported motor vehicle, the importer or domestic distributor of
34 the motor vehicle.

35 Subd. 4. [MERCURY SWITCH.] "Mercury switch" means a light
36 switch or an antilock brake system switch installed by an

1 automotive manufacturer in a motor vehicle.

2 Subd. 5. [MOTOR VEHICLE RECYCLER.] "Motor vehicle recycler"
3 means any person or entity engaged in the business of acquiring,
4 dismantling, or crushing six or more motor vehicles in a
5 calendar year for the primary purpose of resale of their parts
6 or materials.

7 Sec. 111. [115A.9166] [MERCURY SWITCH COLLECTION PROGRAM.]

8 Subdivision 1. [OFFICE OF ENVIRONMENTAL ASSISTANCE.] (a)
9 By January 1, 2006, the Office of Environmental Assistance shall
10 implement a program to remove, collect, transport, recycle, and
11 appropriately dispose of mercury switches before crushing or
12 shredding of motor vehicles. Every manufacturer of motor
13 vehicles who has sold new motor vehicles containing mercury
14 switches in this state after January 1, 1980, shall, either
15 individually or as part of a group, pay the cost of the program
16 up to a total maximum annual cost of \$300,000.

17 (b) The manufacturers may allocate the cost among
18 themselves based on the number of motor vehicles containing
19 mercury switches sold in this state or other factors as they may
20 determine. The Office of Environmental Assistance shall
21 annually certify to the commissioner of finance the annual cost
22 to operate the program. The cost must not overfund or underfund
23 the program. The commissioner of finance, in consultation with
24 the Office of Environmental Assistance, shall inform the
25 manufacturers of the costs to be paid and deposit the money in
26 the environmental fund. The money is appropriated to the Office
27 of Environmental Assistance for the purposes of the program.
28 The Office of Environmental Assistance may use up to \$150,000
29 annually to pay the \$1 fee to motor vehicle recyclers for each
30 mercury switch or pellet collected. Not more than \$150,000 may
31 be used for other program costs.

32 Subd. 2. [PROGRAM COMPONENTS.] The mercury switch
33 collection program, at a minimum, must include:

34 (1) a mercury switch capture rate of at least 90 percent
35 from end-of-life motor vehicles, consistent with the principle
36 that the mercury switch must be recovered unless it is

1 inaccessible due to significant damage to the motor vehicle in
2 the area surrounding the switch;

3 (2) a method for marking motor vehicles processed for
4 shredding or crushing to indicate removal of switches, absence
5 of switches, or presence of switches that could not be removed;

6 (3) a system to track switch removal, including the number
7 of end-of-life motor vehicles and the number of switches;

8 (4) appropriate containers for collection and transporting
9 of mercury switches;

10 (5) a system to track mercury switches from the point of
11 collection to disposal;

12 (6) a requirement that mercury switches collected be
13 processed, recycled, stored, and disposed of as a hazardous
14 waste, or, if applicable, a universal waste, under state and
15 federal hazardous waste regulations and may not be disposed of
16 as hazardous debris as defined in federal regulations and
17 similar state regulations;

18 (7) training and assistance to motor vehicle recyclers and
19 other businesses dealing with end-of-life motor vehicles; and

20 (8) a fee of \$1 paid to motor vehicle recyclers for each
21 mercury switch or mercury pellet collected.

22 Sec. 112. [115A.9167] [ANNUAL REPORT.]

23 Beginning January 15, 2006, the Office of Environmental
24 Assistance shall annually report on the mercury switch
25 collection program to the legislative committees with
26 jurisdiction over the environment and natural resources.

27 The report must include:

28 (1) documentation of the capture rate achieved, including
29 the number of switches collected, the amount of mercury
30 collected, and the number of end-of-life motor vehicles;

31 (2) a description of how the mercury was recycled and
32 otherwise appropriately managed; and

33 (3) a plan of action to improve the capture rate, if
34 necessary.

35 Sec. 113. [115A.9168] [REPRESENTATIONS.]

36 It is unlawful for any person to represent that mercury

1 switches have been removed from a motor vehicle or motor vehicle
2 hulk being sold, given, or otherwise conveyed for recycling or
3 crushing, if the mercury switches have not been removed.

4 Sec. 114. [115A.9169] [PHASE-OUT OF MERCURY-ADDED
5 COMPONENTS IN MOTOR VEHICLES AND EXEMPTIONS.]

6 Subdivision 1. [PHASE-OUT OF MERCURY-ADDED COMPONENTS.] To
7 prevent emissions or other releases of mercury from motor
8 vehicles, by January 1, 2008, no new motor vehicle offered for
9 sale in this state may contain any mercury-added component,
10 except as provided in subdivision 2.

11 Subd. 2. [EXEMPTION AND LABELING.] (a) A manufacturer may
12 obtain an exemption to install a mercury-added component in a
13 motor vehicle if the manufacturer submits a written application
14 to the commissioner describing:

15 (1) how the manufacturer will ensure that a system exists,
16 and how the manufacturer will fund a system for the removal,
17 collection, and recovery of the mercury-added component upon
18 failure of the component or at the end of the motor vehicle's
19 useful life; and

20 (2) certification by the manufacturer that the motor
21 vehicle will be labeled so as to clearly inform purchasers that
22 mercury is present in the motor vehicle, and that the
23 mercury-added component may not be disposed of or placed in a
24 waste stream destined for disposal until the mercury is removed
25 or reused, recovered, or properly disposed of as a hazardous
26 waste, or otherwise managed to ensure that the mercury does not
27 become mixed with other solid waste or released to the
28 environment. The label must identify the component with
29 sufficient detail so that it can be readily located for
30 removal. The label shall be placed on the doorpost and be
31 sufficiently durable to remain legible for the useful life of
32 the motor vehicle.

33 (b) Subject to the issuance of public notice and
34 solicitation of public comment, the commissioner shall, within
35 90 days, accept or reject the application for exemption.

36 (c) The commissioner may grant an exemption only upon a

1 clear demonstration that the system for removal, collection, and
2 recovery of the mercury-added component will ensure recovery of
3 the mercury and prevent its release to the environment.

4 (d) An exemption granted under this section is valid for a
5 period not to exceed two years and may be renewed for periods
6 not to exceed two years.

7 Sec. 115. Minnesota Statutes 2004, section 115B.48,
8 subdivision 8, is amended to read:

9 Subd. 8. [FULL-TIME EQUIVALENCE.] "Full-time equivalence"
10 means 2,000 hours worked by employees, owners, and others in a
11 dry cleaning facility during a 12-month period beginning July 1
12 of the preceding year and running through June 30 of the year in
13 which the annual registration fee is due. For those dry
14 cleaning facilities that were in business less than the 12-month
15 period, full-time equivalence means the total of all of the
16 hours worked in the dry cleaning facility, divided by 2,000 and
17 multiplied by a fraction, the numerator of which is 50 and the
18 denominator of which is the number of weeks in business during
19 the reporting period. For the purposes of section 115B.49, an
20 owner working 2,000 hours or more shall be considered as one
21 full-time equivalent.

22 Sec. 116. Minnesota Statutes 2004, section 115B.49, is
23 amended by adding a subdivision to read:

24 Subd. 4b. [FEE ADJUSTMENT.] Notwithstanding section
25 16A.1285, each fiscal year the commissioner shall adjust the
26 fees in subdivision 4 as necessary to maintain an annual income
27 to the account of \$650,000.

28 Sec. 117. Minnesota Statutes 2002, section 116.92,
29 subdivision 3, is amended to read:

30 Subd. 3. [LABELING; PRODUCTS CONTAINING MERCURY.] A
31 manufacturer or wholesaler may not sell and a retailer may not
32 knowingly sell any of the following items in this state that
33 contain mercury unless the item is labeled in a manner to
34 clearly inform a purchaser ~~or~~, consumer, or motor vehicle
35 recycler that mercury is present in the item and that the item
36 may not be placed in the garbage or otherwise disposed of until

1 the mercury is removed and reused, recycled, or otherwise
2 managed to ensure that it does not become part of solid waste or
3 wastewater:

4 (1) a thermostat or thermometer;

5 (2) an electric switch or mercury-added component of a
6 motor vehicle, individually or as part of another product, ~~or other~~
7 ~~than-a-motor-vehicle~~;

8 (3) an appliance;

9 (4) a medical or scientific instrument; and

10 (5) an electric relay or other electrical device.

11 Sec. 118. Minnesota Statutes 2002, section 116.92,
12 subdivision 4, is amended to read:

13 Subd. 4. [REMOVAL FROM SERVICE; PRODUCTS CONTAINING
14 MERCURY.] (a) When an item listed in subdivision 3 is removed
15 from service the mercury in the item must be reused, recycled,
16 or otherwise managed to ensure compliance with section 115A.932.

17 (b) A person who is in the business of replacing or
18 repairing an item listed in subdivision 3 in households shall
19 ensure, or deliver the item to a facility that will ensure, that
20 the mercury contained in an item that is replaced or repaired is
21 reused or recycled or otherwise managed in compliance with
22 section 115A.932.

23 (c) ~~A person may not crush a motor vehicle unless the~~
24 ~~person has first made a good faith effort to~~ recycler must
25 remove all of the mercury switches in the motor vehicle before
26 it is crushed.

27 Sec. 119. Minnesota Statutes 2004, section 1160.09,
28 subdivision 1a, is amended to read:

29 Subd. 1a. [BOARD OF DIRECTORS.] The board of directors of
30 the Agricultural Utilization Research Institute is comprised of:

31 (1) the chairs of the senate and the house of
32 representatives standing committees with jurisdiction over
33 agriculture finance or the chair's designee;

34 (2) two representatives of statewide farm organizations;

35 (3) two representatives of agribusiness; and

36 (4) three representatives of the commodity promotion

1 councils.

2 ~~A member of the board of directors under clauses (2) to~~
3 ~~(4), including a member serving on July 17, 2003, may serve for a~~
4 ~~maximum of two three-year terms. The board's compensation is~~
5 ~~governed by section 15.0575, subdivision 3.~~

6 Sec. 120. Minnesota Statutes 2004, section 116P.05,
7 subdivision 2, is amended to read:

8 Subd. 2. [DUTIES.] (a) The commission shall recommend a
9 budget plan for expenditures from the environment and natural
10 resources trust fund and shall adopt a strategic plan as
11 provided in section 116P.08.

12 (b) The commission shall recommend expenditures to the
13 legislature from the state land and water conservation account
14 in the natural resources fund.

15 (c) It is a condition of acceptance of the appropriations
16 made from the Minnesota environment and natural resources trust
17 fund, and oil overcharge money under section 4.071, subdivision
18 2, that the agency or entity receiving the appropriation must
19 submit a work program and semiannual progress reports in the
20 form determined by the Legislative Commission on Minnesota
21 Resources, and comply with applicable reporting requirements
22 under section 116P.16. None of the money provided may be spent
23 unless the commission has approved the pertinent work program.

24 (d) The peer review panel created under section 116P.08
25 must also review, comment, and report to the commission on
26 research proposals applying for an appropriation from the oil
27 overcharge money under section 4.071, subdivision 2.

28 (e) The commission may adopt operating procedures to
29 fulfill its duties under chapter 116P.

30 [EFFECTIVE DATE.] This section is effective for interests
31 in land acquired after June 30, 2005.

32 Sec. 121. [116P.16] [REAL PROPERTY INTEREST REPORT.]

33 By December 1 each year, a recipient of an appropriation
34 from the trust fund, that is used for the acquisition of an
35 interest in real property, must submit annual reports on the
36 status of the real property to the Legislative Commission on

1 Minnesota Resources in a form determined by the commission. The
2 responsibility for reporting under this section may be
3 transferred by the recipient of the appropriation to another
4 person who holds the interest in the real property. To complete
5 the transfer of reporting responsibility, the recipient of the
6 appropriation must:

7 (1) inform the person to whom the responsibility is
8 transferred of that person's reporting responsibility;

9 (2) inform the person to whom the responsibility is
10 transferred of the property restrictions under section 116P.15;
11 and

12 (3) provide written notice to the commission of the
13 transfer of reporting responsibility, including contact
14 information for the person to whom the responsibility is
15 transferred.

16 After the transfer, the person who holds the interest in the
17 real property is responsible for reporting requirements under
18 this section.

19 [EFFECTIVE DATE.] This section is effective for interests
20 in land acquired after June 30, 2005.

21 Sec. 122. Minnesota Statutes 2004, section 160.232, is
22 amended to read:

23 160.232 [MOWING DITCHES OUTSIDE CITIES.]

24 (a) To provide enhanced roadside habitat for nesting birds
25 and other small wildlife, road authorities may not mow or till
26 the right-of-way of a highway located outside of a home rule
27 charter or statutory city except as allowed in this section and
28 section 160.23.

29 (b) On any highway, the first eight feet away from the road
30 surface, or shoulder if one exists, may be mowed at any time.

31 (c) An entire right-of-way may be mowed after July 31.
32 From August 31 to the following July 31, the entire right-of-way
33 may only be mowed if necessary for safety reasons, and but may
34 not be mowed to a height of less than 12 inches.

35 (d) A right-of-way may be mowed as necessary to maintain
36 sight distance for safety and may be mowed at other times under

1 rules of the commissioner, or by ordinance of a local road
2 authority not conflicting with the rules of the commissioner.

3 (e) A right-of-way may be mowed, burned, or tilled to
4 prepare the right-of-way for the establishment of permanent
5 vegetative cover or for prairie vegetation management.

6 (f) When feasible, road authorities are encouraged to
7 utilize low maintenance, native vegetation that reduces the need
8 to mow, provides wildlife habitat, and maintains public safety.

9 (g) The commissioner of natural resources shall cooperate
10 with the commissioner of transportation to provide enhanced
11 roadside habitat for nesting birds and other small wildlife.

12 Sec. 123. Minnesota Statutes 2004, section 168.1296,
13 subdivision 1, is amended to read:

14 Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a)
15 The registrar shall issue special critical habitat license
16 plates to an applicant who:

17 (1) is an owner or joint owner of a passenger automobile,
18 pickup truck, or van, or recreational equipment;

19 (2) pays a fee of \$10 to cover the costs of handling and
20 manufacturing the plates;

21 (3) pays the registration tax required under section
22 168.013;

23 (4) pays the fees required under this chapter;

24 (5) contributes a minimum of \$30 annually to the Minnesota
25 critical habitat private sector matching account established in
26 section 84.943; and

27 (6) complies with laws and rules governing registration and
28 licensing of vehicles and drivers.

29 (b) The critical habitat license application form must
30 clearly indicate that the annual contribution specified under
31 paragraph (a), clause (5), is a minimum contribution to receive
32 the license plate and that the applicant may make an additional
33 contribution to the account.

34 (c) Owners of recreational equipment under paragraph (a),
35 clause (1), are eligible only for special critical habitat
36 license plates for which the designs are selected under

1 subdivision 2, on or after January 1, 2006.

2 (d) Special critical habitat license plates, the designs
3 for which are selected under subdivision 2, on or after January
4 1, 2006, may be personalized according to section 168.12,
5 subdivision 2a.

6 Sec. 124. Minnesota Statutes 2004, section 223.17,
7 subdivision 3, is amended to read:

8 Subd. 3. [GRAIN BUYERS AND STORAGE ACCOUNT; FEES.] The
9 commissioner shall set the fees for inspections under sections
10 223.15 to 223.22 at levels necessary to pay the expenses of
11 administering and enforcing sections 223.15 to 223.22.

12 The fee for any license issued or renewed after June 30,
13 ~~2001~~ 2005, shall be set according to the following schedule:

14 (a) ~~\$125~~ \$140 plus ~~\$100~~ \$110 for each additional location
15 for grain buyers whose gross annual purchases are less than
16 \$100,000;

17 (b) ~~\$250~~ \$275 plus ~~\$100~~ \$110 for each additional location
18 for grain buyers whose gross annual purchases are at least
19 \$100,000, but not more than \$750,000;

20 (c) ~~\$375~~ \$415 plus ~~\$200~~ \$220 for each additional location
21 for grain buyers whose gross annual purchases are more than
22 \$750,000 but not more than \$1,500,000;

23 (d) ~~\$500~~ \$550 plus ~~\$200~~ \$220 for each additional location
24 for grain buyers whose gross annual purchases are more than
25 \$1,500,000 but not more than \$3,000,000; and

26 (e) ~~\$625~~ \$700 plus ~~\$200~~ \$220 for each additional location
27 for grain buyers whose gross annual purchases are more than
28 \$3,000,000.

29 A penalty amount not to exceed ten percent of the fees due
30 may be imposed by the commissioner for each month for which the
31 fees are delinquent.

32 There is created the grain buyers and storage account in
33 the agricultural fund. Money collected pursuant to sections
34 223.15 to 223.19 shall be paid into the state treasury and
35 credited to the grain buyers and storage account and is
36 appropriated to the commissioner for the administration and

1 enforcement of sections 223.15 to 223.22.

2 Sec. 125. Minnesota Statutes 2004, section 231.16, is
3 amended to read:

4 231.16 [WAREHOUSE OPERATOR OR HOUSEHOLD GOODS WAREHOUSE
5 OPERATOR TO OBTAIN LICENSE.]

6 A warehouse operator or household goods warehouse operator
7 must be licensed annually by the department. The department
8 shall prescribe the form of the written application. If the
9 department approves the license application and the applicant
10 files with the department the necessary bond, in the case of
11 household goods warehouse operators, or proof of warehouse
12 operators legal liability insurance coverage in an amount of
13 \$50,000 or more, as provided for in this chapter, the department
14 shall issue the license upon payment of the license fee required
15 in this section. A warehouse operator or household goods
16 warehouse operator to whom a license is issued shall pay a fee
17 as follows:

18	Building square footage used for public storage	
19	(1) 5,000 or less	\$100 <u>\$110</u>
20	(2) 5,001 to 10,000	\$200 <u>\$220</u>
21	(3) 10,001 to 20,000	\$300 <u>\$330</u>
22	(4) 20,001 to 100,000	\$400 <u>\$440</u>
23	(5) 100,001 to 200,000	\$500 <u>\$550</u>
24	(6) over 200,000	\$600

25 A penalty amount not to exceed ten percent of the fees due
26 may be imposed by the commissioner for each month for which the
27 fees are delinquent.

28 Fees collected under this chapter must be paid into the
29 grain buyers and storage account established in section 232.22.

30 The license must be renewed annually on or before July 1,
31 and always upon payment of the full license fee required in this
32 section. No license shall be issued for any portion of a year
33 for less than the full amount of the license fee required in
34 this section. Each license obtained under this chapter must be
35 publicly displayed in the main office of the place of business
36 of the warehouse operator or household goods warehouse operator

1 to whom it is issued. The license authorizes the warehouse
2 operator or household goods warehouse operator to carry on the
3 business of warehousing only in the one city or town named in
4 the application and in the buildings therein described. The
5 department, without requiring an additional bond and license,
6 may issue permits from time to time to any warehouse operator
7 already duly licensed under the provisions of this chapter to
8 operate an additional warehouse in the same city or town for
9 which the original license was issued during the term thereof,
10 upon the filing an application for a permit in the form
11 prescribed by the department.

12 A license may be refused for good cause shown and revoked
13 by the department for violation of law or of any rule adopted by
14 the department, upon notice and after hearing.

15 Sec. 126. Minnesota Statutes 2004, section 232.22,
16 subdivision 3, is amended to read:

17 Subd. 3. [FEES; GRAIN BUYERS AND STORAGE ACCOUNT.] There
18 is created in the agricultural fund an account known as the
19 grain buyers and storage account. The commissioner shall set
20 the fees for inspections, certifications and licenses under
21 sections 232.20 to 232.25 at levels necessary to pay the costs
22 of administering and enforcing sections 232.20 to 232.25. All
23 money collected pursuant to sections 232.20 to 232.25 and
24 chapters 233 and 236 shall be paid by the commissioner into the
25 state treasury and credited to the grain buyers and storage
26 account and is appropriated to the commissioner for the
27 administration and enforcement of sections 232.20 to 232.25 and
28 chapters 233 and 236. All money collected pursuant to chapter
29 231 shall be paid by the commissioner into the grain buyers and
30 storage account and is appropriated to the commissioner for the
31 administration and enforcement of chapter 231.

32 The fees for a license to store grain are as follows:

33 (a) For a license to store grain, \$110 for each home rule
34 charter or statutory city or town in which a public grain
35 warehouse is operated.

36 (b) A person with a license to store grain in a public

1 grain warehouse is subject to an examination fee for each
 2 licensed location, based on the following schedule for one
 3 examination:

4	<u>Bushel Capacity</u>	<u>Examination Fee</u>
5	<u>Less than 150,001</u>	<u>\$300</u>
6	<u>150,001 to 250,000</u>	<u>\$425</u>
7	<u>250,001 to 500,000</u>	<u>\$545</u>
8	<u>500,001 to 750,000</u>	<u>\$700</u>
9	<u>750,001 to 1,000,000</u>	<u>\$865</u>
10	<u>1,000,001 to 1,200,000</u>	<u>\$1,040</u>
11	<u>1,200,001 to 1,500,000</u>	<u>\$1,205</u>
12	<u>1,500,001 to 2,000,000</u>	<u>\$1,380</u>
13	<u>More than 2,000,000</u>	<u>\$1,555</u>

14 (c) The fee for the second examination is \$55 per hour per
 15 examiner for warehouse operators who choose to have it performed
 16 by the commissioner.

17 (d) A penalty amount not to exceed ten percent of the fees
 18 due may be imposed by the commissioner for each month for which
 19 the fees are delinquent.

20 Sec. 127. Minnesota Statutes 2004, section 236.02,
 21 subdivision 4, is amended to read:

22 Subd. 4. [FEES.] The license fee is \$140 for each home
 23 rule charter or statutory city or town in which a private grain
 24 warehouse is operated and which will be used to operate a grain
 25 bank. A penalty amount not to exceed ten percent of the fees
 26 due may be imposed by the commissioner for each month for which
 27 the fees are delinquent. The license fee must be set by the
 28 commissioner in an amount sufficient to cover the costs of
 29 administering and enforcing this chapter. Fees collected under
 30 this chapter must be paid into the grain buyers and storage
 31 account established in section 232.22.

32 Sec. 128. Minnesota Statutes 2004, section 282.08, is
 33 amended to read:

34 282.08 [APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.]

35 The net proceeds from the sale or rental of any parcel of
 36 forfeited land, or from the sale of products from the forfeited

1 land, must be apportioned by the county auditor to the taxing
2 districts interested in the land, as follows:

3 (1) the amounts necessary to pay the state general tax levy
4 against the parcel for taxes payable in the year for which the
5 tax judgment was entered, and for each subsequent payable year
6 up to and including the year of forfeiture, must be apportioned
7 to the state;

8 (2) the portion required to pay any amounts included in the
9 appraised value under section 282.01, subdivision 3, as
10 representing increased value due to any public improvement made
11 after forfeiture of the parcel to the state, but not exceeding
12 the amount certified by the clerk of the municipality must be
13 apportioned to the municipal subdivision entitled to it;

14 (3) the portion required to pay any amount included in the
15 appraised value under section 282.019, subdivision 5,
16 representing increased value due to response actions taken after
17 forfeiture of the parcel to the state, but not exceeding the
18 amount of expenses certified by the Pollution Control Agency or
19 the commissioner of agriculture, must be apportioned to the
20 agency or the commissioner of agriculture and deposited in the
21 fund from which the expenses were paid;

22 (4) the portion of the remainder required to discharge any
23 special assessment chargeable against the parcel for drainage or
24 other purpose whether due or deferred at the time of forfeiture,
25 must be apportioned to the municipal subdivision entitled to it;
26 and

27 (5) any balance must be apportioned as follows:

28 (i) The county board may annually by resolution set aside
29 no more than 30 percent of the receipts remaining to be used for
30 ~~timber~~ forest development on tax-forfeited land and dedicated
31 memorial forests, to be expended under the supervision of the
32 county board. It must be expended only on projects ~~approved-by~~
33 ~~the-commissioner-of-natural-resources~~ improving the health and
34 management of the forest resource.

35 (ii) The county board may annually by resolution set aside
36 no more than 20 percent of the receipts remaining to be used for

1 the acquisition and maintenance of county parks or recreational
2 areas as defined in sections 398.31 to 398.36, to be expended
3 under the supervision of the county board.

4 (iii) Any balance remaining must be apportioned as
5 follows: county, 40 percent; town or city, 20 percent; and
6 school district, 40 percent, provided, however, that in
7 unorganized territory that portion which would have accrued to
8 the township must be administered by the county board of
9 commissioners.

10 Sec. 129. Minnesota Statutes 2004, section 282.38,
11 subdivision 1, is amended to read:

12 Subdivision 1. [DEVELOPMENT.] In any county where the
13 county board by proper resolution sets aside funds for ~~timber~~
14 forest development pursuant to section 282.08,
15 clause ~~(3)(a)~~ (5), item (i), or section 459.06, subdivision 2,
16 the ~~Commission~~ commissioner of Iron Range resources and
17 rehabilitation with the approval of the board may upon request
18 of the county board assist said county in carrying out any
19 project for the long range development of its ~~timber forest~~
20 resources through matching of funds or otherwise, ~~provided that~~
21 ~~any such project shall first be approved by the commissioner of~~
22 ~~natural resources.~~

23 Sec. 130. Minnesota Statutes 2004, section 296A.18,
24 subdivision 2, is amended to read:

25 Subd. 2. [MOTORBOAT.] Approximately 1-1/2 percent of all
26 gasoline received in this state and 1-1/2 percent of all
27 gasoline produced or brought into this state, except gasoline
28 used for aviation purposes, is being used as fuel for the
29 operation of motorboats on the waters of this state and of the
30 total revenue derived from the imposition of the gasoline fuel
31 tax for uses other than for aviation purposes, 1-1/2 percent of
32 ~~such revenues~~ the revenue is the amount of tax on fuel used in
33 motorboats operated on the waters of this state. The amount of
34 unrefunded tax paid on gasoline used for motor boat purposes as
35 computed in this chapter shall be paid into the state treasury
36 and credited to a water recreation account in the special

1 revenue fund for acquisition, development, maintenance, and
2 rehabilitation of sites for public access and boating facilities
3 on public waters; lake and river improvement; ~~state-park~~
4 ~~development~~; and boat and water safety.

5 Sec. 131. Minnesota Statutes 2004, section 462.357,
6 subdivision 1e, is amended to read:

7 Subd. 1e. [NONCONFORMITIES.] (a) Any nonconformity,
8 including the lawful use or occupation of land or premises
9 existing at the time of the adoption of an additional control
10 under this chapter, may be continued, including through repair,
11 replacement, restoration, maintenance, or improvement, but not
12 including expansion, unless:

13 (1) the nonconformity or occupancy is discontinued for a
14 period of more than one year; or

15 (2) any nonconforming use is destroyed by fire or other
16 peril to the extent of greater than 50 percent of its market
17 value, and no building permit has been applied for within 180
18 days of when the property is damaged. In this case, a
19 municipality may impose reasonable conditions upon a building
20 permit in order to mitigate any newly created impact on adjacent
21 property.

22 (b) Any subsequent use or occupancy of the land or premises
23 shall be a conforming use or occupancy. A municipality may, by
24 ordinance, permit an expansion or impose upon nonconformities
25 reasonable regulations to prevent and abate nuisances and to
26 protect the public health, welfare, or safety. This subdivision
27 does not prohibit a municipality from enforcing an ordinance
28 that applies to adults-only bookstores, adults-only theaters, or
29 similar adults-only businesses, as defined by ordinance.

30 (c) Notwithstanding paragraph (a), a municipality shall
31 regulate the repair, replacement, maintenance, improvement, or
32 expansion of nonconforming uses and structures in floodplain
33 areas to the extent necessary to maintain eligibility in the
34 National Flood Insurance Program and not increase flood damage
35 potential or increase the degree of obstruction to flood flows
36 in the floodway.

1 Sec. 132. [473.1565] [METROPOLITAN AREA WATER SUPPLY
2 PLANNING ACTIVITIES; ADVISORY COMMITTEE.]

3 Subdivision 1. [PLANNING ACTIVITIES.] (a) The Metropolitan
4 Council must carry out planning activities addressing the water
5 supply needs of the metropolitan area as defined in section
6 473.121, subdivision 2. The planning activities must include,
7 at a minimum:

8 (1) development and maintenance of a base of technical
9 information needed for sound water supply decisions including
10 surface and groundwater availability analyses, water demand
11 projections, water withdrawal and use impact analyses, modeling,
12 and similar studies;

13 (2) development and periodic update of a metropolitan area
14 master water supply plan that:

15 (i) provides guidance for local water supply systems and
16 future regional investments;

17 (ii) emphasizes conservation, interjurisdictional
18 cooperation, and long-term sustainability; and

19 (iii) addresses the reliability, security, and
20 cost-effectiveness of the metropolitan area water supply system
21 and its local and subregional components;

22 (3) recommendations for clarifying the appropriate roles
23 and responsibilities of local, regional, and state government in
24 metropolitan area water supply;

25 (4) recommendations for streamlining and consolidating
26 metropolitan area water supply decision-making and approval
27 processes; and

28 (5) recommendations for the ongoing and long-term funding
29 of metropolitan area water supply planning activities and
30 capital investments.

31 (b) The council must carry out the planning activities in
32 this subdivision in consultation with the metropolitan area
33 water supply advisory committee established in subdivision 2.

34 Subd. 2. [ADVISORY COMMITTEE.] (a) A metropolitan area
35 water supply advisory committee is established to assist the
36 council in its planning activities in subdivision 1. The

1 advisory committee has the following membership:

2 (1) the commissioner of agriculture or the commissioner's
3 designee;

4 (2) the commissioner of health or the commissioner's
5 designee;

6 (3) the commissioner of natural resources or the
7 commissioner's designee;

8 (4) the commissioner of the pollution control agency or the
9 commissioner's designee;

10 (5) two officials of counties that are located in the
11 metropolitan area, appointed by the governor;

12 (6) six officials of noncounty local governmental units
13 that are located in the metropolitan area, appointed by the
14 governor; and

15 (7) the chair of the Metropolitan Council or the chair's
16 designee, who is chair of the advisory committee.

17 (b) Members of the advisory committee appointed by the
18 governor serve at the pleasure of the governor and their terms
19 end with the term of the governor. Members of the advisory
20 committee serve without compensation but may be reimbursed for
21 their reasonable expenses as determined by the Metropolitan
22 Council. The advisory committee does not expire until repealed
23 by law.

24 Subd. 3. [REPORTS TO LEGISLATURE.] The council must submit
25 reports to the legislature regarding its continuing planning
26 activities under subdivision 1. The first report must be
27 submitted to the legislature by the date the legislature
28 convenes in 2007 and subsequent reports must be submitted by
29 such date every five years thereafter.

30 [EFFECTIVE DATE.] This section is effective the day
31 following final enactment.

32 Sec. 133. Minnesota Statutes 2004, section 473.197,
33 subdivision 4, is amended to read:

34 Subd. 4. [DEBT RESERVE; LEVY.] To provide money to pay
35 debt service on bonds issued under the credit enhancement
36 program if-pledged-revenues-are-insufficient-to-pay-debt-service

1 in repealed subdivision 1 of Minnesota Statutes 2004, section
 2 473.197, the council must maintain a debt reserve fund in the
 3 ~~manner and with the effect provided by section 118A.04 for~~
 4 ~~public funds~~ until the reserve is no longer pledged or otherwise
 5 needed to pay debt service on such bonds. ~~To provide funds for~~
 6 ~~the debt reserve fund, the council may use up to \$3,000,000 of~~
 7 ~~the proceeds of solid waste bonds issued by the council under~~
 8 ~~section 473.831 before its repeal. To provide additional funds~~
 9 ~~for the debt reserve fund, the council may levy a tax on all~~
 10 ~~taxable property in the metropolitan area and must levy the tax~~
 11 If sums in the debt reserve fund are insufficient to cure any
 12 deficiency in the debt service fund established for the bonds,
 13 the council must levy a tax on all taxable property in the
 14 metropolitan area in the amount needed to liquidate the
 15 deficiency. The tax authorized by this section does not affect
 16 the amount or rate of taxes that may be levied by the council
 17 for other purposes and is not subject to limit as to rate or
 18 amount.

19 [EFFECTIVE DATE.] This section is effective the day
 20 following final enactment.

21 Sec. 134. Laws 2003, chapter 128, article 1, section 9,
 22 subdivision 6, is amended to read:

23 Subd. 6. Recreation 7,622,000 5,870,000

24 Summary by Fund

25 Trust Fund 5,622,000 5,870,000

26 State Land and Conservation
 27 Account (LAWCON) 2,000,000

28 (a) State Park and Recreation Area Land
 29 Acquisition

30 \$750,000 the first year and \$750,000
 31 the second year are from the trust fund
 32 to the commissioner of natural
 33 resources to acquire in-holdings for
 34 state park and recreation areas. Land
 35 acquired with this appropriation must
 36 be sufficiently improved to meet at
 37 least minimum management standards as
 38 determined by the commissioner of
 39 natural resources. This appropriation
 40 is available until June 30, 2006, at
 41 which time the project must be
 42 completed and final products delivered,
 43 unless an earlier date is specified in
 44 the work program.

1 (b) LAWCON Federal Reimbursements

2 \$2,000,000 is from the state land and
3 water conservation account (LAWCON) in
4 the natural resources fund to the
5 commissioner of natural resources for
6 eligible state projects and
7 administrative and planning activities
8 consistent with Minnesota Statutes,
9 section 116P.14, and the federal Land
10 and Water Conservation Fund Act. This
11 appropriation is contingent upon
12 receipt of the federal obligation and
13 remains available until June 30, 2006,
14 at which time the project must be
15 completed and final products delivered,
16 unless an earlier date is specified in
17 the work program.

18 (c) Local Initiative Grants-Parks and
19 Natural Areas

20 \$1,290,000 the first year and
21 \$1,289,000 the second year are from the
22 trust fund to the commissioner of
23 natural resources for matching grants
24 to local governments for acquisition
25 and development of natural and scenic
26 areas and local parks as provided in
27 Minnesota Statutes, section 85.019,
28 subdivisions 2 and 4a, and regional
29 parks outside of the metropolitan
30 area. Grants may provide up to 50
31 percent of the nonfederal share of the
32 project cost, except nonmetropolitan
33 regional park grants may provide up to
34 60 percent of the nonfederal share of
35 the project cost. The commission will
36 monitor the grants for approximate
37 balance over extended periods of time
38 between the metropolitan area, under
39 Minnesota Statutes, section 473.121,
40 subdivision 2, and the nonmetropolitan
41 area through work program oversight and
42 periodic allocation decisions. For the
43 purposes of this paragraph, the match
44 must be a nonstate contribution, but
45 may be either cash or qualifying
46 in-kind. Recipients may receive
47 funding for more than one project in
48 any given grant period. This
49 appropriation is available until June
50 30, 2006, at which time the project
51 must be completed and final products
52 delivered.

53 (d) Metropolitan Regional Parks
54 Acquisition, Rehabilitation, and
55 Development

56 \$1,670,000 the first year and
57 \$1,669,000 the second year are from the
58 trust fund to the commissioner of
59 natural resources for an agreement with
60 the metropolitan council for subgrants
61 for the acquisition, development, and
62 rehabilitation in the metropolitan
63 regional park system, consistent with
64 the metropolitan council regional
65 recreation open space capital
66 improvement plan. This appropriation

1 may not be used for the purchase of
 2 residential structures. This
 3 appropriation may be used to reimburse
 4 implementing agencies for acquisition
 5 of nonresidential property as expressly
 6 approved in the work program. This
 7 appropriation is available until June
 8 30, 2006, at which time the project
 9 must be completed and final products
 10 delivered, unless an earlier date is
 11 specified in the work program. In
 12 addition, if a project financed under
 13 this program receives a federal grant,
 14 the availability of the financing from
 15 this paragraph for that project is
 16 extended to equal the period of the
 17 federal grant.

18 (e) Local and Regional Trail Grant
 19 Initiative Program

20 \$160,000 the first year and \$160,000
 21 the second year are from the trust fund
 22 to the commissioner of natural
 23 resources to provide matching grants to
 24 local units of government for the cost
 25 of acquisition, development,
 26 engineering services, and enhancement
 27 of existing and new trail facilities.
 28 This appropriation is available until
 29 June 30, 2006, at which time the
 30 project must be completed and final
 31 products delivered, unless an earlier
 32 date is specified in the work program.
 33 In addition, if a project financed
 34 under this program receives a federal
 35 grant, the availability of the
 36 financing from this paragraph for that
 37 project is extended to equal the period
 38 of the federal grant.

39 (f) Gitchi-Gami State Trail

40 \$650,000 the first year and \$650,000
 41 the second year are from the trust fund
 42 to the commissioner of natural
 43 resources, in cooperation with the
 44 Gitchi-Gami Trail Association, for the
 45 third biennium, to design and construct
 46 approximately five miles of Gitchi-Gami
 47 state trail segments. This
 48 appropriation must be matched by at
 49 least \$400,000 of nonstate money. The
 50 availability of the financing from this
 51 paragraph is extended to equal the
 52 period of any federal money received.

53 (g) Water Recreation: Boat Access,
 54 Fishing Piers, and Shore-fishing

55 \$450,000 the first year and \$700,000
 56 the second year are from the trust fund
 57 to the commissioner of natural
 58 resources to acquire and develop public
 59 water access sites statewide, construct
 60 shore-fishing and pier sites, and
 61 restore shorelands at public accesses.
 62 This appropriation is available until
 63 June 30, 2006, at which time the
 64 project must be completed and final
 65 products delivered, unless an earlier

1 date is specified in the work program.

2 (h) Mesabi Trail

3 \$190,000 the first year and \$190,000
4 the second year are from the trust fund
5 to the commissioner of natural
6 resources for an agreement with St.
7 Louis and Lake Counties Regional Rail
8 Authority for the sixth biennium to
9 acquire and develop segments of the
10 Mesabi trail. If a federal grant is
11 received, the availability of the
12 financing from this paragraph is
13 extended to equal the period of the
14 federal grant.

15 (i) Linking Communities Design,
16 Technology, and DNR Trail Resources

17 \$92,000 the first year and \$92,000 the
18 second year are from the trust fund to
19 the commissioner of natural resources
20 for an agreement with the University of
21 Minnesota to provide designs for up to
22 three state trails incorporating
23 recreation, natural, and cultural
24 features.

25 (j) Ft. Ridgley Historic Site
26 Interpretive Trail

27 \$75,000 the first year and \$75,000 the
28 second year are from the trust fund to
29 the Minnesota historical society to
30 construct a trail through the original
31 fort site and install interpretive
32 markers. This appropriation is
33 available until June 30, 2006, at which
34 time the project must be completed and
35 final products delivered, unless an
36 earlier date is specified in the work
37 program.

38 (k) Development and Rehabilitation of
39 Minnesota Shooting Ranges

40 \$120,000 the first year and \$120,000
41 the second year are from the trust fund
42 to the commissioner of natural
43 resources to provide technical
44 assistance and matching cost-share
45 grants to local recreational shooting
46 and archery clubs for the purpose of
47 developing or rehabilitating shooting
48 and archery facilities for public use.
49 Recipient facilities must be open to
50 the general public at reasonable times
51 and for a reasonable fee on a walk-in
52 basis. This appropriation is available
53 until June 30, 2006, at which time the
54 project must be completed and final
55 products delivered, unless an earlier
56 date is specified in the work program.

57 (l) Land Acquisition, Minnesota
58 Landscape Arboretum

59 \$175,000 the first year and \$175,000
60 the second year are from the trust fund
61 to the University of Minnesota for an

1 agreement with the University of
2 Minnesota Landscape Arboretum
3 Foundation for the fifth biennium to
4 acquire ~~in-holdings-within-the~~
5 arboretum's-boundary land from willing
6 sellers. This appropriation must be
7 matched by an equal amount of nonstate
8 money. This appropriation is available
9 until June 30, 2006, at which time the
10 project must be completed and final
11 products delivered, unless an earlier
12 date is specified in the work program.

13 Sec. 135. [CONTINUATION OF AGREEMENTS.]

14 An agreement entered into between the Metropolitan Council
15 and a participant in the credit enhancement program under
16 Minnesota Statutes 2004, section 473.197, subdivision 5, with
17 respect to bonds issued prior to the effective date of this act,
18 shall continue in effect in accordance with its terms; provided
19 that no provision in the agreement shall be construed to require
20 or allow the council to pledge its full faith and credit and
21 taxing powers to the payment of additional bonds issued after
22 the effective date of this act.

23 [EFFECTIVE DATE.] This section is effective the day
24 following final enactment.

25 Sec. 136. [USE OF CREDIT ENHANCEMENT PROGRAM FUNDS.]

26 The Metropolitan Council must transfer any funds
27 originating from the proceeds of solid waste bonds and available
28 for the credit enhancement program under Minnesota Statutes
29 2004, section 473.197, subdivision 4, to the council's general
30 fund to the extent that the funds are no longer pledged or
31 otherwise needed by the council to maintain a debt reserve fund
32 as provided for in ongoing Minnesota Statutes, section 473.197,
33 subdivision 4. The council must first use the transferred funds
34 for carrying out the metropolitan area water supply planning
35 activities required by section 1, for staff support of the
36 advisory committee established under that section, and for
37 related purposes. If the council determines that the
38 transferred funds are no longer needed for those purposes, the
39 council may use any of the funds for any general purposes of the
40 council.

41 [EFFECTIVE DATE.] This section is effective the day

1 following final enactment.

2 Sec. 137. [TRANSFER OF FUNDS; DEPOSIT OF REPAYMENTS.]

3 The remaining balances in the revolving accounts in
4 Minnesota Statutes, sections 41B.046 and 41B.049, that are
5 dedicated to rural finance authority loan programs under those
6 sections, are transferred to the revolving loan account
7 established in Minnesota Statutes, section 41B.06, on the
8 effective date of this section. All future receipts from
9 value-added agricultural product loans and methane digester
10 loans originated under Minnesota Statutes, sections 41B.046 and
11 41B.049, must be deposited in the revolving loan account
12 established in Minnesota Statutes, section 41B.06.

13 Sec. 138. [REPEALER.]

14 (a) Minnesota Statutes 2004, sections 18B.065, subdivision
15 5; 19.64, subdivision 4a; 41B.046, subdivision 3; 84.901; and
16 115B.49, subdivision 4a, are repealed.

17 (b) Minnesota Statutes 2004, sections 473.156 and 473.197,
18 subdivisions 1, 2, 3, and 5, are repealed, effective the day
19 following final enactment.

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY	SENATE			+ / (-) || Sen-Base	+ / (-) || Sen-Gov
				FY 2006	FY 2007	2006-07		
3	Summary Division Changes							
4	Agency by Fund	Fund Type						
6	POLLUTION CONTROL AGENCY; Direct after SF1879							
7	General	GEN dir		14,715	14,715	29,430	-	
8	State Government Special Revenue	SGSR dir		48	48	96	-	
9	Environmental	ENV dir		26,812	26,812	53,624	-	
10	Remediation	REM dir		11,404	11,404	22,808	-	
11	PCA - total direct after SF1879			52,979	52,979	105,958	-	
12	Change Items:							
13	PCA - Water Div							
14	General Fund Reduction	GEN dir		(2,004)	(2,004)	(4,008)	1,092	
15	Transfer from Remediation Fund (Land)	ENV dir		8,300	8,300	16,600	(18,509)	
16	PCA - Air Div							
17	Air Fee Increase	ENV dir		532	839	1,371	-	
18	PCA - Land Div							
19	Transfer to ENV Fund	REM stat		(11,700)	(11,700)	(23,400)	-	
20	Remain in Land Program for Superfund Sites	REM stat		3,400	3,400	6,800	6,800	
21	PCA - Admin							
22	General Fund Reduction	GEN dir		(400)	(400)	(800)	-	
23	Total Change Items:							
24		GEN dir		(2,404)	(2,404)	(4,808)		
25		ENV dir		8,832	9,139	17,971		
26		REM stat		(8,300)	(8,300)	(16,600)		
27	Total Change Items:			(1,872)	(1,565)	(3,437)		
28	POLLUTION CONTROL AGENCY; Direct all							
29	General	GEN dir		12,311	12,311	24,622	(4,808)	
30	State Government Special Revenue	SGSR dir		48	48	96	-	
31	Environmental	ENV dir		35,644	35,951	71,595	17,971	
32	Remediation	REM dir		11,404	11,404	22,808	-	
33	PCA - total direct all			59,407	59,714	119,121	13,163	
34	OFFICE OF ENV ASSISTANCE; Direct after SF1879							
35	General	GEN dir		11,760	11,760	23,520	-	
36	Environmental	ENV dir		7,994	7,994	15,988	-	
37	OEA - total direct after SF1879			19,754	19,754	39,508	-	
38	Change Items:							
39	<i>none</i>							
40	MINNESOTA ZOO; Direct after SF1879							
41	General	GEN dir		6,557	6,557	13,114	-	
42	Natural Resources	NRF dir		124	124	248	248	
43	MN Zoo - total direct after SF1879			6,681	6,681	13,362	248	
44	Change Items:							
45	Lottery in Lieu - MN Zoo Forecast Adjustment	NRF dir		8	10	18	18	
46	MINNESOTA ZOO; Direct all							
47	General	GEN dir		6,557	6,557	13,114	13,114	
48	Natural Resources	NRF dir		132	134	266	266	
49	MN Zoo - total direct all			6,689	6,691	13,380	13,380	

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY	FY 2006	SENATE FY 2007	2006-07	+ / (-) || Sen-Base	+ / (-) || Sen-Gov
3								
4	Agency by Fund		Fund Type					
61								
62	DEPT OF NATURAL RESOURCES; Direct after SF1879							
63	General	GEN	dir	77,941	77,941	155,882	(9,394)	
64	Natural Resources	NRF	dir	52,067	52,067	104,134	3,892	
65	Game and Fish	G&F	dir	82,050	82,050	164,100	-	
66	Permanent School	PS	dir	-	-	-	-	
67	Remediation	REM	dir	100	100	200	-	
68	DNR- total direct after SF1879			212,158	212,158	424,316	(5,502)	
69								
70	Change Items:							
71	DNR - Lands & Minerals							
72	Operations Support Reallocation	GEN	dir	343	343	686	-	
73	Tower-Sudan Mine Drilling (Bakk)	GEN	dir	250	-	250		250
74	Operations Support Reallocation	NRF	dir	20	20	40	-	
75	Operations Support Reallocation	G&F	dir	74	74	148	-	
76	Aggregate Inventory on School Trust Land	PS	dir	50	50	100	-	
77	DNR - Water Resources							
78	Operations Support Reallocation	GEN	dir	398	398	796	-	
79	Water Permit Fee Increase	GEN	dir	10	10	20	-	
80	DNR-Forest Management							
81	Operations Support Reallocation	GEN	dir	1,789	1,789	3,578	-	
82	Trust Land Management Costs (SF790-Saxhaug)	GEN	dir	(3,500)	(3,500)	(7,000)	-	
83	Reallocation from Enforcement (Senate)	GEN	dir	250	250	500		500
84	Silviculture-Timber Fiber Quality (SF875-Solon)	GEN	dir	200	200	400		400
85	Trust Land Management Costs (SF790-Saxhaug)	NRF	dir	3,500	3,500	7,000	-	
86	Appropriation from Forestry Mgmt Investment Acct (Senate)	NRF	dir	300	300	600		600
87	State Forestry Nursery Stock Surcharge (SF710-Bakk)	SR	stat	250	250	500	-	
88	Heritage Enhancement	G&F	dir	250	250	500	-	
89	DNR-Parks & Recreation							
90	Operations Support Reallocation	GEN	dir	3,068	3,068	6,136	-	
91	Gen Fund Reallocation from Ecological Services (Senate)	GEN	dir	250	250	500		500
92	Increase State Parks Funding (Senate)	GEN	dir	200	200	400		400
93	Lottery in-Lieu Sales Tax adjustment	NRF	dir	246	318	564		(0)
94	DNR-Trails & Waterways							
95	Operations Support Reallocation	GEN	dir	50	50	100	-	
96	Duluth Port Authority (SF33-Solon)	GEN	dir	100	-	100		100
97	Mesaba Trail Facilities (Tomassoni)	GEN	dir	300	-	300		300
98	Lottery in-Lieu Sales Tax adjustment	NRF	dir	1,332	1,357	2,689		(90)
99	Operations Support Reallocation	NRF	dir	866	866	1,732	-	
100	Water Recreation Funding	NRF	dir	650	650	1,300	-	
101	Fishing Pier Adjustments	NRF	dir	(154)	(154)	(308)	-	
102	Off-Highway Vehicle	NRF	dir	(100)	(100)	(200)	-	
103	ATV Gas Tax Study	NRF	dir	75	-	75	-	
104	Expansion Snowmobile Trail Acct (SF610-Bakk)	NRF	dir	57	57	114		114
105	Snowmobile Sticker/Easement & New Position (SF1534-Bakk)	NRF	dir	500	500	1,000		1,000
106	Fishing Pier Adjustments	G&F	dir	154	154	308	-	
107	Wallop-Breaux Water Access Funding	G&F	dir	253	249	502	-	
108	DNR-Fish & Wildlife							
109	Lets Go Fishing Promotion (SF665-Johnson)	GEN	dir	325	-	325		325
110	Roadside Habitat (SF1937-Chaudhary)	GEN	dir	100	100	200		200
111	Water Recreation Funding	NRF	dir	460	460	920	-	
112	Operations Support Reallocation	G&F	dir	2,719	2,719	5,438	-	
113	Water Recreation Funding	G&F	dir	(460)	(460)	(920)	-	
114	Red Lake Fish Management	G&F	dir	100	100	200	-	
115	Comprehensive Lakes Management	G&F	dir	85	85	170	-	
116	Shoreland Habitat Management Program	G&F	dir	200	200	400	-	
117	Sturgeon Tagging	G&F	dir	25	28	53	-	
118	Increase Stamp Acct Spending	G&F	dir	1,591	1,441	3,032	-	
119	Heritage Enhancement-Wolf Delisting	G&F	dir	75	75	150	-	
120	Heritage: Prairie Wetland Complexes & Monitoring	G&F	dir	600	600	1,200	-	
121	Statewide Electronic Registration	G&F	stat	312	312	624	-	
122	Full Funding ELS Costs	G&F	stat	75	75	150	-	
123	Expand Critical Habitat Plate Sales	RIM	stat	111	111	222	-	

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY	SENATE			+/(-)	+/(-)
				FY 2006	FY 2007	2006-07	Sen-Base	Sen-Gov
3								
4	Agency by Fund		Fund Type					
124	DNR-Ecological Services							-
125	General Fund Reallocation to Parks (Senate)		GEN dir	(250)	(250)	(500)		(500)
126	Operations Support Reallocation		GEN dir	171	171	342		-
127	Invasive Species Prevention (SF1434-Olson)		GEN dir	154	154	308		308
128	Operations Support Reallocation		NRF dir	60	60	120		-
129	Water Recreation Funding (includes invasive species)		NRF dir	204	204	408		-
130	Nongame Wildlife Ed., Info. & Promo. (one time)		NRF dir	100	100	200		-
131	Operations Support Reallocation		G&F dir	111	111	222		-
2	Water Recreation Funding		G&F dir	(50)	(50)	(100)		-
3	Heritage: Prairie Wetland Complexes & Monitoring		G&F dir	325	325	650		-
34	Stream Restoration		G&F dir	64	64	128		-
135	DNR-Enforcement							-
136	Operations Support Reallocation		GEN dir	10	10	20		-
137	Gen Fund Reallocation to Forest Div (Senate)		GEN dir	(250)	(250)	(500)		(500)
138	Operations Support Reallocation		NRF dir	147	147	294		-
139	OHV Funding Levels		NRF dir	200	200	400		-
140	Operations Support Reallocation		G&F dir	628	628	1,256		-
141	DNR-Operations							-
142	Operations Support Reallocation		GEN dir	(5,829)	(5,829)	(11,658)		-
143	Operations Support Reallocation		NRF dir	(1,093)	(1,093)	(2,186)		-
144	Lottery in-Lieu Sales Tax adjustment, zoos		NRF dir	18	22	40		40
145	Operations Support Reallocation		G&F dir	(3,532)	(3,532)	(7,064)		-
146								
147	Total Change Items:		GEN dir	(1,861)	(2,836)	(4,697)		
148			NRF dir	7,388	7,414	14,802		
149			G&F dir	3,212	3,061	6,273		
150			PS dir	50	50	100		
151			SR stat	250	250	500		
152			G&F stat	387	387	774		
153			RIM stat	111	111	222		
154	Total Change Items:			9,537	8,437	17,974		
155								
3	DEPT OF NATURAL RESOURCES; Direct all							
158	General		GEN dir	76,080	75,105	151,185	(14,091)	
159	Natural Resources		NRF dir	59,455	59,481	118,936	18,694	
160	Game and Fish		G&F dir	85,262	85,111	170,373	6,273	
161	Permanent School		PS dir	50	50	100	100	
161	Remediation		REM dir	100	100	200	-	
162	DNR- total direct all			220,947	219,847	440,794	10,976	
163								
164								
165	MET COUNCIL-REGIONAL PARKS; Direct after SF1879							
166	General		GEN dir	3,300	3,300	6,600	-	
167	Natural Resources		NRF dir	4,152	4,152	8,304	(676)	
168	Met Council Regional Parks - total direct after SF1879			7,452	7,452	14,904	(676)	
169								
170	Change Items:							
171	Increase Metro Parks Funding		GEN dir	200	200	400		400
172	Forecast Adjustment		NRF dir	295	381	676		676
173								
174	MET COUNCIL-REGIONAL PARKS; Direct all							
175	General		GEN dir	3,500	3,500	7,000	400	
176	Natural Resources		NRF dir	4,447	4,533	8,980	-	
177	Met Council Regional Parks - total direct all			7,947	8,033	15,980	400	
178								
179								
180	MN CONSERVATION CORPS; Direct after SF1879							
182	General		GEN dir	350	350	700	-	
183	Natural Resources		NRF dir	490	490	980	-	
184	MN Conservation Corps - total direct after SF1879			840	840	1,680	-	
185	Change Items:							
186	none							
187								
188								

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes		FY	SENATE			+ / (-) Sen-Base	+ / (-) Sen-G /
				FY 2006	FY 2007	2006-07		
3								
4	Agency by Fund		Fund Type					
189	BRD. OF WATER & SOIL RES; Direct after SF1879							
190	General	GEN dir		15,131	15,131	30,262	(600)	
191	BWSR- total direct after SF1879			15,131	15,131	30,262	(600)	
192								
193	Change Items:							
194	Additional Floodplain Management (SF405-Vickerman)	GEN dir		35	35	70	70	
195	Beaver Damage Control Grants (SF1418-Skoe)	GEN dir		50	50	100	100	
196	Public Drainage System Buffer Study (SF876-Hottinger)	GEN dir		109	-	109	109	
197								
198	BRD. OF WATER & SOIL RES; Direct all							
199	General	GEN dir		15,325	15,216	30,541	(321)	
200	BWSR- total direct all			15,325	15,216	30,541	(321)	
201								
202								
203	SCIENCE MUSEUM; Direct after SF1879							
204	General	GEN dir		750	750	1,500	-	
205	Science Museum- total direct after SF1879			750	750	1,500	-	
206								
207	Change Items:							
208	none							
209								
210								
211	AGRICULTURE DEPARTMENT; Direct after SF1879							
212	General	GEN dir		37,511	34,034	71,545	-	
213	Remediation	REM dir		353	353	706	-	
214	Agriculture- total direct after SF1879			37,864	34,387	72,251	-	
215								
216	Change Items:							
217	<u>AG-Protection Services</u>							
218	Agronomy Program Fees	AG stat		437	449	886	-	
219	Nursery and Phytosanitary Fees	AG stat		152	152	304	-	
220	ACRRA Administration	AG stat		50	50	100	-	
221	MERLA Administration	REM dir		35	35	70	-	
222	<u>AG-Promotion and Marketing</u>							
223	Grain Buyer and Storage Fees	AG stat		55	55	110	-	
224	<u>AG-Ethanol</u>							
225	E85 Pump Grant Program (SF1213-Sams)	GEN dir		500	-	500	500	
226	Ethanol Efficiency Grants (SF1893-Murphy)	GEN dir		100	100	200	200	
227	<u>AG-Admin Services</u>							
228	Ag BMP Loan Application Fees	AG stat		9	11	20	-	
229	New Building Lease Costs	GEN dir		1,815	2,934	4,749	-	
230	Rail Studies (Wilmar & Clara City)	GEN dir		85	-	85	85	
231	Cold Climate Research (SF1754-Stumpf)	GEN dir		75	75	150	150	
232	Livestock Siting Assistance and Training (Dille)	GEN dir		100	100	200	-	
233	Livestock Odor and Air Research (Dille)	GEN dir		220	-	220	-	
234	MN Horticulture Society (SF1357-Kubly)	GEN dir		35	35	70	70	
235	Mental Health Grants (SF691-Sams)	GEN dir		100	100	200	200	
236	Second Harvest Food Banks Milk Program (SF1202-Dille)	GEN dir		625	625	1,250	1,250	
237	Rural Finance Authority Bonds	RFA bond		18,000	-	18,000	18,000	
238								
239	Total Change Items:							
240		GEN dir		3,655	3,969	7,624		
241		REM dir		35	35	70		
242		RFA bond		18,000	-	18,000		
243		AG stat		703	717	1,420		
244	Total Change Items:			22,393	4,721	27,114		
245	AGRICULTURE DEPARTMENT; Direct all							
246	General	GEN dir		41,166	38,003	79,169	7,624	
247	Remediation	REM dir		388	388	776	70	
248	Rural Finance Authority; Bonds	RFA bond		18,000	-	18,000	18,000	
249	Agriculture- total direct all			59,554	38,391	97,945	25,694	
250								
251								

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	Summary Division Changes	FY 2006	SENATE		2006-07	+ / (-) Sen-Base	+ / (-) Sen-Gov
			FY 2006	FY 2007			
3							
4	Agency by Fund						
252	ANIMAL HEALTH BOARD; Direct after SF1879						
253	General	2,803	2,803	5,606			-
254	AHB- total direct after SF1879	2,803	2,803	5,606			-
255							
256	Change Items:						
257	New Building Lease Costs	156	158	314			-
258							
259	ANIMAL HEALTH BOARD; Direct all						
260	General	2,959	2,961	5,920			314
261	AHB- total direct all	2,959	2,961	5,920			314
262							
263							
264	AG. UTILIZATION RESEARCH; Direct after SF1879						
265	General	1,600	1,600	3,200			-
266	AURI- total direct SF1879	1,600	1,600	3,200			-
267							
268	Change Items:						
269	none						
270							
271							
272	LCMR; Direct after SF1879						
273	LAWCON Acct	-	-	-			-
274	Env & Nat Res Trust Fund	-	-	-			-
275	Great Lakes Protection Acct	-	-	-			-
276	LCMR- total direct after SF1879	-	-	-			-
277							
278	Change Items:						
279	LAWCON Acct	1,600	-	1,600			
280	Env & Nat Res Trust Fund	18,829	18,829	37,658			
281	Great Lakes Protection Acct	28	-	28			
282	LCMR- total direct	20,457	18,829	39,286			

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	agency	GOVERNOR'S BUDGET			SENATE-			Sen - Gov	
		FY 2006	FY 2007	2006-07	FY 2006	FY 2007	2006-07		
3		REVENUES, REDIRECTIONS, TRANSFERS							
4									
5		General Fund *							
6	Apiary (Beekeepers) Fee Increase	AG	29	29	58	29	29	58	-
7	Administrative Penalty Order	DNR	2	5	7	-	-	-	(7)
8	Surcharge on Summer Water Use	DNR	330	330	660	330	330	660	-
9	Water Permit Fee Increase	DNR	261	261	522	213	213	426	(96)
10	Minerals Management Fee (transfer)	DNR	(137)	(112)	(249)	(137)	(112)	(249)	-
11	Trust Land Management Costs (transfer)	DNR	(3,500)	(3,500)	(7,000)	(3,500)	(3,500)	(7,000)	-
12	Create Dept. Env. Assistance	PCA	40	40	80	-	-	-	(80)
13	Create Dept. Env. Assistance	OEA	(40)	(40)	(80)	-	-	-	-
14	Solid Waste Tax Change	PCA	(12,171)	(12,442)	(24,613)	-	-	-	-
15	Cancel ENV Fund to General Fund (no inflation)	PCA	-	-	-	-	-	-	-
16									
17									
18		General Fund- total	(15,186)	(15,429)	(30,615)	(3,065)	(3,040)	(6,105)	24,510
19									
20									
21		Environmental Fund*							
22	Air Fee Increase	PCA	532	839	1,371	532	839	1,371	-
23	Solid Waste Tax Change	PCA	12,171	12,442	24,613	-	-	-	(24,613)
24	Clean Water Sec 401 Waivers (SF1123-Hottinger)	PCA	-	-	-	140	140	280	280
25	Limiting Fees for Performance-Based (SF748-Bakk)	PCA	-	-	-	(8)	(8)	(16)	(16)
26	Create Dept. Env. Assistance	PCA	1,281	1,281	2,562	-	-	-	(2,562)
27	Create Dept. Env. Assistance	OEA	(1,281)	(1,281)	(2,562)	-	-	-	2,562
28									
29		Environmental Fund- total	12,703	13,281	25,984	664	971	1,635	(24,349)
30									
31									
32		Special Revenue / SGSR Fund							
33	Special Fuelwood Permits Fee Increase	DNR	1	1	2	1	1	2	-
34	State Forestry Nursery Stock Surcharge	DNR	250	250	500	250	250	500	-
35	Create Dept. Env. Assistance	PCA	128	128	256	-	-	-	(256)
36	Create Dept. Env. Assistance	OEA	(128)	(128)	(256)	-	-	-	256
37									
38		Special Revenue Fund- total	251	251	502	251	251	502	-
39									
40									
41		Permanent University Fund							
42	Minerals Mgmt Fee (transfer)	DNR	(1,134)	(1,389)	(2,523)	(1,134)	(1,389)	(2,523)	-
43									
44									
45		Misc Agency Fund- total	(1,134)	(1,389)	(2,523)	(1,134)	(1,389)	(2,523)	-
46									
47									
48		Game and Fish Fund							
49	Sturgeon Tagging	DNR	25	28	53	25	28	53	-
50	Aquatic Plant Management (SF1098-Dibble)	DNR	(260)	(260)	(520)	(260)	(260)	(520)	-
51									
52		Game and Fish Fund- total	(235)	(232)	(467)	(235)	(232)	(467)	-
53									
54									
55		Natural Resources Fund							
56	Cross-Country Ski Pass Increase	DNR	140	140	280	-	-	-	(280)
57	Electronic Open Burning Permits	DNR	80	80	160	-	-	-	(160)
58	Special Fuelwood Permits Fee Increase	DNR	2	2	4	2	2	4	-
59	Road Easement Application Fee	DNR	20	20	40	-	-	-	(40)
60	Sale of Tax-forfeited Riparian Lands	DNR	500	500	1,000	-	-	-	(1,000)
61	Minerals Mgmt Fee (transfer)	DNR	3,112	3,644	6,756	3,112	3,644	6,756	-
62	Trust Land Management Costs (transfer)	DNR	3,500	3,500	7,000	3,500	3,500	7,000	-
63	Aquatic Plant Management (SF1098-Dibble)	DNR	260	260	520	260	260	520	-
64									
65		Natural Resources Fund- total	7,614	8,146	15,760	6,874	7,406	14,280	(1,480)
66									
67									
68		Agricultural Fund							
69	Agronomy Program Fees	AG	437	449	886	437	449	886	-
70	Nursery and Phytosanitary Fees	AG	152	152	304	152	152	304	-
71	Grain Buyer and Storage Fees	AG	55	55	110	55	55	110	-
72	Ag BMP Loan Application Fees	AG	9	11	20	9	11	20	-
73									
74									
75		Agricultural Fund- total	653	667	1,320	653	667	1,320	-
76									
77									

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET (\$thousands)

line	agency	GOVERNOR'S BUDGET			SENATE-			Sen - Gov	
		FY 2006	FY 2007	2006-07	FY 2006	FY 2007	2006-07		
78	Reinvest in Minnesota								
79	Expand Critical Habitat Plate Sales	DNR	111	111	222	111	111	222	-
80									-
81									-
82	Reinvest in Minnesota Fund- total		111	111	222	111	111	222	-
83									
84	Permanent School Fund								
85									
86	Special Fuelwood Permits Fee Increase	DNR	3	3	6	3	3	6	-
87	Revenue Enhancements on School Lands	DNR	-	200	200	-	200	200	-
88	Minerals Mgmt Fee (transfer)	DNR	(1,841)	(2,143)	(3,984)	(1,841)	(2,143)	(3,984)	-
89									-
90									-
91	Permanent School Fund - total		(1,838)	(1,940)	(3,778)	(1,838)	(1,940)	(3,778)	-
92									
93									
94	Gift Fund								
95	Create Dept. Env. Assistance	OEA	(11)	(11)	(22)				22
96	Create Dept. Env. Assistance	PCA	11	11	22				(22)
97									-
98	Gift Fund- total		-	-	-	-	-	-	-
99									
100									
101									
102	TOTAL FUNDING CHANGES		2,939	3,466	6,405	2,281	2,805	5,086	(1,319)

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET
 (\$thousands)

line	fund	LCMR - Senate			
		FY 2006	FY 2007	2006-07	
3	MINNESOTA RESOURCES- LCMR				
4					
5	Administration				
6	LCMR Administrative Budget	TF	449	450	899
7	Contract Administration	TF	75	75	150
8	LCMR Study on Park Systems	TF	-	-	-
9		total TF	524	525	1,049
10		all	524	525	1,049
11	Citizen Advisory Committee for Trust Fund				
12	Citizen Advisory Committee Budget	TF	10	10	20
13	(does not include \$15,000 Carryforward)				-
14		total TF	10	10	20
15		all	10	10	20
16					
17	Fish and Wildlife Habitat				
18	Restoring Fish and Wildlife Corridors II	TF	2,031	2,031	4,062
19	Metropolitan Area Wildlife Corridors II	TF	1,765	1,765	3,530
20	Acqn & Devel of Sci and Natl Areas	TF	67	67	134
21	Forest & Prairie Stewardship	TF	50	50	100
22	Local Initiative Grants (partnerships)	TF	250	250	500
23	Minnesota ReLeaf Community Forests	TF	250	250	500
24	Pheromones for Carp Control	TF	275	275	550
25	Bio Control of Buckthorn & Knapweed	TF	100	100	200
26	Land Exchange Revolving Fund	TF	250	250	500
27	Restoring RIM Match	TF	-	-	-
28	Redevel of BrownFields & Grnspace	TF	-	-	-
29		total TF	5,038	5,038	10,076
30		all	5,038	5,038	10,076
31	Recreation				
32	State Park and Rec Area Land Acqn	TF	1,000	1,000	2,000
33	LAWCON Federal Reimbursements	LAWCON	1,600	-	1,600
34	State Park and Rec Area Rev Enhancing	TF	100	100	200
35	Best Management Practices for Parks & Rec	TF	100	100	200
36	Loc Initiative Grants (Parks, N Areas)	TF	600	600	1,200
37	Metropolitan Regional Parks Acquisition,	TF	1,000	1,000	2,000
38	Local and Regional Trail Grant Initiative Program	TF	350	350	700
39	Gitchi-Gami State Trail: Silver Bay Marina segment	TF	250	250	500
40	Casey Jones State Trail	TF	600	600	1,200
41	Paul Bunyan State Trail	TF	200	200	400
42	Minnesota River Trail Planning	TF	100	100	200
43	Regional Park Planning for Nonmetro Urban Areas	TF	43	43	86
44	Cannon Valley Trail Bridge Replacement	TF	150	150	300
45	Arrowhead Regional Bike Trail Connections	TF	42	41	83
46	Mesabi Trail segment(s)	TF	500	500	1,000
47	Devel and Rehab of Shooting Ranges	TF	150	150	300
48	Landscape Arboretum Land Acqn	TF	325	325	650
49	Birding Maps	TF	50	50	100
50	Boat Access, Piers, Shorefishing	TF	-	-	-
51	Linking Communities Trail Design	TF	-	-	-
52	Ft. Ridgely Site Interpretive Trail	TF	-	-	-
53		total LAWCON	1,600	-	1,600
54		total TF	5,560	5,559	11,119
55		all	7,160	5,559	12,719
56	Water Resources				
57	Local Water Planning Matching Grants	TF	500	500	1,000

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET

(\$thousands)

line	fund	LCMR - Senate		
		FY 2006	FY 2007	2006-07
58	TF	300	300	600
59	TF	150	150	300
60	TF	150	150	300
61	TF	150	150	300
62	TF	125	125	250
63	TF	175	175	350
64	TF	135	135	270
65	TF	294	293	587
66	TF	150	150	300
67	TF	250	250	500
68	TF	50	50	100
69	TF	250	250	500
70	GLP	28	-	28
71	TF	133	134	267
72	TF	87	88	175
73	TF	100	100	200
74	TF	-	-	-
75	TF	-	-	-
76	TF	-	-	-
77	TF	-	-	-
78	total TF	2,999	3,000	5,999
79	total GLP	28	-	28
80	all	3,027	3,000	6,027
81	Land Use and Natural Resources Info	-	-	-
82	TF	500	500	1,000
83	TF	250	250	500
84	TF	125	125	250
85	TF	125	125	250
86	TF	-	-	-
87	total TF	1,000	1,000	2,000
88	all	1,000	1,000	2,000
89	Agriculture and Natural Resource Industries	-	-	-
90	TF	125	125	250
91	TF	188	188	376
92	TF	437	437	874
93	TF	167	166	333
94	TF	250	250	500
95	TF	175	175	350
96	total TF	1,342	1,341	2,683
97	all	1,342	1,341	2,683
98	Energy	-	-	-
99	TF	350	350	700
100	TF	120	120	240
101	TF	50	50	100
102	TF	168	168	336
103	TF	400	400	800
104	TF	50	50	100
105	TF	75	75	150
106	TF	450	450	900
107	TF	233	233	466
108	total TF	1,896	1,896	3,792
109	all	1,896	1,896	3,792
110	Environmental Education	-	-	-
111	TF	75	75	150
112	TF	200	200	400
113	TF	38		75

Dan Mueller, Senate Fiscal Analyst

ENVIRONMENT, NATURAL RESOURCES and AGRICULTURE 2006-2007 BUDGET
(\$thousands)

line	fund	LCMR - Senate		
		FY 2006	FY 2007	2006-07
114	TF	47	48	95
115	TF	-	-	-
116	TF	-	-	-
117	TF	-	-	-
118	total TF	360	360	720
119	all	360	360	720
120	Children's Environmental Health			
121	TF	100	100	200
122	TF	-	-	-
123	TF	-	-	-
124	TF	-	-	-
125	total TF	100	100	200
126	all	100	100	200
127	SUMMARY LCMR			
128	LAWCON/NRF	1,600	-	1,600
129	TF	18,829	18,829	37,658
130	GLP	28	-	28
131	all	20,457	18,829	39,286
132				

Env and Ag Area: Gen Fund Detail Changes

Senate Changes in SF1879

Gen Fund Forecast Base	416,193
DNR: Minerals Management Fee	(3,052)
DNR: Gen Fund Reduction	(6,342)
DNR: Debt Service for Tankers	(2,292)
<u>BWSR: Reallocations</u>	<u>(600)</u>
Base after SF1879	403,907

Gov Cuts NOT Adopted in SF1879

PCA Gen Fund Reduction	(4,808)
DNR: Freeze PILT Payments	(3,000)
MN Cons Corps Cut	(700)
BWSR: Area II Joint Powers Cut	(210)
	(8,718)

Proposed Appropriation Changes in Phase II

PCA: Gen Fund Reduction (Gov Rec)	(4,808)	
DNR: Water Permit Fee Increase (expense) (Gov Rec)	20	
DNR: Invasive Species Prevention (SF1434-Olson)	308	
DNR: Trust Land Management Costs (Gov Rec)	(7,000)	shift cost to Nat Res Fund
DNR: Duluth Port Authority (SF33-Solon)	100	
DNR: Lets Go Fishing Promotion (SF665-Johnson)	325	
DNR: Silviculture-Timber Fiber Quality (SF875-Solon)	400	
DNR: Roadside Habitat (SF1937-Chaudhary)	200	
DNR: Tower-Soudan Mine Drilling (SF1642-Bakk)	250	
DNR: Mesaba State Trail Facility (Tomassoni)	300	
DNR: State Parks Increase (Senate)	400	
Met Council: Metro Parks Increase (Senate)	400	
BWSR:Additional Floodplain Management (SF405-Vickerman)	70	
BWSR:Beaver Damage Control Grants (SF1418-Skoe)	100	
BWSR:Public Drainage Sysytem Buffer (SF876-Hottinger)	109	
Ag:Rail Studies for Willmar & Clara City(Johnson & Kubly)	85	
Ag:Livestock Siting Asstance and Training (Gov Rec)	200	
Ag:Livestock Odor and Air Research (Gov Rec)	220	
Ag:MN Horticulture Society (SF1357-Kubly)	70	
Ag:Cold Climate Research (SF1754-Stumpf)	150	
Ag:Mental Health Grants (SF691-Sams)	200	
Ag:Second Harvest Food Banks (SF1202-Dille)	1,250	
Ag:New Building Lease Costs (Gov Rec)	4,749	
Ag: E85 Pump Grants (SF1213-Sams)	500	
Ag: Ethanol Efficiency Grants (SF1893-Murphy)	200	
<u>Animal Health Brd:New Building Lease Costs (Gov Rec)</u>	<u>314</u>	
Net Gen Fund Appropriation Changes-Phase II	(888)	

Revenue Changes Phase II

DNR: Minerals Management Fee from SF1879	(249)	missed lost revenue from SF1879
DNR: Trust Land Management Costs (Gov Rec)	(7,000)	shift revenue to Nat Res Fund
DNR: Surcharge on Summer Water (Gov Rec)	660	new revenue
DNR: Summer Water Permit Fee (Gov Rec)	426	new revenue
Ag: Apiary Fee Increase (Gov Rec)	58	new revenue
Net Gen Fund Revenue Changes-Phase II	(6,105)	

Ag & Env Phase II Spending Less Revenues	5,217
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ARTICLE 2

ECONOMIC DEVELOPMENT

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

SUMMARY BY FUND

	2006	2007	TOTAL
General	\$ 9,213,000	\$ 2,738,000	\$ 11,951,000
Workers' Compensation	25,000	25,000	50,000
Workforce Development	4,150,000	6,900,000	11,050,000
Special Revenue	643,000	848,000	1,491,000
TOTAL	\$ 14,031,000	\$ 10,511,000	\$ 24,542,000

APPROPRIATIONS

1 Available for the Year
 2 Ending June 30
 3 2006 2007

4 Sec. 2. EMPLOYMENT AND
 5 ECONOMIC DEVELOPMENT

6 Subdivision 1. Total
 7 Appropriation \$ 11,328,000 \$ 5,808,000

8 Summary by Fund

9 General 7,935,000 460,000
 10 Workforce
 11 Development 2,750,000 4,500,000
 12 Special
 13 Revenue 643,000 848,000

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

17 Subd. 2. Business and Community
 18 Development

19 7,930,000 455,000

20 \$7,000,000 the first year is for the
 21 direct and indirect expenses of the
 22 collaborative research partnership
 23 between the University of Minnesota and
 24 the Mayo Foundation for research in
 25 biotechnology and medical genomics.
 26 This is a onetime appropriation. An
 27 annual report on the expenditure of
 28 this appropriation must be submitted to
 29 the governor and the chairs of the
 30 senate Higher Education Budget
 31 Division, the house of representatives
 32 Higher Education Finance Committee, the
 33 senate Environment, Agriculture, and
 34 Economic Development Budget Division,
 35 and the house of representatives Jobs
 36 and Economic Opportunity Policy and
 37 Finance Committee, by June 30 of each
 38 fiscal year until the appropriation is
 39 expended. This appropriation is
 40 available until expended.

41 \$100,000 the first year and \$100,000
 42 the second year are to help small
 43 businesses access federal funds through
 44 the federal Small Business Innovation
 45 Research Program and the federal Small
 46 Business Technology Transfer Program.
 47 Department services must include
 48 maintaining connections to 11 federal
 49 programs, assessment of specific
 50 funding opportunities, review of
 51 funding proposals, referral to specific
 52 consulting services, and training
 53 workshops throughout the state. The
 54 appropriation is added to the agency's
 55 base. The department must implement
 56 fees for services that help companies
 57 seek federal Phase II Small Business
 58 Innovation Research grants. The
 59 recommended fee schedule must be
 60 reported to the chairs of the house of

1 representatives finance committee and
2 senate budget division with
3 jurisdiction over economic development
4 by February 1, 2006.

5 \$50,000 the first year and \$50,000 the
6 second year are for a grant to the
7 Minnesota Inventors Congress.

8 \$250,000 the first year and \$250,000
9 the second year are to establish a
10 methamphetamine laboratory cleanup
11 revolving loan fund pursuant to
12 proposed Minnesota Statutes, section
13 446A.083. This appropriation is
14 available until spent.

15 \$125,000 the first year is for a grant
16 to the Northwest Regional Development
17 Commission at Warren to do field
18 research on the planting and production
19 of cold-hardy grape cultivars. This is
20 a onetime appropriation and is
21 available until expended.

22 This vineyard production research
23 project is to select cold-hardy
24 cultivars and cultural practices that
25 can diversify the agricultural
26 landscape of Minnesota and stimulate
27 economic development with subsequent
28 expansion into value-added businesses
29 and the winery industry. Treatments
30 used in this research project must
31 focus on development of cultural and
32 management practices that include
33 trials on planting depths, vine root
34 care, cultivation techniques, mulching,
35 and other methods that will enhance
36 productivity and winter survival in
37 subzero temperatures.

38 An annual report is required, including
39 an economic assessment that compares
40 the input requirements and feasibility
41 of each overwintering technique and its
42 contribution to the success of the
43 vines. The report must be submitted to
44 the chairs of the house of
45 representatives and senate policy
46 committees with jurisdiction over
47 agriculture. The Northwest Regional
48 Development Commission is encouraged to
49 work with the University of Minnesota
50 and the North Dakota State University
51 experiment stations and on-farm sites
52 to evaluate the suitability of
53 regionally developed grape cultivars in
54 areas of harsh winters and short
55 growing seasons.

56 \$55,000 the first year and \$55,000 the
57 second year are for a grant to the
58 Metropolitan Economic Development
59 Association for continuing minority
60 business development programs in the
61 metropolitan area. These programs
62 include one-on-one business consulting,
63 marketing assistance, providing and
64 arranging financing, and training and
65 leadership development. These

1 appropriations are part of the
2 department's budget base.

3 \$250,000 the first year is for a grant
4 to the Blandin Foundation for the "get
5 broadband" program. This appropriation
6 must be matched equally by nonstate
7 funds and is available until expended.
8 Expenditures made by the Blandin
9 Foundation beginning December 1, 2004,
10 may be used as match for this
11 appropriation. The "get broadband"
12 program must be designed to increase
13 the use of broadband-based technologies
14 by businesses, schools, health care
15 organizations, government
16 organizations, and the general public.

17 \$100,000 the first year is for a grant
18 to the Children's Discovery Museum for
19 furnishing and equipping the new
20 Children's Discovery Museum in Grand
21 Rapids.

22 Subd. 3. Workforce Partnerships

23 3,148,000 5,103,000

24 Summary by Fund

25 General	5,000	5,000
26 Workforce		
27 Development	2,500,000	4,250,000
28 Special Revenue	643,000	848,000

29 \$1,000,000 the first year and
30 \$2,000,000 the second year are from the
31 workforce development fund for a grant
32 to the Minnesota Alliance of Boys and
33 Girls Clubs to administer a statewide
34 project of youth job skills
35 development. This project, which may
36 have career guidance components, is to
37 encourage, train, and assist youth in
38 job-seeking skills, workplace
39 orientation, and job-site knowledge
40 through coaching. This grant requires
41 a 25 percent match from nonstate
42 resources.

43 \$5,000 the first year and \$5,000 the
44 second year are for a grant to the
45 Northwest Regional Curfew Center under
46 the youth intervention program in
47 Minnesota Statutes, section 116L.30.

48 \$500,000 the first year and \$500,000
49 the second year are from the workforce
50 development fund for a grant to the
51 Minnesota Opportunities
52 Industrialization Centers State
53 Council. The grant shall be used by
54 the American Indian Opportunities
55 Industrialization Centers of
56 Minneapolis, and the Northwestern
57 Opportunities Industrialization Centers
58 of Bemidji, to provide training to
59 American Indians on personal financial
60 management and investment and to become

1 small businesspersons. The
 2 opportunities industrialization centers
 3 may contract with any accredited state
 4 or private educational institution to
 5 deliver training. This appropriation
 6 is in addition to the base level
 7 funding and shall become part of the
 8 agency's budget base.

9 \$500,000 the first year and \$1,000,000
 10 the second year are from the workforce
 11 development fund for a grant to the
 12 Minnesota OIC State Council. The grant
 13 shall be used to initiate and expand
 14 health occupation training at Minnesota
 15 Opportunity Industrialization Centers.
 16 The grant shall be distributed evenly
 17 among those Minnesota Opportunity
 18 Industrialization Centers that have
 19 plans to either initiate or expand
 20 health occupations and career ladder
 21 training programs for individuals
 22 seeking employment as nurses, nursing
 23 assistants, home health aides,
 24 phlebotomists, or in the field of
 25 medical coding. This appropriation is
 26 in addition to the base level funding
 27 and shall become part of the agency's
 28 budget base.

29 Notwithstanding 2005 S.F. No. 1879,
 30 article 7, section 2, subdivision 3,
 31 paragraph (d), if enacted, of the
 32 appropriation in that subdivision,
 33 \$843,000 the first year and \$1,048,000
 34 the second year are for displaced
 35 homemaker programs under Minnesota
 36 Statutes, section 116L.96. These
 37 appropriations are from the special
 38 revenue fund and are part of agency
 39 budget base. The commissioner of
 40 economic security shall report to the
 41 legislature by February 15, 2007, on
 42 the outcome of grants under this
 43 paragraph.

44 \$750,000 the first year is from the
 45 workforce development fund for a grant
 46 to provide training to implement the
 47 Ford Motor Company Ford Production
 48 System at the Twin Cities Ford Assembly
 49 Plant.

50 \$500,000 the first year and \$1,500,000
 51 the second year are from the workforce
 52 development fund for youth intervention
 53 programs under Minnesota Statutes,
 54 section 116L.30. This funding must be
 55 used to help existing programs serve
 56 unmet needs in their communities, and
 57 to create new programs in underserved
 58 areas of the state. This appropriation
 59 is part of the department's budget
 60 base. The appropriations are available
 61 until expended.

52 Subd. 4. Workforce Services

63 250,000 250,000

64 This appropriation is from the

1 workforce development fund for a grant
 2 to Lifetrack Resources for its
 3 immigrant/refugee collaborative
 4 programs, including those related to
 5 job-seeking skills and workplace
 6 orientation, intensive job development,
 7 functional work English, and on-site
 8 job coaching.

9 Sec. 3. MINNESOTA CONSERVATION CORPS 1,400,000 2,400,000

10 This appropriation is from the
 11 workforce development fund for the
 12 purposes of Minnesota Statutes, section
 13 84.991.

14 Sec. 4. EXPLORE MINNESOTA TOURISM 125,000 1,125,000

15 Notwithstanding 2005 S.F. No. 1879,
 16 article 7, section 3, if enacted, the
 17 appropriation in that section, plus the
 18 appropriation in this section, must be
 19 spent as provided in this section.

20 \$1,000,000 in the second year is to
 21 enhance the public/private funding
 22 partnership. To develop maximum
 23 private sector involvement in tourism,
 24 \$4,000,000 the first year and
 25 \$4,000,000 the second year of the
 26 amounts appropriated for marketing
 27 activities are contingent upon receipt
 28 of an equal contribution from nonstate
 29 sources that have been certified by the
 30 director. Up to one-half of the match
 31 may be given in in-kind contributions.

32 In order to maximize marketing grant
 33 benefits, the director must give
 34 priority for joint venture marketing
 35 grants to organizations with year-round
 36 sustained tourism activities. For
 37 programs and projects submitted, the
 38 director must give priority to those
 39 that encompass two or more areas or
 40 that attract nonresident travelers to
 41 the state.

42 If an appropriation for either year for
 43 grants is not sufficient, the
 44 appropriation for the other year is
 45 available for it.

46 The director may use grant dollars or
 47 the value of in-kind services to
 48 provide the state contribution for the
 49 partnership program.

50 Any unexpended money from general fund
 51 appropriations governed by this section
 52 does not cancel but must be placed in a
 53 special advertising account for use by
 54 Explore Minnesota Tourism to purchase
 55 additional media.

56 \$125,000 the first year and \$125,000
 57 the second year of the appropriation in
 58 this section are for the Minnesota Film
 59 Board. The appropriation in each year
 60 is available only upon receipt by the
 61 board of \$1 in matching contributions

1 of money or in kind from nonstate
2 sources for every \$3 provided by this
3 appropriation.

4 Sec. 5. HOUSING FINANCE AGENCY

5 As provided in Minnesota Statutes,
6 section 462A.20, subdivision 3, the
7 agency may transfer unencumbered
8 balances from one appropriated account
9 to another as necessary to implement
10 the business plan of the working group
11 on long-term homelessness established
12 in Laws 2003, chapter 128, article 15,
13 section 9.

14 Sec. 6. LABOR AND INDUSTRY

15 Subdivision 1. Total
16 Appropriation 703,000 703,000

17 Summary by Fund

18 General	378,000	378,000
19 Workers'		
20 Compensation	25,000	25,000
21 Workforce		
22 Development	300,000	300,000

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

26 Subd. 2. Workers' Compensation

27	25,000	25,000
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28 This appropriation is from the workers'
29 compensation fund for grants to the
30 Vinland Center for rehabilitation
31 service. These grants include the
32 Vinland employment program and must
33 address multiple barriers to
34 employment, a self-sufficiency
35 lifestyle, and physical, mental,
36 emotional, or cognitive work injuries
37 or disabilities. This appropriation is
38 part of the budget base for the
39 Department of Labor and Industry.

40 Subd. 3. Workplace Services

41	678,000	678,000
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42 Summary by Fund

43 General	378,000	378,000
44 Workforce		
45 Development	300,000	300,000

46 \$378,000 the first year and \$378,000
47 the second year are to improve the
48 regulatory enforcement and safety of
49 boilers and high-pressure-piping
50 systems.

51 \$300,000 each year is from the
52 workforce development fund for the

1 apprenticeship program under Minnesota
2 Statutes, chapter 178.

3 Subd. 4. General Support

4 The commissioner of labor and industry
5 shall report to the 2006 legislature on
6 the safety and education program for
7 Minnesota loggers under Minnesota
8 Statutes, section 176.130.

9 Sec. 7. MINNESOTA HISTORICAL
10 SOCIETY 775,000 775,000

11 \$75,000 the first year and \$75,000 the
12 second year are for a grant to the
13 Minnesota Sesquicentennial Commission
14 for planning and support of its mission.
15 This is a onetime appropriation and is
16 available until January 30, 2009.

17 \$700,000 the first year and \$700,000
18 the second year are for grants to
19 operate historic sites including:
20 Kelley Farm, Hill House, Lower Sioux
21 Agency, Fort Ridgely, Historic
22 Forestville, the Forest History Center,
23 and the Comstock House. Grants to
24 these sites must be matched on a \$1 of
25 nonstate money to \$1 of state money
26 basis. This appropriation is in
27 addition to any other appropriation and
28 is part of the Minnesota Historical
29 Society's budget base.

30 Sec. 8. Minnesota Statutes 2004, section 41A.09,
31 subdivision 2a, is amended to read:

32 Subd. 2a. [DEFINITIONS.] For the purposes of this section,
33 the terms defined in this subdivision have the meanings given
34 them.

35 (a) "Ethanol" means fermentation ethyl alcohol derived from
36 agricultural products, including potatoes, cereal grains, cheese
37 whey, and sugar beets; forest products; or other renewable
38 resources, including residue and waste generated from the
39 production, processing, and marketing of agricultural products,
40 forest products, and other renewable resources, that:

41 (1) meets all of the specifications in ASTM specification
42 ~~D4806-01~~ D4806-04a; and

43 (2) is denatured as specified in Code of Federal
44 Regulations, title 27, parts 20 and 21.

45 (b) "Ethanol plant" means a plant at which ethanol is
46 produced.

47 (c) "Commissioner" means the commissioner of agriculture.

1 Sec. 9. [45.22] [LICENSE EDUCATION.]

2 The following fees must be paid to the commissioner:

3 (1) initial course approval, \$10 for each hour or fraction
4 of one hour of education course approval sought. Initial course
5 approval expires on the last day of the 24th month after the
6 course is approved;

7 (2) renewal of course approval, \$10 per course. Renewal of
8 course approval expires on the last day of the 24th month after
9 the course is renewed;

10 (3) initial coordinator approval, \$100. Initial
11 coordinator approval expires on the last day of the 24th month
12 after the coordinator is approved; and

13 (4) renewal of coordinator approval, \$10. Renewal of
14 coordinator approval expires on the last day of the 24th month
15 after the coordinator is renewed.

16 Sec. 10. Minnesota Statutes 2004, section 60A.14,
17 subdivision 1, is amended to read:

18 Subdivision 1. [FEES OTHER THAN EXAMINATION FEES.] In
19 addition to the fees and charges provided for examinations, the
20 following fees must be paid to the commissioner for deposit in
21 the general fund:

22 (a) by township mutual fire insurance companies;

23 (1) for filing certificate of incorporation \$25 and
4 amendments thereto, \$10;

25 (2) for filing annual statements, \$15;

26 (3) for each annual certificate of authority, \$15;

27 (4) for filing bylaws \$25 and amendments thereto, \$10;

28 (b) by other domestic and foreign companies including
29 fraternal and reciprocal exchanges;

30 (1) for filing an application for an initial certification
31 of authority to be admitted to transact business in this state,
32 \$1,500;

33 (2) for filing certified copy of certificate of articles of
4 incorporation, \$100;

35 ~~(2)~~ (3) for filing annual statement, \$225;

36 ~~(3)~~ (4) for filing certified copy of amendment to

1 certificate or articles of incorporation, \$100;

2 ~~(4)~~ (5) for filing bylaws, \$75 or amendments thereto, \$75;

3 ~~(5)~~ (6) for each company's certificate of authority, \$575,

4 annually;

5 (c) the following general fees apply:

6 (1) for each certificate, including certified copy of
7 certificate of authority, renewal, valuation of life policies,
8 corporate condition or qualification, \$25;

9 (2) for each copy of paper on file in the commissioner's
10 office 50 cents per page, and \$2.50 for certifying the same;

11 (3) for license to procure insurance in unadmitted foreign
12 companies, \$575;

13 (4) for valuing the policies of life insurance companies,
14 one cent per \$1,000 of insurance so valued, provided that the
15 fee shall not exceed \$13,000 per year for any company. The
16 commissioner may, in lieu of a valuation of the policies of any
17 foreign life insurance company admitted, or applying for
18 admission, to do business in this state, accept a certificate of
19 valuation from the company's own actuary or from the
20 commissioner of insurance of the state or territory in which the
21 company is domiciled;

22 (5) for receiving and filing certificates of policies by
23 the company's actuary, or by the commissioner of insurance of
24 any other state or territory, \$50;

25 (6) for each appointment of an agent filed with the
26 commissioner, \$10;

27 (7) for filing forms and rates, \$75 per filing, which may
28 be paid on a quarterly basis in response to an invoice. Billing
29 and payment may be made electronically;

30 (8) for annual renewal of surplus lines insurer license,
31 \$300;

32 (9) \$250 filing fee for a large risk alternative rating
33 option plan that meets the \$250,000 threshold requirement.

34 The commissioner shall adopt rules to define filings that
35 are subject to a fee.

36 Sec. 11. Minnesota Statutes 2004, section 60K.55,

1 subdivision 2, is amended to read:

2 Subd. 2. [LICENSING FEES.] (a) In addition to fees
3 provided for examinations, each insurance producer licensed
4 under this chapter shall pay to the commissioner a fee of:

5 (1) ~~\$40~~ \$50 for an initial life, accident and health,
6 property, or casualty license issued to an individual insurance
7 producer, and a fee of ~~\$40~~ \$50 for each renewal;

8 (2) ~~\$75~~ \$50 for an initial variable life and variable
9 annuity license issued to an individual insurance producer, and
10 a fee of \$50 for each renewal;

11 (3) ~~\$80~~ \$50 for an initial personal lines license issued to
12 an individual insurance producer, and a fee of ~~\$80~~ \$50 for each
13 renewal;

14 (4) ~~\$80~~ \$50 for an initial limited lines license issued to
15 an individual insurance producer, and a fee of ~~\$80~~ \$50 for each
16 renewal;

17 (5) \$200 for an initial license issued to a business
18 entity, and a fee of ~~\$150~~ \$200 for each renewal; and

19 (6) \$500 for an initial surplus lines license, and a fee of
20 \$500 for each renewal.

21 (b) Initial licenses issued under this chapter are valid
22 for a period not to exceed 24 months and expire on October 31 of
23 the renewal year assigned by the commissioner. Each renewal
24 insurance producer license is valid for a period of 24 months.

25 Licensees who submit renewal applications postmarked or
26 delivered on or before October 15 of the renewal year may
27 continue to transact business whether or not the renewal license
28 has been received by November 1. Licensees who submit
29 applications postmarked or delivered after October 15 of the
30 renewal year must not transact business after the expiration
31 date of the license until the renewal license has been received.

32 (c) All fees are nonreturnable, except that an overpayment
33 of any fee may be refunded upon proper application.

34 Sec. 12. Minnesota Statutes 2004, section 72B.04,
35 subdivision 10, is amended to read:

36 Subd. 10. [FEES.] A fee of ~~\$80~~ \$50 is imposed for each

1 initial license or temporary permit and ~~\$80~~ \$50 for each renewal
2 thereof or amendment thereto. A fee of \$20 is imposed for the
3 registration of each nonlicensed adjuster who is required to
4 register under section 72B.06. All fees shall be transmitted to
5 the commissioner and shall be payable to the Department of
6 Commerce.

7 Sec. 13. Minnesota Statutes 2004, section 82B.09,
8 subdivision 1, is amended to read:

9 Subdivision 1. [AMOUNTS.] The following fees must be paid
10 to the commissioner:

11 (1) \$150 for each initial individual real estate
12 appraiser's license:~~---\$150-if-the-license-expires-more-than-12~~
13 ~~months-after-issuance,--\$100-if-the-license-expires-less-than-12~~
14 ~~months-after-issuance; and a-fee-of~~

15 (2) \$100 for each renewal.

16 Sec. 14. Minnesota Statutes 2004, section 115C.07,
17 subdivision 3, is amended to read:

18 Subd. 3. [RULES.] (a) The board shall adopt rules
19 regarding its practices and procedures, the form and procedure
20 for applications for compensation from the fund, procedures for
21 investigation of claims and specifying the costs that are
22 eligible for reimbursement from the fund.

23 (b) The board may adopt rules requiring certification of
24 environmental consultants.

25 (c) The board may adopt other rules necessary to implement
26 this chapter.

27 (d) The board may use section 14.389 to adopt rules
28 specifying the competitive bidding requirements for consultant
29 services proposals.

30 (e) The board may use section 14.389 to adopt rules
31 specifying the written proposal and invoice requirements for
32 consultant services.

33 Sec. 15. Minnesota Statutes 2004, section 115C.09,
34 subdivision 3h, is amended to read:

35 Subd. 3h. [REIMBURSEMENT; ABOVEGROUND TANKS IN BULK
36 PLANTS.] (a) As used in this subdivision, "bulk plant" means an

1 aboveground or underground tank facility with a storage capacity
2 of more than 1,100 gallons but less than 1,000,000 gallons that
3 is used to dispense petroleum into cargo tanks for
4 transportation and sale at another location.

5 (b) Notwithstanding any other provision in this chapter and
6 any rules adopted pursuant to this chapter, the board shall
7 reimburse 90 percent of an applicant's cost for bulk plant
8 upgrades or closures completed between June 1, 1998, and
9 November 1, 2003, to comply with Minnesota Rules, chapter 7151,
10 provided that the board determines the costs were incurred and
11 reasonable. The reimbursement may not exceed \$10,000 per bulk
12 plant. The board may provide reimbursement under this paragraph
13 for work completed after November 1, 2003, if the work was
14 contracted for prior to that date and was not completed by that
15 date as a result of an unanticipated situation, provided that an
16 application for reimbursement under this sentence, which may be
17 a renewal of an application previously denied, is submitted
18 prior to December 31, 2005.

19 (c) For corrective action at a bulk plant located on what
20 is or was railroad right-of-way, the board shall reimburse 90
21 percent of total reimbursable costs on the first \$40,000 of
22 reimbursable costs and 100 percent of any remaining reimbursable
23 costs when the applicant can document that more than one bulk
24 plant was operated on the same section of right-of-way, as
25 determined by the commissioner of commerce.

26 Sec. 16. Minnesota Statutes 2004, section 115C.09,
27 subdivision 3j, is amended to read:

28 Subd. 3j. [RETAIL LOCATIONS AND TRANSPORT VEHICLES.] (a)
29 As used in this subdivision, "retail location" means a facility
30 located in the metropolitan area as defined in section 473.121,
31 subdivision 2, where gasoline is offered for sale to the general
32 public for use in automobiles and trucks. "Transport vehicle"
33 means a liquid fuel cargo tank used to deliver gasoline into
34 underground storage tanks during 2002 and 2003 at a retail
35 location.

36 (b) Notwithstanding any other provision in this chapter,

1 and any rules adopted under this chapter, the board shall
2 reimburse 90 percent of an applicant's cost for retrofits of
3 retail locations and transport vehicles completed between
4 January 1, 2001, and January 1, 2006, to comply with section
5 116.49, subdivisions 3 and 4, provided that the board determines
6 the costs were incurred and reasonable. The reimbursement may
7 not exceed \$3,000 per retail location and \$3,000 per transport
8 vehicle.

9 Sec. 17. Minnesota Statutes 2004, section 115C.13, is
10 amended to read:

11 115C.13 [REPEALER.]

12 Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04,
13 115C.045, 115C.05, 115C.06, 115C.065, 115C.07, 115C.08, 115C.09,
14 115C.093, 115C.094, 115C.10, 115C.11, 115C.111, 115C.112,
15 115C.113, 115C.12, and 115C.13, are repealed effective June 30,
16 ~~2007~~ 2012.

17 Sec. 18. Minnesota Statutes 2004, section 116L.20,
18 subdivision 1, is amended to read:

19 Subdivision 1. [DETERMINATION AND COLLECTION OF SPECIAL
20 ASSESSMENT.] (a) In addition to amounts due from an employer
21 under the Minnesota unemployment insurance program, each
22 employer, except an employer making reimbursements is liable for
23 a special assessment levied at the rate of ~~seven-hundredths~~
24 one-tenth of one percent per year on all taxable wages, as
25 defined in section 268.035, subdivision 24. If the commissioner
26 of trade and economic development determines that the need for
27 services under the dislocated worker program substantially
28 exceeds the resources that will be available for that program,
29 the commissioner may increase the fee to no more than
30 twelve-hundredths of one percent of taxable wages. The
31 assessment shall become due and be paid by each employer on the
32 same schedule and in the same manner as other amounts due from
33 an employer under section 268.051, subdivision 1.

34 (b) The special assessment levied under this section shall
35 be subject to the same requirements and collection procedures as
36 any amounts due from an employer under the Minnesota

1 unemployment insurance program.

2 [EFFECTIVE DATE.] This section is effective January 1, 2006.

3 Sec. 19. Minnesota Statutes 2004, section 116L.30,
4 subdivision 1, is amended to read:

5 Subdivision 1. [GRANTS.] The commissioner may make grants
6 to nonprofit agencies administering youth intervention programs
7 in communities where the programs are or may be established.

8 "Youth intervention program" means a nonresidential
9 community-based program providing advocacy, education,
10 counseling, mentoring, and referral services to youth and their
11 families experiencing personal, familial, school, legal, or
12 chemical problems with the goal of resolving the present
13 problems and preventing the occurrence of the problems in the
14 future. The purpose of the youth intervention program is to
15 provide an ongoing, stable funding source to community-based
16 early intervention programs for youth. Program design may be
17 different for the grantees depending on youth needs in the
18 communities being served.

19 Sec. 20. Minnesota Statutes 2004, section 116L.30,
20 subdivision 2, is amended to read:

21 Subd. 2. [APPLICATIONS.] Applications for a grant-in-aid
22 shall be made by the administering agency to the commissioner.
23 The grant-in-aid is contingent upon the agency having obtained
24 from the community in which the youth intervention program is
25 established local matching money two times the amount of the
26 grant that is sought. The purpose of the matching requirement
27 is to leverage the investment of state and community dollars in
28 supporting the efforts of the grantees to provide early
29 intervention services to youth and their families.

30 The commissioner shall provide the application form,
31 procedures for making ~~application-form~~ applications, criteria
32 for review of the application, and kinds of contributions in
33 addition to cash that qualify as local matching money. No grant
34 to any agency may exceed \$50,000.

35 Sec. 21. Minnesota Statutes 2004, section 116L.30, is
36 amended by adding a subdivision to read:

1 Subd. 3. [GRANT ALLOCATION FORMULA.] Up to one percent of
 2 the appropriations to the grants-in-aid to the youth
 3 intervention program may be used for a grant to the Minnesota
 4 Youth Intervention Programs Association for expenses in
 5 providing collaborative training and technical assistance to
 6 community-based grantees.

7 Sec. 22. Minnesota Statutes 2004, section 116L.30, is
 8 amended by adding a subdivision to read:

9 Subd. 4. [ADMINISTRATIVE COSTS.] The commissioner may use
 10 up to two percent of the biennial appropriation for
 11 grants-in-aid to the youth intervention program to pay costs
 12 incurred by the department in administering the grants.

13 Sec. 23. Minnesota Statutes 2004, section 176.136,
 14 subdivision 1a, is amended to read:

15 Subd. 1a. [RELATIVE VALUE FEE SCHEDULE.] The liability of
 16 an employer for services included in the medical fee schedule is
 17 limited to the maximum fee allowed by the schedule in effect on
 18 the date of the medical service, or the provider's actual fee,
 19 whichever is lower. The medical fee schedule effective on
 20 October 1, 1991, remains in effect until the commissioner adopts
 21 a new schedule by permanent rule. The commissioner shall adopt
 22 permanent rules regulating fees allowable for medical,
 23 chiropractic, podiatric, surgical, and other health care
 24 provider treatment or service, including those provided to
 25 hospital outpatients, by implementing a relative value fee
 26 schedule to be effective on October 1, 1993. The commissioner
 27 may adopt by reference the relative value fee schedule adopted
 28 for the federal Medicare program or a relative value fee
 29 schedule adopted by other federal or state agencies. The
 30 relative value fee schedule must may contain reasonable
 31 classifications including, but not limited to, classifications
 32 that differentiate among health care provider disciplines. ~~The~~
 33 ~~conversion-factors-for-the-original-relative-value-fee-schedule~~
 34 ~~must-reasonably-reflect-a-15-percent-overall-reduction-from-the~~
 35 ~~medical-fee-schedule-most-recently-in-effect.--The-reduction~~
 36 ~~need-not-be-applied-equally-to-all-treatment-or-services,-but~~

1 ~~must-represent-a-gross-15-percent-reduction~~ The rules must
2 provide that chiropractors and physical therapists have the same
3 provider group designation as medical physicians and have the
4 same maximum fee allowed as medical physicians for the same
5 patient interventions.

6 After permanent rules have been adopted to implement this
7 section, the conversion factors must be adjusted annually on
8 October 1 by no more than the percentage change computed under
9 section 176.645, but without the annual cap provided by that
10 section. The commissioner shall annually give notice in the
11 State Register of the adjusted conversion factors and may also
12 give annual notice of any additions, deletions, or changes to
13 the relative value units or service codes adopted by the federal
14 Medicare program. The relative value units may be statistically
15 adjusted in the same manner as for the original workers'
16 compensation relative value fee schedule. The notices of the
17 adjusted conversion factors and additions, deletions, or changes
18 to the relative value units and service codes is in lieu of the
19 requirements of chapter 14. The commissioner shall follow the
20 requirements of section 14.386, paragraph (a). The annual
21 adjustments to the conversion factors and the medical fee
22 schedules adopted under this section, including all previous fee
23 schedules, are not subject to expiration under section 14.386,
24 paragraph (b).

25 Sec. 24. [181.722] [MISREPRESENTATION OF EMPLOYMENT
26 RELATIONSHIP PROHIBITED.]

27 Subdivision 1. [PROHIBITION.] No employer shall
28 misrepresent the nature of its employment relationship with its
29 employees to any federal, state, or local government unit, to
30 other employers or to its employees. An employer misrepresents
31 the nature of its employment relationship with its employees if
32 it makes any statement regarding the nature of the relationship
33 that the employer knows or has reason to know is untrue and if
34 it fails to report individuals as employees when legally
35 required to do so.

36 Subd. 2. [AGREEMENTS TO MISCLASSIFY PROHIBITED.] No

1 employer shall require or request any employee to enter into any
2 agreement, or sign any document, that results in
3 misclassification of the employee as an independent contractor
4 or otherwise does not accurately reflect the employment
5 relationship with the employer.

6 Subd. 3. [DETERMINATION OF EMPLOYMENT RELATIONSHIP.] For
7 purposes of this section, the nature of an employment
8 relationship is determined using the same tests and in the same
9 manner as employee status is determined under the applicable
10 workers' compensation and unemployment insurance program laws
11 and rules.

12 Subd. 4. [REPORTING OF VIOLATIONS.] Any court finding that
13 a violation of this section has occurred shall transmit a copy
14 of the documentation of the finding to the commissioner of labor
15 and industry. The commissioner of labor and industry shall
16 report the finding to relevant state and federal agencies,
17 including at least the commissioner of commerce, the
18 commissioner of employment and economic development, the
19 commissioner of revenue, the federal Internal Revenue Service,
20 and the United States Department of Labor.

21 Subd. 5. [CIVIL REMEDY.] An individual not a contractor
22 injured by a violation of this section may bring an action for
23 damages against the violator. The court may award attorney
24 fees, costs, and disbursements to a party recovering under this
25 section. If the individual injured is an employee of the
26 violator of this section, the employee's representative, as
27 defined in section 179.01, subdivision 5, may bring an action
28 for damages against the violator on behalf of the employee.

29 Sec. 25. Minnesota Statutes 2004, section 183.41, is
30 amended by adding a subdivision to read:

31 Subd. 4. [ANNUAL PERMIT.] The commissioner shall issue an
32 annual permit to a boat for the purpose of carrying passengers
33 for hire on the inland waters of the state provided the boat
34 satisfies the inspection requirements of this section. A boat
35 subject to inspection under this chapter shall be registered
36 with the Division of Boiler Inspection and shall be inspected

1 before a permit may be issued.

2 Sec. 26. Minnesota Statutes 2004, section 183.411,
3 subdivision 2a, is amended to read:

4 Subd. 2a. [INSPECTION FEES.] The ~~commissioner-may-set-fees~~
5 fee for inspecting traction engines, show boilers, and show
6 engines shall be the hourly rate pursuant to section
7 ~~16A-1285~~ 183.545, subdivision 3a.

8 Sec. 27. Minnesota Statutes 2004, section 183.411,
9 subdivision 3, is amended to read:

10 Subd. 3. [LICENSES.] A license to operate steam farm
11 traction engines, portable and stationary show engines and
12 portable and stationary show boilers shall be issued to an
13 applicant who:

14 {a} (1) is 18 years of age or older;

15 {b} (2) has a licensed second class or higher class
16 engineer or steam traction (hobby) engineer sign the affidavit
17 attesting to the applicant's competence in operating said
18 devices;

19 {c} (3) passes a written test for competence in operating
20 said devices;

21 {d} (4) has at least 25 hours of actual operating
22 experience on said devices; and

23 {e} (5) pays the required fee.

24 A license shall be valid for the lifetime of the licensee.
25 A onetime fee ~~set-by-the-commissioner~~ pursuant to section
26 ~~16A-1285~~ 183.545, subdivision 4, shall be charged for the
27 license.

28 Sec. 28. Minnesota Statutes 2004, section 183.42, is
29 amended to read:

30 183.42 [INSPECTION EACH-YEAR AND REGISTRATION.]

31 Subdivision 1. [INSPECTION.] Every owner, lessee, or other
32 person having charge of boilers, or pressure vessels, ~~or any~~
33 ~~boat~~ subject to inspection under this chapter shall cause them
34 to be inspected by the Division of Boiler Inspection.

35 Boilers ~~and-boats~~ subject to inspection under this chapter must
36 be inspected at least annually and pressure vessels inspected at

1 least every two years except as provided under section
2 183.45. ~~A person who fails to have the inspection required by~~
3 ~~this section shall pay to the commissioner a penalty in the~~
4 ~~amount of the cost of inspection up to a maximum of \$1,000.~~ The
5 commissioner shall assess a \$250 penalty per applicable boiler
6 or pressure vessel for failure to have the inspection required
7 by this section and may seal the boiler or pressure vessel for
8 refusal to allow an inspection as required by this section.

9 Subd. 2. [REGISTRATION.] Every owner, lessee, or other
10 person having charge of boilers or pressure vessels subject to
11 inspection under this chapter shall register said objects with
12 the Division of Boiler Inspection. The registration shall be
13 renewed annually and is applicable to each object separately.
14 The fee for registration of a boiler or pressure vessel shall be
15 pursuant to section 183.545, subdivision 10. The Division of
16 Boiler Inspection may issue a billing statement for each boiler
17 and pressure vessel on record with the division, and may
18 determine a monthly schedule of billings to be followed for
19 owners, lessees, or other persons having charge of a boiler or
20 pressure vessel subject to inspection under this chapter.

21 Subd. 3. [CERTIFICATE OF REGISTRATION.] The Division of
22 Boiler Inspection shall issue a certificate of registration that
23 lists the boilers and pressure vessels at the location,
24 expiration date of the certificate of registration, last
25 inspection date of each boiler and pressure vessel, and maximum
26 allowable working pressure for each boiler and pressure vessel.
27 The commissioner may make an electronic certificate of
28 registration available to be printed by the owner, lessee, or
29 other person having charge of the boiler or pressure vessel.

30 Sec. 29. Minnesota Statutes 2004, section 183.44,
31 subdivision 1, is amended to read:

32 Subdivision 1. [MASTERS AND PILOTS.] ~~The Division of~~
33 ~~Boiler Inspection~~ commissioner or the commissioner's designee
34 shall examine all masters and pilots of boats and vessels
35 carrying passengers for hire on the inland waters of the state
36 as to their qualifications and fitness. If found trustworthy

1 qualified and competent to perform their duties as a master or
 2 pilot of a boat carrying passengers for hire, they shall be
 3 given issued a certificate license authorizing them to act as
 4 such on the inland waters of the state. The license shall be
 5 renewed annually. Fees for the original issue and renewal of
 6 the license authorized under this section shall be pursuant to
 7 section 183.545, subdivision 2.

8 Sec. 30. Minnesota Statutes 2004, section 183.51,
 9 subdivision 2, is amended to read:

10 Subd. 2. [APPLICATIONS.] Any person who desires an
 11 engineer's license shall make submit a written application, on
 12 blanks furnished by the ~~inspector.---The person shall also~~
 13 ~~successfully pass a written examination for such grade of~~
 14 ~~license applied for~~ commissioner or designee, at least 15 days
 15 before the requested exam date. The application is valid for
 16 one year from the date the commissioner or designee received the
 17 application.

18 Sec. 31. Minnesota Statutes 2004, section 183.51, is
 19 amended by adding a subdivision to read:

20 Subd. 2a. [EXAMINATIONS.] Each applicant for a license
 21 must pass an examination approved by the commissioner. The
 22 examinations shall be of sufficient scope to establish the
 23 competency of the applicant to operate a boiler of the
 24 applicable license class and grade.

25 Sec. 32. Minnesota Statutes 2004, section 183.545, is
 26 amended to read:

27 183.545 [FEES FOR INSPECTION.]

28 Subdivision 1. [FEE AMOUNT; VESSELS OPERATED ON INLAND
 29 WATERS.] The fees for the inspection of the hull, boiler,
 30 machinery, and equipments of vessels ~~are to be set by the~~
 31 ~~commissioner pursuant to section 16A.12857 for vessels of 50~~
 32 ~~tons burden or over and vessels of less than 50 tons~~
 33 ~~burden~~ operated on inland waters and that carry passengers for
 34 hire are as follows:

35 (1) annual operating permit and safety inspections shall be
 36 \$200; and

1 (2) other inspections, including dry-dock inspections, boat
 2 stability tests, and plan reviews, are billed at the hourly rate
 3 set in subdivision 3a.

4 Subd. 2. [~~FEE AMOUNTS; MASTERS AND PILOTS.~~] The
 5 ~~commissioner shall, pursuant to section 16A-1285, set~~
 6 ~~the license and application fee for an examination of an~~
 7 ~~applicant for a master's or pilot's license is \$50, for an or~~
 8 ~~\$20 if the applicant possesses a valid, unlimited, current~~
 9 ~~United States Coast Guard master's or pilot's license. The~~
 10 ~~annual renewal of a master's or a pilot's license, and for an is~~
 11 ~~\$20. The annual renewal if paid later than ten 30 days after~~
 12 ~~expiration is \$35. The fee for replacement of a current, valid~~
 13 ~~license is \$20.~~

14 Subd. 3. [BOILER AND PRESSURE VESSEL INSPECTION FEES.] The
 15 fees for the annual inspection of boilers and biennial
 16 inspection of pressure vessels are ~~to be set by the commissioner~~
 17 ~~pursuant to section 16A-1285, for~~ as follows:

18 ~~(a)~~ (1) boiler inaccessible for internal inspection, \$55;

19 ~~(b)~~ (2) boiler accessible for internal inspection, \$55;

20 ~~(c)~~ (3) boiler internal inspection over 2,000 square feet
 21 heating surface shall be billed at the hourly rate set in
 22 subdivision 3a;

23 ~~(d)~~ (4) boiler internal inspection over 4,000 square feet
 24 heating surface;

25 ~~(e)~~ boiler internal inspection over 10,000 square feet
 26 heating surface;

27 ~~(f)~~ boiler accessible for internal inspection requiring
 28 one-half day or more of inspection time shall be billed at the
 29 ~~established shop inspection fee~~ hourly rate set in subdivision
 30 3a;

31 ~~(g)~~ (5) pressure vessel for internal inspection via manhole
 32 , \$35; and

33 ~~(h)~~ (6) pressure vessel inaccessible for internal
 34 inspection, \$35.

35 ~~An additional fee based on the scale of fees applicable to~~
 36 ~~an inspection shall be charged when it is necessary to make a~~

1 ~~special trip for a hydrostatic test of a boiler or pressure~~
2 ~~vessel.~~

3 Subd. 3a. [HOURLY RATE.] The commissioner shall, pursuant
4 to section 16A-1285, set shop inspection fees hourly rate for an
5 inspection not set elsewhere in this chapter is \$80 per hour.
6 Inspection time includes all time related to the shop
7 inspection. Travel time, billed at the hourly rate, and travel
8 expenses shall be billed for shop inspections, triennial audits,
9 boat stability tests, hydrostatic tests of a boiler or pressure
10 vessel, or any other inspection or consultation requiring a
11 special trip.

12 Subd. 4. [APPLICANTS BOILER ENGINEER LICENSE FEES.] The
13 commissioner shall, pursuant to section 16A-1285, set the fee
14 for an examination of an applicant For the following licenses,
15 the nonrefundable license and application fee is:

16 (a) (1) chief engineer's license, \$50;
17 (b) (2) first class engineer's license, \$50;
18 (c) (3) second class engineer's license, \$50;
19 (d) (4) special engineer's license, \$20; and
20 (e) (5) traction or hobby boiler engineer's license, and,
21 \$50.

22 (f) ~~pilot's license.~~

23 ~~If an applicant, after an examination, is entitled to~~
24 ~~receive a license, it shall be issued without the payment of any~~
25 ~~additional charge. Any license so issued expires one year after~~
26 ~~the date of its issuance.~~ An engineer's license may be renewed
27 upon application therefor and the payment of an annual renewal
28 fee as set by the commissioner pursuant to section 16A-1285 of
29 \$20. The annual renewal, if paid later than 30 days after
30 expiration, is \$35. The fee for replacement of a current, valid
31 license is \$20.

32 Subd. 6. [NATIONAL BOARD INSPECTORS.] The fee for an
33 examination of an applicant for a National Board of Boiler and
34 Pressure Vessels Inspectors commission shall be set by the
35 commissioner pursuant to section 16A-1285 is \$100.

36 Subd. 7. [NUCLEAR ENDORSEMENT.] The fee for each

1 examination of an applicant for a National Board of Boiler and
2 Pressure Vessels commissioned inspectors nuclear endorsement
3 ~~shall be set by the commissioner pursuant to section 16A.1285~~ is
4 \$100.

5 Subd. 8. [CERTIFICATE OF COMPETENCY.] The fee for issuance
6 of the original state of Minnesota certificate of competency for
7 inspectors ~~shall be set by the commissioner pursuant to section~~
8 ~~16A.1285~~ is \$50. This fee is waived for inspectors who paid the
9 examination fee. The fee for an annual renewal of the state of
10 Minnesota certificate of competency ~~shall be set by the~~
11 ~~commissioner pursuant to section 16A.1285~~ is \$35, and is due
12 January 1 of each year. The fee for replacement of a current,
13 valid license is \$35.

14 Subd. 9. [DEPOSIT OF FEES.] Fees received under this
15 section ~~and section 183.57~~ must be deposited in the state
16 treasury and credited to the general fund.

17 Subd. 10. [BOILER AND PRESSURE VESSEL REGISTRATION
18 FEE.] The annual registration fee for boilers and pressure
19 vessels in use and required to be inspected per section 183.42
20 shall be \$10 per boiler and pressure vessel.

21 Sec. 33. Minnesota Statutes 2004, section 183.57, is
22 amended to read:

23 183.57 [REPORT OF INSURER; EXEMPTION FROM INSPECTION.]

24 Subdivision 1. [REPORT REQUIRED.] Any insurance company
25 insuring boilers and pressure vessels in this state shall ~~make a~~
26 ~~written~~ file a report thereof showing the date of inspection,
27 the name of the person making the inspection, the condition of
28 the boiler or pressure vessel as disclosed by the inspection,
29 whether the ~~same is~~ boiler was operated by a properly licensed
30 engineer, and whether a policy of insurance has been issued by
31 the company with reference to the boiler or pressure vessel, and
32 other information as directed by the chief boiler inspector.

33 Within ~~15~~ 21 days after the inspection, the insurance company
34 shall ~~mail a copy of~~ file the report ~~to~~ with the chief boiler
35 inspector ~~and~~ or designee. The insurer shall provide a copy of
36 the report to the person, firm, or corporation owning or

1 operating the inspected boiler or pressure vessel inspected.
2 Such report shall be made annually for boilers and biennially
3 for pressure vessels.

4 Subd. 2. [EXEMPTION.] Every boiler or pressure vessel as
5 to which any insurance company authorized to do business in this
6 state has issued a policy of insurance, after the inspection
7 thereof, is exempt from inspection by the department made under
8 sections 183.375 to 183.62, while the same continues to be
9 insured and provided it continues to be inspected in accordance
10 with the inspection schedule set forth in sections 183.42 and
11 183.45, and the person, firm, or corporation owning or operating
12 the same has an unexpired certificate of exemption from
13 inspection, ~~issued by the chief boiler~~
14 ~~inspector registration.~~ ~~The fee set by the commissioner~~
15 ~~pursuant to section 16A-1285, on the first object inspected and~~
16 ~~on each object thereafter shall apply to each exempt object.~~ ~~A~~
17 ~~certificate of exemption expires one year from date of issue.~~
18 ~~The certificate of exemption shall be posted in a conspicuous~~
19 ~~place near the boiler or pressure vessel or in the plant office~~
20 ~~or boiler room described therein and to which it relates.~~ ~~Every~~
21 ~~insurance company shall give written notice to the chief boiler~~
22 ~~inspector of the cancellation or expiration of every policy of~~
23 ~~insurance issued by it with reference to policies in this state,~~
4 ~~and the cause or reason for the cancellation or expiration.~~
25 ~~These notices of cancellation or expiration shall show the date~~
26 ~~of the policy and the date when the cancellation has or will~~
27 ~~become effective.~~

28 Subd. ~~4.~~ ~~[CERTIFICATE OF EXEMPTION.]~~ ~~The Division of~~
29 ~~Boiler Inspection may issue a billing and exemption certificate~~
30 ~~for each boiler and pressure vessel which the division records~~
31 ~~indicate shall be or has been inspected by an insurance company~~
32 ~~which is providing coverage for the boilers and pressure~~
33 ~~vessels.~~ ~~The division may determine the monthly schedule of the~~
4 ~~billings to be followed for each business insured.~~

35 Subd. 5. [NOTICE OF INSURANCE COVERAGE.] The insurer shall
36 notify the commissioner or designee in writing of its policy to

1 insure and inspect boilers and pressure vessels at a location
2 within 30 days of the effective date of insurance coverage,
3 including binders. The insurer must also provide a duplicate of
4 the notification to the insured.

5 Subd. 6. [NOTICE OF DISCONTINUED COVERAGE.] The insurer
6 shall notify the commissioner or designee in writing, within 30
7 days of the effective date, of the discontinuation of insurance
8 coverage of the boilers and pressure vessels at a location and
9 the cause or reason for the discontinuation. This notice shall
10 show the effective date when the discontinued policy takes
11 effect.

12 Subd. 7. [PENALTIES.] The commissioner shall assess upon
13 the insurer a \$50 penalty, per applicable boiler and pressure
14 vessel, for failing to submit an inspection report or notify the
15 commissioner of insurance coverage or discontinuation of
16 insurance coverage as set forth in this section. The
17 commissioner shall assess upon the insurer a penalty of \$100,
18 per applicable boiler and pressure vessel, for failing to
19 conduct the required in-service inspection within 120 days after
20 the inspection was due in accordance with section 183.42.

21 Sec. 34. Minnesota Statutes 2004, section 216B.2424,
22 subdivision 1, is amended to read:

23 Subdivision 1. [FARM-GROWN CLOSED-LOOP BIOMASS.] (a) For
24 the purposes of this section, "farm-grown closed-loop biomass"
25 means biomass, as defined in section 216C.051, subdivision 7,
26 that:

27 (1) is intentionally cultivated, harvested, and prepared
28 for use, in whole or in part, as a fuel for the generation of
29 electricity;

30 (2) when combusted, releases an amount of carbon dioxide
31 that is less than or approximately equal to the carbon dioxide
32 absorbed by the biomass fuel during its growing cycle; and

33 (3) is fired in a new or substantially retrofitted electric
34 generating facility that is:

35 (i) located within 400 miles of the site of the biomass
36 production; and

1 (ii) designed to use biomass to meet at least 75 percent of
2 its fuel requirements.

3 (b) The legislature finds that the negative environmental
4 impacts within 400 miles of the facility resulting from
5 transporting and combusting the biomass are offset in that
6 region by the environmental benefits to air, soil, and water of
7 the biomass production.

8 (c) Among the biomass fuel sources that meet the
9 requirements of paragraph (a), ~~clause~~ clauses (1) and (2) are
10 poplar, aspen, willow, switch grass, sorghum, alfalfa, and
11 cultivated prairie grass and sustainably managed woody biomass.

12 (d) For the purpose of this section, "sustainably managed
13 woody biomass" means:

14 (1) brush, trees, and other biomass harvested from within
15 designated utility, railroad, and road rights-of-way;

16 (2) upland and lowland brush harvested from lands
17 incorporated into brushland habitat management activities of the
18 Minnesota Department of Natural Resources;

19 (3) upland and lowland brush harvested from lands managed
20 in accordance with Minnesota Department of Natural Resources
21 "Best Management Practices for Managing Brushlands";

22 (4) logging slash or waste wood that is created by harvest,
23 precommercial timber stand improvement to meet silvicultural
24 objectives, or by fire, disease, or insect control treatments,
25 and that is managed in compliance with the Minnesota Forest
26 Resources Council's "Sustaining Minnesota Forest Resources:
27 Voluntary Site-Level Forest Management Guidelines for
28 Landowners, Loggers and Resource Managers" as modified by the
29 requirement of this subdivision; and

30 (5) trees or parts of trees that do not meet the
31 utilization standards for pulpwood, posts, bolts, or sawtimber
32 as described in the Minnesota Department of Natural Resources
33 Division of Forestry Timber Sales Manual, 1998, as amended as of
34 May 1, 2005, and the Minnesota Department of Natural Resources
35 Timber Scaling Manual, 1981, as amended as of May 1, 2005,
36 except as provided in paragraph (a), clause (1), and this

1 paragraph, clauses (1) to (3).

2 Sec. 35. Minnesota Statutes 2004, section 216B.2424, is
3 amended by adding a subdivision to read:

4 Subd. 1a. [MUNICIPAL WASTE-TO-ENERGY PROJECT.] (a) This
5 subdivision applies only to a biomass project owned or
6 controlled, directly or indirectly, by two municipal utilities
7 as described in subdivision 5a, paragraph (b).

8 (b) Woody biomass from state-owned land must be harvested
9 in compliance with an adopted management plan and a program of
10 ecologically based third-party certification.

11 (c) The project must prepare a fuel plan on an annual basis
12 after commercial operation of the project as described in the
13 power contract between the project and the public utility, and
14 must also prepare annually certificates reflecting the types of
15 fuel used in the preceding year by the project, as described in
16 the power contract. The fuel plans and certificates shall also
17 be filed with the Minnesota Department of Natural Resources and
18 the Minnesota Department of Commerce within 30 days after being
19 provided to the public utility, as provided by the power
20 contract. Any person who believes the fuel plans, as amended,
21 and certificates show that the project does not or will not
22 comply with the fuel requirements of this subdivision may file a
23 petition with the commission seeking such a determination.

24 (d) The wood procurement process must utilize third-party
25 audit certification systems to verify that applicable best
26 management practices were utilized in the procurement of the
27 sustainably managed biomass. If there is a failure to so verify
28 in any two consecutive years during the original contract term,
29 the farm-grown closed-loop biomass requirements of subdivision 2
30 must be increased to 50 percent for the remaining contract term
31 period; however, if in two consecutive subsequent years after
32 the increase has been implemented, it is verified that the
33 conditions in this subdivision have been met, then for the
34 remaining original contract term the closed-loop biomass mandate
35 reverts to 25 percent. If there is a subsequent failure to
36 verify in a year after the first failure and implementation of

1 the 50 percent requirement, then the closed-loop percentage
2 shall remain at 50 percent for each remaining year of the
3 contract term.

4 (e) In the closed-loop plantation, no transgenic plants may
5 be used.

6 (f) No wood may be harvested from any lands identified by
7 the final or preliminary Minnesota County Biological Survey as
8 having statewide significance as native plant communities, large
9 populations or concentrations of rare species, or critical
10 animal habitat.

11 (g) A wood procurement plan must be prepared every five
12 years and public meetings must be held and written comments
13 taken on the plan and documentation must be provided on why or
14 why not the public inputs were used.

15 (h) Guidelines or best management practices for sustainably
16 managed woody biomass must be adopted by:

17 (1) the Minnesota Department of Natural Resources for
18 managing and maintaining brushland and open land habitat on
19 public and private lands, including, but not limited to,
20 provisions of sections 84.941, 84.942, and 97A.125; and

21 (2) the Minnesota Forest Resources Council for logging
22 slash, using the most recent available scientific information
23 regarding the removal of woody biomass from forest lands, to
24 sustain the management of forest resources as defined by section
25 89.001, subdivisions 8 and 9, with particular attention to soil
26 productivity, biological diversity as defined by section 89A.01,
27 subdivision 3, and wildlife habitat.

28 These guidelines must be completed by July 1, 2007, and the
29 process of developing them must incorporate public notification
30 and comment.

31 (i) The University of Minnesota Initiative for Renewable
32 Energy and the Environment is encouraged to solicit and fund
33 high-quality research projects to develop and consolidate
34 scientific information regarding the removal of woody biomass
35 from forest and brush lands, with particular attention to the
36 environmental impacts on soil productivity, biological

1 diversity, and sequestration of carbon. The results of this
2 research shall be made available to the public.

3 (j) The two utilities owning or controlling, directly or
4 indirectly, the biomass project described in subdivision 5a,
5 paragraph (b), shall fund or obtain funding from nonstate
6 sources of up to \$150,000 to complete the guidelines or best
7 management practices described in paragraph (h). The
8 expenditures to be funded under this paragraph do not include
9 any of the expenditures to be funded under paragraph (i).

10 Sec. 36. Minnesota Statutes 2004, section 216B.2424,
11 subdivision 2, is amended to read:

12 Subd. 2. [INTERIM EXEMPTION.] (a) A biomass project
13 proposing to use, as its primary fuel over the life of the
14 project, short-rotation woody crops, may use as an interim fuel
15 agricultural waste and other biomass which is not farm-grown
16 closed-loop biomass for up to six years after the project's
17 electric generating facility becomes operational; provided, the
18 project developer demonstrates the project will use the
19 designated short-rotation woody crops as its primary fuel after
20 the interim period and provided the location of the interim fuel
21 production meets the requirements of subdivision 1, paragraph
22 (a), clause (3).

23 (b) A biomass project proposing to use, as its primary fuel
24 over the life of the project, short-rotation woody crops, may
25 use as an interim fuel agricultural waste and other biomass
26 which is not farm-grown closed-loop biomass for up to three
27 years after the project's electric generating facility becomes
28 operational; provided, the project developer demonstrates the
29 project will use the designated short-rotation woody crops as
30 its primary fuel after the interim period.

31 (c) A biomass project that uses an interim fuel under the
32 terms of paragraph (b) may, in addition, use an interim fuel
33 under the terms of paragraph (a) for six years less the number
34 of years that an interim fuel was used under paragraph (b).

35 (d) A project developer proposing to use an exempt interim
36 fuel under paragraphs (a) and (b) must demonstrate to the public

1 utility that the project will have an adequate supply of
 2 short-rotation woody crops which meet the requirements of
 3 subdivision 1 to fuel the project after the interim period.

4 (e) If a biomass project using an interim fuel under this
 5 subdivision is or becomes owned or controlled, directly or
 6 indirectly, by two municipal utilities as described in
 7 subdivision 5a, paragraph (b), the project is deemed to comply
 8 with the requirement under this subdivision to use farm-grown
 9 closed-loop biomass as its primary fuel if farm-grown
 10 closed-loop biomass comprises no less than 25 percent of the
 11 fuel used over the life of the project. For purposes of this
 12 subdivision, "life of the project" means 20 years from the date
 13 the project becomes operational or the term of the applicable
 14 power purchase agreement between the project owner and the
 15 public utility, whichever is longer.

16 Sec. 37. Minnesota Statutes 2004, section 216B.2424,
 17 subdivision 5a, is amended to read:

18 Subd. 5a. [REDUCTION OF BIOMASS MANDATE.] (a)
 19 Notwithstanding subdivision 5, the biomass electric energy
 20 mandate shall must be reduced from 125 megawatts to 110
 21 megawatts.

22 (b) The Public Utilities Commission shall approve a request
 23 pending before the ~~Public-Utilities~~ commission as of May 15,
 24 2003, for an-~~amendment~~ amendments to and assignment of a
 25 ~~contract-for-power-from~~ power purchase agreement with the owner
 26 of a facility that uses short-rotation, woody crops as its
 27 primary fuel previously approved to satisfy a portion of the
 28 biomass mandate if the developer owner of the project agrees to
 29 reduce the size of its project from 50 megawatts to 35
 30 megawatts, while maintaining a an average price for energy at-or
 31 ~~below-the-current-contract-price-~~ in nominal dollars measured
 32 over the term of the power purchase agreement at or below \$104
 33 per megawatt-hour, exclusive of any price adjustments that may
 34 take effect subsequent to commission approval of the power
 35 purchase agreement, as amended. The commission shall also
 36 approve, as necessary, any subsequent assignment or sale of the

1 power purchase agreement or ownership of the project to an
2 entity owned or controlled, directly or indirectly, by two
3 municipal utilities located north of Constitutional Route No. 8,
4 as described in section 161.114, which currently own electric
5 and steam generation facilities using coal as a fuel and which
6 propose to retrofit their existing municipal electrical
7 generating facilities to utilize biomass fuels in order to
8 perform the power purchase agreement.

9 (c) If the power purchase agreement described in paragraph
10 (b) is assigned to an entity that is, or becomes, owned or
11 controlled, directly or indirectly, by two municipal entities as
12 described in paragraph (b), and the power purchase agreement
13 meets the price requirements of paragraph (b), the commission
14 shall approve any amendments to the power purchase agreement
15 necessary to reflect the changes in project location and
16 ownership and any other amendments made necessary by those
17 changes. The commission shall also specifically find that:

18 (1) the power purchase agreement complies with and fully
19 satisfies the provisions of this section to the full extent of
20 its 35-megawatt capacity;

21 (2) all costs incurred by the public utility and all
22 amounts to be paid by the public utility to the project owner
23 under the terms of the power purchase agreement are fully
24 recoverable pursuant to section 216B.1645;

25 (3) subject to prudence review by the commission, the
26 public utility may recover from its Minnesota retail customers
27 the Minnesota jurisdictional portion of the amounts that may be
28 incurred and paid by the public utility during the full term of
29 the power purchase agreement; and

30 (4) if the purchase power agreement meets the requirements
31 of this subdivision, it is reasonable and in the public interest.

32 (d) The commission shall specifically approve recovery by
33 the public utility of any and all Minnesota jurisdictional costs
34 incurred by the public utility to improve, construct, install,
35 or upgrade transmission, distribution, or other electrical
36 facilities owned by the public utility or other persons in order

1 to permit interconnection of the retrofitted biomass-fueled
2 generating facilities or to obtain transmission service for the
3 energy provided by the facilities to the public utility pursuant
4 to section 216B.1645, and shall disapprove any provision in the
5 power purchase agreement that requires the developer or owner of
6 the project to pay the jurisdictional costs or that permit the
7 public utility to terminate the power purchase agreement as a
8 result of the existence of those costs or the public utility's
9 obligation to pay any or all of those costs.

10 Sec. 38. Minnesota Statutes 2004, section 216B.2424,
11 subdivision 6, is amended to read:

12 Subd. 6. [REMAINING MEGAWATT COMPLIANCE PROCESS.] (a) If
13 there remain megawatts of biomass power generating capacity to
14 fulfill the mandate in subdivision 5 after the commission has
15 taken final action on all contracts filed by September 1, 2000,
16 by a public utility, as amended and assigned, this subdivision
17 governs final compliance with the biomass energy mandate in
18 subdivision 5 subject to the requirements of subdivisions 7 and
19 8.

20 (b) To the extent not inconsistent with this subdivision,
21 the provisions of subdivisions 2, 3, 4, and 5 apply to proposals
22 subject to this subdivision.

23 (c) A public utility must submit proposals to the
24 commission to complete the biomass mandate. The commission
25 shall require a public utility subject to this section to issue
26 a request for competitive proposals for projects for electric
27 generation utilizing biomass as defined in paragraph (f) of this
28 subdivision to provide the remaining megawatts of the mandate.
29 The commission shall set an expedited schedule for submission of
30 proposals to the utility, selection by the utility of proposals
31 or projects, negotiation of contracts, and review by the
32 commission of the contracts or projects submitted by the utility
33 to the commission.

34 (d) Notwithstanding the provisions of subdivisions 1 to 5
35 but subject to the provisions of subdivisions 7 and 8, a new or
36 existing facility proposed under this subdivision that is fueled

1 either by biomass or by co-firing biomass with nonbiomass may
2 satisfy the mandate in this section. Such a facility need not
3 use biomass that complies with the definition in subdivision 1
4 if it uses biomass as defined in paragraph (f) of this
5 subdivision. Generating capacity produced by co-firing of
6 biomass that is operational as of April 25, 2000, does not meet
7 the requirements of the mandate, except that additional
8 co-firing capacity added at an existing facility after April 25,
9 2000, may be used to satisfy this mandate. Only the number of
10 megawatts of capacity at a facility which co-fires biomass that
11 are directly attributable to the biomass and that become
12 operational after April 25, 2000, count toward meeting the
13 biomass mandate in this section.

14 (e) Nothing in this subdivision precludes a facility
15 proposed and approved under this subdivision from using fuel
16 sources that are not biomass in compliance with subdivision 3.

17 (f) Notwithstanding the provisions of subdivision 1, for
18 proposals subject to this subdivision, "biomass" includes
19 farm-grown closed-loop biomass; agricultural wastes, including
20 animal, poultry, and plant wastes; and waste wood, including
21 chipped wood, bark, brush, residue wood, and sawdust.

22 (g) Nothing in this subdivision affects in any way
23 contracts entered into as of April 25, 2000, to satisfy the
24 mandate in subdivision 5.

25 (h) Nothing in this subdivision requires a public utility
26 to retrofit its own power plants for the purpose of co-firing
27 biomass fuel, nor is a utility prohibited from retrofitting its
28 own power plants for the purpose of co-firing biomass fuel to
29 meet the requirements of this subdivision.

30 Sec. 39. Minnesota Statutes 2004, section 216B.2424,
31 subdivision 8, is amended to read:

32 Subd. 8. [AGRICULTURAL BIOMASS REQUIREMENT.] Of the 125
33 megawatts mandated in subdivision 5, or 110 megawatts mandated
34 in subdivision 5a, at least 75 megawatts of the generating
35 capacity must be generated by facilities that use agricultural
36 biomass as the principal fuel source. For purposes of this

1 subdivision, agricultural biomass includes only farm-grown
2 closed-loop biomass and agricultural waste, including animal,
3 poultry, and plant wastes. For purposes of this subdivision,
4 "principal fuel source" means a fuel source that satisfies at
5 least 75 percent of the fuel requirements of an electric power
6 generating facility. Nothing in this subdivision is intended to
7 expand the fuel source requirements of subdivision 5.

8 Sec. 40. [219.552] [OBSTRUCTING TREATMENT OF INJURED
9 WORKER.]

10 It is unlawful for a railroad company or person employed by
11 a railroad company to:

12 (1) deny, delay, or interfere with medical treatment or
13 first aid treatment to an employee of a railroad who has been
14 injured during employment; or

15 (2) discipline or threaten to discipline an employee who
16 has been injured during employment for requesting medical
17 treatment or first aid treatment.

18 Sec. 41. [219.553] [ENFORCEMENT.]

19 Subdivision 1. [PENALTY.] A person who believes that the
20 person has been affected by a violation of section 1 may file a
21 complaint with the commissioner of labor and industry who shall
22 refer it to the Office of Administrative Hearings for
23 consideration as a contested case. Upon finding a violation,
24 the administrative law judge may assess a penalty to the
25 violating railroad company of up to \$10,000 for a violation of
26 section 219.552. In determining the amount of the penalty, the
27 administrative law judge shall consider those factors that must
28 be considered in determining a monetary penalty under section
29 221.036, subdivision 3. The contents of the order must include
30 the provisions specified in section 221.036, subdivision 4.

31 Subd. 2. [ADMINISTRATIVE HEARING OR JUDICIAL REVIEW.] A
32 railroad company against which a penalty is imposed under
33 subdivision 1 may request judicial review in district court.

34 Judicial review under this subdivision is as provided in section
35 221.036, subdivision 8.

36 Subd. 3. [ENFORCEMENT OF PENALTY.] A penalty ordered under

1 subdivision 1 and due and payable under this section may be
2 enforced by the attorney general in the manner provided under
3 section 221.036, subdivision 11.

4 Sec. 42. Minnesota Statutes 2004, section 237.11, is
5 amended to read:

6 237.11 [INSPECTING RECORDS AND PROPERTY; REPORTS REQUIRED.]

7 Every telephone company subject to the provisions of this
8 chapter, wherever organized, shall keep an office in this state,
9 and make such reports to the department as it shall from time to
10 time require. All books, records, and files, whether they
11 relate to competitive or noncompetitive services, and all of its
12 property shall be at all times subject to inspection by the
13 commission and the department. It shall close its accounts and
14 take therefrom a balance sheet on December 31 of each year, and
15 on or before May 1 following, such balance sheet, together with
16 such other information as the department shall require, verified
17 by an officer of the telephone company, shall be filed with the
18 commission and the department, except that a telephone company,
19 competitive local exchange carrier, or independent telephone
20 company is only required to file an annual report that includes
21 the company's name, contact person, annual revenue, and status
22 of its 911 update plan.

23 In the event that any telephone company shall fail to file
24 its annual report, as provided by this section, the department
25 is authorized to make such an examination of the books, records,
26 and vouchers of the company as is necessary to procure the
27 necessary data for the annual report and cause the same to be
28 prepared. The expense of procuring this data and preparing this
29 report shall be paid by the telephone company failing to report,
30 and the amount paid shall be credited by the commissioner of
31 finance to funds appropriated for the expense of the department.

32 The department is authorized to force collection of such
33 sum by an action at law in the name of the department.

34 Sec. 43. Minnesota Statutes 2004, section 239.011,
35 subdivision 2, is amended to read:

36 Subd. 2. [DUTIES AND POWERS.] To carry out the

1 responsibilities in section 239.01 and subdivision 1, the
2 director:

3 (1) shall take charge of, keep, and maintain in good order
4 the standard of weights and measures of the state and keep a
5 seal so formed as to impress, when appropriate, the letters
6 "MINN" and the date of sealing upon the weights and measures
7 that are sealed;

8 (2) has general supervision of the weights, measures, and
9 weighing and measuring devices offered for sale, sold, or in use
10 in the state;

11 (3) shall maintain traceability of the state standards to
12 the national standards of the National Institute of Standards
13 and Technology;

14 (4) shall enforce this chapter;

15 (5) shall grant variances from department rules, within the
16 limits set by rule, when appropriate to maintain good commercial
17 practices or when enforcement of the rules would cause undue
18 hardship;

19 (6) shall conduct investigations to ensure compliance with
20 this chapter;

21 (7) may delegate to division personnel the
22 responsibilities, duties, and powers contained in this section;

23 (8) shall test annually, and approve when found to be
24 correct, the standards of weights and measures used by the
25 division, by a town, statutory or home rule charter city, or
26 county within the state, or by a person using standards to
27 repair, adjust, or calibrate commercial weights and measures;

28 (9) shall inspect and test weights and measures kept,
29 offered, or exposed for sale;

30 (10) shall inspect and test, to ascertain if they are
31 correct, weights and measures commercially used to:

32 (i) determine the weight, measure, or count of commodities
33 or things sold, offered, or exposed for sale, on the basis of
34 weight, measure, or count; and

35 (ii) compute the basic charge or payment for services
36 rendered on the basis of weight, measure, or count;

1 (11) shall approve for use and mark weights and measures
2 that are found to be correct;

3 (12) shall reject, and mark as rejected, weights and
4 measures that are found to be incorrect and may seize them if
5 those weights and measures:

6 (i) are not corrected within the time specified by the
7 director;

8 (ii) are used or disposed of in a manner not specifically
9 authorized by the director; or

10 (iii) are found to be both incorrect and not capable of
11 being made correct, in which case the director shall condemn
12 those weights and measures;

13 (13) shall weigh, measure, or inspect packaged commodities
14 kept, offered, or exposed for sale, sold, or in the process of
15 delivery, to determine whether they contain the amount
16 represented and whether they are kept, offered, or exposed for
17 sale in accordance with this chapter and department rules. In
18 carrying out this section, the director must employ recognized
19 sampling procedures, such as those contained in National
20 Institute of Standards and Technology Handbook 133, "Checking
21 the Net Contents of Packaged Goods";

22 (14) shall prescribe the appropriate term or unit of weight
23 or measure to be used for a specific commodity when an existing
24 term or declaration of quantity does not facilitate value
25 comparisons by consumers, or creates an opportunity for consumer
26 confusion;

27 (15) shall allow reasonable variations from the stated
28 quantity of contents, including variations caused by loss or
29 gain of moisture during the course of good distribution practice
30 or by unavoidable deviations in good manufacturing practice,
31 only after the commodity has entered commerce within the state;

32 (16) shall inspect and test petroleum products in
33 accordance with this chapter and chapter 296A;

34 (17) shall distribute and post notices for used motor oil
35 and used motor oil filters and lead acid battery recycling in
36 accordance with sections 239.54, 325E.11, and 325E.115;

1 (18) shall collect inspection fees in accordance with
2 sections 239.10 and 239.101; and

3 (19) shall provide metrological services and support to
4 businesses and individuals in the United States who wish to
5 market products and services in the member nations of the
6 European Economic Community, and other nations outside of the
7 United States by:

8 (i) meeting, to the extent practicable, the measurement
9 quality assurance standards described in the International
10 Standards Organization ISO 90007--~~Guide-25~~ 17025;

11 (ii) maintaining, to the extent practicable, certification
12 of the metrology laboratory by ~~a-governing-body-appointed-by-the~~
13 ~~European-Economic-Community~~ an internationally accepted
14 accrediting body such as the National Voluntary Laboratory
15 Accreditation Program (NVLAP); and

16 (iii) providing calibration and consultation services to
17 metrology laboratories in government and private industry in the
18 United States.

19 Sec. 44. Minnesota Statutes 2004, section 239.05, is
20 amended by adding a subdivision to read:

21 Subd. 3a. [AUTOMOTIVE FUEL.] For the purpose of enforcing
22 the gasoline octane requirements in section 239.792, "automotive
23 fuel" has the meaning given it in Code of Federal Regulations,
24 title 16, section 306.0.

25 Sec. 45. Minnesota Statutes 2004, section 239.05,
26 subdivision 10b, is amended to read:

27 Subd. 10b. [~~OXYGENATE~~ ETHANOL BLENDER.] "Oxygenate Ethanol
28 blender" means a person who ~~has-registered-with-the-division-to~~
29 ~~blend-and-distribute,-transport,-sell,-or-offer~~ blends and
30 distributes, transports, sells, or offers to sell gasoline
31 ~~containing a-minimum-of-2.0-percent,-and-an-average-of-2.7~~ ten
32 percent oxygen ethanol by weight volume.

33 Sec. 46. Minnesota Statutes 2004, section 239.09, is
34 amended to read:

35 239.09 [SPECIAL POLICE POWERS.]

36 When necessary to enforce this chapter or rules adopted

1 under the authority granted by section 239.06, the director is:

2 (1) authorized and empowered to arrest, without formal
3 warrant, any violator of sections 325E.11 and 325E.115 or of the
4 statute in relation to weights and measures;

5 (2) empowered to seize for use as evidence and without
6 formal warrant, any false weight, measure, weighing or measuring
7 device, package, or commodity found to be used, retained, or
8 offered or exposed for sale or sold in violation of law;

9 (3) during normal business hours, authorized to enter
10 commercial premises;

11 (4) if the premises are not open to the public, authorized
12 to enter commercial premises only after presenting credentials
13 and obtaining consent or after obtaining a search warrant;

14 (5) empowered to issue stop-use, hold, and removal orders
15 with respect to weights and measures commercially used, and
16 packaged commodities or bulk commodities kept, offered, or
17 exposed for sale, that do not comply with the weights and
18 measures laws; and

19 (6) empowered, upon reasonable suspicion of a violation of
20 the weights and measures laws, to stop a commercial vehicle and,
21 after presentation of credentials, inspect the contents of the
22 vehicle, require that the person in charge of the vehicle
23 produce documents concerning the contents, and require the
24 person to proceed with the vehicle to some specified place for
25 inspection; and

26 (7) empowered, after written warning, to issue citations of
27 not less than \$100 and not more than \$500 to a person who
28 violates any provision of this chapter, any provision of the
29 rules adopted under the authority contained in this chapter, or
30 any provision of statutes enforced by the division of weights
31 and measures.

32 Sec. 47. Minnesota Statutes 2004, section 239.101,
33 subdivision 3, is amended to read:

34 Subd. 3. [PETROLEUM INSPECTION FEE.] (a) An inspection fee
35 is imposed (1) on petroleum products when received by the first
36 licensed distributor, and (2) on petroleum products received and

1 held for sale or use by any person when the petroleum products
 2 have not previously been received by a licensed distributor.
 3 The petroleum inspection fee is \$1 for every 1,000 gallons
 4 received. The commissioner of revenue shall collect the fee.
 5 The revenue from 81 cents of the fee must-first-be-applied-to
 6 ~~cover-the-amounts-appropriated---~~Fifteen-cents-of-the-inspection
 7 ~~fee-must-be-deposited-in-an-account-in-the-special-revenue-fund~~
 8 and is appropriated to the commissioner of commerce for the cost
 9 of ~~petroleum-product-quality-inspection-expenses-and-for-the~~
 10 ~~inspection-and-testing-of-petroleum-product-measuring~~
 11 ~~equipment~~ operations of the Division of Weights and Measures,
 12 petroleum supply monitoring, and the oil burner retrofit
 13 program. The remainder of the fee must be deposited in the
 14 general fund.

15 The commissioner of revenue shall ~~ereit~~ credit a person for
 16 inspection fees previously paid in error or for any material
 17 exported or sold for export from the state upon filing of a
 18 report as prescribed by the commissioner of revenue.

19 (c) The commissioner of revenue may collect the inspection
 20 fee along with any taxes due under chapter 296A.

21 Sec. 48. Minnesota Statutes 2004, section 239.75,
 22 subdivision 1, is amended to read:

23 Subdivision 1. [INSPECTION TO BE MADE.] The director shall:

24 (1) take samples, free of charge, of petroleum products
 25 wherever processed, blended, held, stored, imported,
 26 transferred, offered for sale or use, or sold in Minnesota,
 27 limiting each sample to:

28 ~~{i}-two-tenths-of-one~~ one-half gallon, ~~--except-when-an~~
 29 ~~octane-test-is-planned,--or~~

30 ~~{ii}-seven-tenths-of-one-gallon-for-an-octane-test;~~

31 (2) inspect and test petroleum product samples according to
 32 the methods of ASTM or other valid test methods adopted by rule,
 33 to determine whether the products comply with the specifications
 4 in section 239.761;

35 (3) inspect petroleum product storage tanks to ensure that
 36 the products are free from water and impurities;

1 (4) inspect and test samples submitted to the department by
2 a licensed distributor, making the test results available to the
3 distributor;

4 (5) inspect the labeling, price posting, and price
5 advertising of petroleum product dispensers and advertising
6 signs at businesses or locations where petroleum products are
7 sold, offered for sale or use, or dispensed into motor vehicles;

8 (6) maintain records of all inspections and tests according
9 to the records retention policies of the Department of
10 Administration;

11 (7) delegate to division personnel, at the director's
12 discretion, any or all of the responsibilities, duties, and
13 powers in sections 239.75 to 239.80;

14 (8) publish octane test data and information to assist
15 persons who use, produce and, distribute, or sell gasoline-and
16 gasoline-oxygenate-blends petroleum-based heating and engine
17 fuels;

18 ~~(9) register-gasoline-oxygenate-blenders-according-to-the~~
19 ~~requirements-of-the-EPA;~~

20 ~~{10}~~ audit the records of any person responsible for the
21 product to determine compliance with sections 239.75 to 239.792;

22 ~~{11}~~ (10) after consulting with the commissioner ~~of-the~~
23 ~~Pollution-Control-Agency,~~ grant a temporary exemption from the
24 ~~oxygenated-gasoline~~ gasoline-ethanol blending requirements in
25 section 239.791 if the supply of oxygenate ethanol is
26 insufficient to produce gasoline-oxygenate gasoline-ethanol
27 ~~blends during-an-EPA-designated-carbon-monoxide-control-period;~~
28 and

29 ~~{12}~~ (11) adopt, as an enforcement policy for the division,
30 reasonable margins of uncertainty for the tests used to
31 determine compliance with the specifications in section 239.761,
32 the oxygen percentages in section 239.791, and the octane
33 requirements in section 239.792 and apply the margins of
34 uncertainty to only tests performed by the division, not by
35 adding the margins to uncertainties in tests performed by any
36 person responsible for the product.

1 Sec. 49. Minnesota Statutes 2004, section 239.75,
2 subdivision 5, is amended to read:

3 Subd. 5. [PRODUCT QUALITY, RESPONSIBILITY.] After a
4 ~~gasoline-product~~ petroleum-based engine fuel is purchased,
5 transferred, or otherwise removed from a refinery or terminal,
6 the person responsible for the product shall:

7 (1) keep the product free from contamination with water and
8 impurities;

9 (2) not blend the product with dissimilar petroleum
10 products, for example, gasoline must not be blended with diesel
11 fuel;

12 (3) not blend the product with any contaminant, dye,
13 chemical, or additive, except:

14 (i) agriculturally derived, denatured ethanol that complies
15 with the specifications in this chapter;

16 (ii) an antiknock additive, or an additive designed to
17 replace tetra-ethyl lead, that is registered by the EPA; ~~or~~

18 (iii) a dye to distinguish heating fuel from low sulfur
19 diesel fuel; ~~and~~ or

20 (iv) biodiesel fuel that complies with the specifications
21 in this chapter; and

22 (4) maintain a record of the name or chemical composition
23 of the additive, with the product shipping manifest or bill of
24 lading for one year after the date of the manifest or bill.

25 Sec. 50. Minnesota Statutes 2004, section 239.761, is
26 amended to read:

27 239.761 [PETROLEUM PRODUCT SPECIFICATIONS.]

28 Subdivision 1. [APPLICABILITY.] A person responsible for
29 the product must meet the specifications in this section. The
30 specifications apply to petroleum products processed, held,
31 stored, imported, transferred, distributed, offered for
32 distribution, offered for sale or use, or sold in Minnesota.

33 Subd. 2. [COORDINATION WITH DEPARTMENTS OF REVENUE AND
34 AGRICULTURE.] The petroleum product specifications in this
35 section are intended to match the definitions and specifications
36 in sections 41A.09 and 296A.01. Petroleum products named in

1 this section are defined in section 296A.01.

2 Subd. 3. [GASOLINE.] (a) Gasoline that is not blended with
3 ethanol must not be contaminated with water or other impurities
4 and must comply with ASTM specification ~~D4814-01~~ D4814-04a.

5 Gasoline that is not blended with ethanol must also comply with
6 the volatility requirements in Code of Federal Regulations,
7 title 40, part 80.

8 (b) After gasoline is sold, transferred, or otherwise
9 removed from a refinery or terminal, a person responsible for
10 the product:

11 (1) may blend the gasoline with agriculturally derived
12 ethanol as provided in subdivision 4;

13 (2) shall not blend the gasoline with any oxygenate other
14 than denatured, agriculturally derived ethanol;

15 (3) shall not blend the gasoline with other petroleum
16 products that are not gasoline or denatured, agriculturally
17 derived ethanol;

18 (4) shall not blend the gasoline with products commonly and
19 commercially known as casinghead gasoline, absorption gasoline,
20 condensation gasoline, drip gasoline, or natural gasoline; and

21 (5) may blend the gasoline with a detergent additive, an
22 antiknock additive, or an additive designed to replace
23 tetra-ethyl lead, that is registered by the EPA.

24 Subd. 4. [GASOLINE BLENDED WITH ETHANOL.] (a) Gasoline may
25 be blended with up to ten percent, by volume, agriculturally
26 derived, denatured ethanol that complies with the requirements
27 of subdivision 5.

28 (b) A gasoline-ethanol blend must:

29 (1) comply with the volatility requirements in Code of
30 Federal Regulations, title 40, part 80;

31 (2) comply with ASTM specification ~~D4814-01~~ D4814-04a, or
32 the gasoline base stock from which a gasoline-ethanol blend was
33 produced must comply with ASTM specification ~~D4814-01~~ D4814-04a;
34 and

35 (3) not be blended with casinghead gasoline, absorption
36 gasoline, condensation gasoline, drip gasoline, or natural

1 gasoline after the gasoline-ethanol blend has been sold,
2 transferred, or otherwise removed from a refinery or terminal.

3 Subd. 5. [DENATURED ETHANOL.] Denatured ethanol that is to
4 be blended with gasoline must be agriculturally derived and must
5 comply with ASTM specification ~~D4806-01~~ D4806-04a. This
6 includes the requirement that ethanol may be denatured only as
7 specified in Code of Federal Regulations, title 27, parts 20 and
8 21.

9 Subd. 6. [GASOLINE BLENDED WITH NONETHANOL OXYGENATE.] (a)
10 A person responsible for the product shall comply with the
11 following requirements:

12 (1) after July 1, 2000, gasoline containing in excess of
13 one-third of one percent, in total, of nonethanol oxygenates
14 listed in paragraph (b) must not be sold or offered for sale at
15 any time in this state; and

16 (2) after July 1, 2005, gasoline containing any of the
17 nonethanol oxygenates listed in paragraph (b) must not be sold
18 or offered for sale in this state.

19 (b) The oxygenates prohibited under paragraph (a) are:

20 (1) methyl tertiary butyl ether, as defined in section
21 296A.01, subdivision 34;

22 (2) ethyl tertiary butyl ether, as defined in section
23 296A.01, subdivision 18; or

24 (3) tertiary amyl methyl ether.

25 (c) Gasoline that is blended with a nonethanol oxygenate
26 must comply with ASTM specification ~~D4814-01~~ D4814-04a.

27 Nonethanol oxygenates must not be blended into gasoline after
28 the gasoline has been sold, transferred, or otherwise removed
29 from a refinery or terminal.

30 Subd. 7. [HEATING FUEL OIL.] Heating fuel oil must comply
31 with ASTM specification ~~D396-01~~ D396-02a.

32 Subd. 8. [DIESEL FUEL OIL.] Diesel fuel oil must comply
33 with ASTM specification ~~D975-01a~~ D975-04b, except that diesel
34 fuel oil is not required to meet the diesel lubricity standard
35 until the date that the biodiesel fuel requirement in section
36 239.77, subdivision 2, becomes effective or December 31, 2005,

1 whichever comes first.

2 Subd. 9. [KEROSENE.] Kerosene must comply with ASTM
3 specification ~~D3699-01~~ D3699-03.

4 Subd. 10. [AVIATION GASOLINE.] Aviation gasoline must
5 comply with ASTM specification ~~D910-00~~ D910-04.

6 Subd. 11. [AVIATION TURBINE FUEL, JET FUEL.] Aviation
7 turbine fuel and jet fuel must comply with ASTM specification
8 ~~D1655-01~~ D1655-04.

9 Subd. 12. [GAS TURBINE FUEL OIL.] Fuel oil for use in
10 nonaviation gas turbine engines must comply with ASTM
11 specification ~~D2880-00~~ D2880-03.

12 Subd. 13. [E85.] A blend of ethanol and gasoline,
13 containing at least 60 percent ethanol and not more than 85
14 percent ethanol, produced for use as a motor fuel in alternative
15 fuel vehicles as defined in section 296A.01, subdivision 5, must
16 comply with ASTM specification D5798-99 (2004).

17 Subd. 14. [M85.] A blend of methanol and gasoline,
18 containing at least 85 percent methanol, produced for use as a
19 motor fuel in alternative fuel vehicles as defined in section
20 296A.01, subdivision 5, must comply with ASTM specification
21 D5797-96.

22 Sec. 51. Minnesota Statutes 2004, section 239.77, is
23 amended by adding a subdivision to read:

24 Subd. 4. [DISCLOSURE.] A refinery or terminal shall
25 provide, at the time diesel fuel is sold or transferred from the
26 refinery or terminal, a bill of lading or shipping manifest to
27 the person who receives the fuel. For biodiesel-blended
28 product, the bill of lading or shipping manifest must disclose
29 biodiesel content, stating volume percentage, or gallons of
30 biodiesel per gallons of petroleum diesel base-stock, or an ASTM
31 "Bxx" designation where "xx" denotes the volume percent
32 biodiesel included in the blended product. This subdivision
33 does not apply to sales or transfers of biodiesel blend stock
34 between refineries, between terminals, or between a refinery and
35 a terminal.

36 Sec. 52. Minnesota Statutes 2004, section 239.79,

1 subdivision 4, is amended to read:

2 Subd. 4. [SALE OF CERTAIN PETROLEUM PRODUCTS ON GROSS
3 VOLUME BASIS.] A person responsible for the products listed in
4 this subdivision shall transfer, ship, distribute, offer for
5 distribution, sell, or offer to sell the products by volume.
6 Volumetric measurement of the product must not be temperature
7 compensated, or adjusted by any other factor. This subdivision
8 applies to gasoline, number one and number two diesel fuel oils,
9 number one and number two heating fuel oils, kerosene, denatured
10 ethanol ~~that-is-to-be-blended-into-gasoline,-and-an-oxygenate~~
11 ~~that-is-to-be-blended-into-gasoline,~~ and biodiesel. This
12 subdivision does not apply to the measurement of petroleum
13 products transferred, sold, or traded between refineries,
14 between refineries and terminals, or between terminals.

15 Sec. 53. Minnesota Statutes 2004, section 239.791,
16 subdivision 1, is amended to read:

17 Subdivision 1. [MINIMUM ETHANOL CONTENT REQUIRED.] (a)
18 Except as provided in subdivisions 10 to 14, a person
19 responsible for the product shall ensure that all gasoline sold
20 or offered for sale in Minnesota must contain at least 10.0
21 percent denatured ethanol by volume.

22 (b) For purposes of enforcing the minimum ethanol
23 requirement of paragraph (a), a gasoline/ethanol blend will be
24 construed to be in compliance if the ethanol content, exclusive
25 of denaturants and permitted contaminants, comprises not less
26 than 9.2 percent by volume and not more than 10.0 percent by
27 volume of the blend as determined by an appropriate United
28 States Environmental Protection Agency or American Society of
29 Testing Materials standard method of analysis of alcohol/ether
30 content in ~~meter~~ engine fuels.

31 Sec. 54. Minnesota Statutes 2004, section 239.791,
32 subdivision 7, is amended to read:

33 Subd. 7. [OXYGENATE ETHANOL RECORDS; STATE AUDIT.] The
34 director shall audit the records of registered oxygenate ethanol
35 blenders to ensure that each blender has met all requirements in
36 this chapter. Specific information or data relating to sales

1 figures or to processes or methods of production unique to the
2 blender or that would tend to adversely affect the competitive
3 position of the blender must be only for the confidential use of
4 the director, unless otherwise specifically authorized by the
5 registered blender.

6 Sec. 55. Minnesota Statutes 2004, section 239.791,
7 subdivision 8, is amended to read:

8 Subd. 8. [DISCLOSURE.] A refinery or terminal, shall
9 provide, at the time gasoline is sold or transferred from the
10 refinery or terminal, a bill of lading or shipping manifest to
11 the person who receives the gasoline. For oxygenated gasoline,
12 the bill of lading or shipping manifest must include the
13 identity and the volume percentage or gallons of oxygenate
14 included in the gasoline, and it must state: "This fuel
15 contains an oxygenate. Do not blend this fuel with ethanol or
16 with any other oxygenate." ~~For nonoxygenated gasoline sold or~~
17 ~~transferred before October 17, 1997, the bill or manifest must~~
18 ~~state:--"This fuel must not be sold at retail in a carbon~~
19 ~~monoxide control area."~~ For nonoxygenated gasoline sold or
20 transferred after September 30, 1997, the bill or manifest must
21 state: "This fuel is not oxygenated. It must not be sold at
22 retail in Minnesota." This subdivision does not apply to sales
23 or transfers of gasoline between refineries, between terminals,
24 or between a refinery and a terminal.

25 Sec. 56. Minnesota Statutes 2004, section 239.791,
26 subdivision 15, is amended to read:

27 Subd. 15. [EXEMPTION FOR CERTAIN BLEND PUMPS.] (a) A
28 person responsible for the product, who offers for sale, sells,
29 or dispenses nonoxygenated premium gasoline under one or more of
30 the exemptions in subdivisions 10 to 14, may sell, offer for
31 sale, or dispense oxygenated gasoline that contains less than
32 the minimum amount of ethanol required under subdivision 1 if
33 all of the following conditions are met:

34 (1) the blended gasoline has an octane rating of 88 or
35 greater;

36 (2) the gasoline is a blend of oxygenated gasoline meeting

1 the requirements of subdivision 1 with nonoxygenated premium
2 gasoline;

3 (3) the blended gasoline contains not more than ten percent
4 nonoxygenated premium gasoline;

5 (4) the blending of oxygenated gasoline with nonoxygenated
6 gasoline occurs within the gasoline dispenser; and

7 (5) the gasoline station at which the gasoline is sold,
8 offered for sale, or delivered is equipped to store gasoline in
9 not more than two storage tanks.

10 (b) This subdivision applies only to those persons who meet
11 the conditions in paragraph (a), clauses (1) through (5), on the
12 ~~effective-date-of-this-act~~ August 1, 2004, and have registered
13 with the director within three months of ~~the-effective~~ that date
14 ~~of-this-act~~.

15 Sec. 57. Minnesota Statutes 2004, section 239.792, is
16 amended to read:

17 239.792 [~~GASOLINE-OCTANE~~ AUTOMOTIVE FUEL RATINGS,
18 CERTIFICATION, AND POSTING.]

19 Subdivision 1. [~~DISCLOSURE~~ DUTIES OF REFINERS, IMPORTERS,
20 AND PRODUCERS.] A ~~manufacturer,-hauler,-blender,-agent,-jobber,-~~
21 ~~consignment-agent~~ refiner, importer, or ~~distributor-who-sells,~~
22 ~~delivers,-or-distributes-gasoline-or-gasoline-oxygenate-blends,~~
23 ~~shall-provide,-at-the-time-of-delivery,-a-bill-of-lading-or~~
24 ~~shipping-manifest-to-the-person-who-receives-the-gasoline.-The~~
25 ~~bill-or-manifest-must-state-the-minimum-octane-of-the-gasoline~~
26 ~~delivered.-The-stated-octane-number-must-be-the-average-of-the~~
27 ~~"motor-method"-octane-number-and-the-"research-method"-octane~~
28 ~~number-as-determined-by-the-test-methods-in-ASTM-specification~~
29 ~~D4814-01,-or-by-a-test-method-adopted-by-department~~
30 rule producer of automotive fuel must comply with the automotive
31 fuel rating, certification, and record-keeping requirements of
32 Code of Federal Regulations, title 16, sections 306.5 to 306.7.

33 Subd. 2. [~~DISPENSER-LABELING~~ DUTIES OF DISTRIBUTORS.] A
34 ~~person-responsible-for-the-product-shall-clearly,-conspicuously,-~~
35 ~~and-permanently-label-each-gasoline-dispenser-that-is-used-to~~
36 ~~sell-gasoline-or-gasoline-oxygenate-blends-at-retail-or-to~~

1 dispense gasoline or gasoline-oxygenate blends into the fuel
2 supply tanks of motor vehicles, with the minimum octane of the
3 gasoline dispensed. The label must meet the following
4 requirements:

5 (a) The octane number displayed on the label must represent
6 the average of the "motor method" octane number and the
7 "research method" octane number as determined by the test
8 methods in ASTM specification D4814-01, or by a test method
9 adopted by department rule.

10 (b) The label must be at least 2 1/2 inches high and three
11 inches wide, with a yellow background, black border, and black
12 figures and letters.

13 (c) The number representing the octane of the gasoline must
14 be at least one inch high.

15 (d) The label must include the words "minimum octane" and
16 the term " $(R+M)/2$ " or " $(RON+MON)/2$." A licensed distributor of
17 automotive fuel must comply with the certification and
18 record-keeping provisions of Code of Federal Regulations, title
19 16, sections 306.8 and 306.9.

20 Subd. 3. [DUTIES OF RETAILERS.] A person responsible for
21 the product who sells or transfers automotive fuel to a consumer
22 must comply with the automotive fuel rating posting and
23 record-keeping requirements, and the label specifications of
24 Code of Federal Regulations, title 16, sections 306.10 to 306.12.

25 Subd. 4. [DUTIES OF DIRECTOR.] Upon request, the director
26 shall provide any person with a copy of Code of Federal
27 Regulations, title 16, part 306. Upon request, the director
28 shall provide any distributor, retailer, or organization of
29 distributors or retailers with the label specifications in Code
30 of Federal Regulations, title 16, section 306.12.

31 Sec. 58. Minnesota Statutes 2004, section 296A.01,
32 subdivision 2, is amended to read:

33 Subd. 2. [AGRICULTURAL ALCOHOL GASOLINE.] "Agricultural
34 alcohol gasoline" means a gasoline-ethanol blend of up to ten
35 percent agriculturally derived fermentation ethanol derived from
36 agricultural products, such as potatoes, cereal, grains, cheese

1 whey, sugar beets, forest products, or other renewable
2 resources, that:

3 (1) meets the specifications in ASTM specification ~~D4806-01~~
4 D4806-04a; and

5 (2) is denatured as specified in Code of Federal
6 Regulations, title 27, parts 20 and 21.

7 Sec. 59. Minnesota Statutes 2004, section 296A.01,
8 subdivision 7, is amended to read:

9 Subd. 7. [AVIATION GASOLINE.] "Aviation gasoline" means
10 any gasoline that is capable of use for the purpose of producing
11 or generating power for propelling internal combustion engine
12 aircraft, that meets the specifications in ASTM
13 specification ~~D910-00~~ D910-04, and that either:

14 (1) is invoiced and billed by a producer, manufacturer,
15 refiner, or blender to a distributor or dealer, by a distributor
16 to a dealer or consumer, or by a dealer to consumer, as
17 "aviation gasoline"; or

18 (2) whether or not invoiced and billed as provided in
19 clause (1), is received, sold, stored, or withdrawn from storage
20 by any person, to be used for the purpose of producing or
21 generating power for propelling internal combustion engine
22 aircraft.

23 Sec. 60. Minnesota Statutes 2004, section 296A.01,
24 subdivision 8, is amended to read:

25 Subd. 8. [AVIATION TURBINE FUEL AND JET FUEL.] "Aviation
26 turbine fuel" and "jet fuel" mean blends of hydrocarbons derived
27 from crude petroleum, natural gasoline, and synthetic
28 hydrocarbons, intended for use in aviation turbine engines, and
29 that meet the specifications in ASTM specification
30 ~~D1655-01~~ D1655.04.

31 Sec. 61. Minnesota Statutes 2004, section 296A.01,
32 subdivision 14, is amended to read:

33 Subd. 14. [DIESEL FUEL OIL.] "Diesel fuel oil" means a
34 petroleum distillate or blend of petroleum distillate and
35 residual fuels, intended for use as a motor fuel in internal
36 combustion diesel engines, that meets the specifications in ASTM

1 specification ~~D975-01A~~ D975-04b, except that diesel fuel oil is
 2 not required to meet the diesel lubricity standard until the
 3 date that the biodiesel fuel requirement in section 239.77,
 4 subdivision 2, becomes effective or December 31, 2005, whichever
 5 comes first. Diesel fuel includes number 1 and number 2 fuel
 6 oils. K-1 kerosene is not diesel fuel unless it is blended with
 7 diesel fuel for use in motor vehicles.

8 Sec. 62. Minnesota Statutes 2004, section 296A.01,
 9 subdivision 19, is amended to read:

10 Subd. 19. [E85.] "E85" means a petroleum product that is a
 11 blend of agriculturally derived denatured ethanol and gasoline
 12 or natural gasoline that typically contains 85 percent ethanol
 13 by volume, but at a minimum must contain 60 percent ethanol by
 14 volume. For the purposes of this chapter, the energy content of
 15 E85 will be considered to be 82,000 BTUs per gallon. E85
 16 produced for use as a motor fuel in alternative fuel vehicles as
 17 defined in subdivision 5 must comply with ASTM specification
 18 D5798-99 (2004).

19 Sec. 63. Minnesota Statutes 2004, section 296A.01,
 20 subdivision 20, is amended to read:

21 Subd. 20. [ETHANOL, DENATURED.] "Ethanol, denatured" means
 22 ethanol that is to be blended with gasoline, has been
 23 agriculturally derived, and complies with ASTM specification
 24 ~~D4806-01~~ D4806-04a. This includes the requirement that ethanol
 25 may be denatured only as specified in Code of Federal
 26 Regulations, title 27, parts 20 and 21.

27 Sec. 64. Minnesota Statutes 2004, section 296A.01,
 28 subdivision 22, is amended to read:

29 Subd. 22. [GAS TURBINE FUEL OIL.] "Gas turbine fuel oil"
 30 means fuel that contains mixtures of hydrocarbon oils free of
 31 inorganic acid and excessive amounts of solid or fibrous foreign
 32 matter, intended for use in nonaviation gas turbine engines, and
 33 that meets the specifications in ASTM specification
 34 ~~D2880-00~~ D2880-03.

35 Sec. 65. Minnesota Statutes 2004, section 296A.01,
 36 subdivision 23, is amended to read:

1 Subd. 23. [GASOLINE.] (a) "Gasoline" means:

2 (1) all products commonly or commercially known or sold as
3 gasoline regardless of their classification or uses, except
4 casinghead gasoline, absorption gasoline, condensation gasoline,
5 drip gasoline, or natural gasoline that under the requirements
6 of section 239.761, subdivision 3, must not be blended with
7 gasoline that has been sold, transferred, or otherwise removed
8 from a refinery or terminal; and

9 (2) any liquid prepared, advertised, offered for sale or
10 sold for use as, or commonly and commercially used as, a fuel in
11 spark-ignition, internal combustion engines, and that when
12 tested by the Weights and Measures Division meets the
13 specifications in ASTM specification ~~D4814-01~~ D4814-04a.

14 (b) Gasoline that is not blended with ethanol must not be
15 contaminated with water or other impurities and must comply with
16 both ASTM specification ~~D4814-01~~ D4814-04a and the volatility
17 requirements in Code of Federal Regulations, title 40, part 80.

18 (c) After gasoline is sold, transferred, or otherwise
19 removed from a refinery or terminal, a person responsible for
20 the product:

21 (1) may blend the gasoline with agriculturally derived
22 ethanol, as provided in subdivision 24;

23 (2) must not blend the gasoline with any oxygenate other
24 than denatured, agriculturally derived ethanol;

25 (3) must not blend the gasoline with other petroleum
26 products that are not gasoline or denatured, agriculturally
27 derived ethanol;

28 (4) must not blend the gasoline with products commonly and
29 commercially known as casinghead gasoline, absorption gasoline,
30 condensation gasoline, drip gasoline, or natural gasoline; and

31 (5) may blend the gasoline with a detergent additive, an
32 antiknock additive, or an additive designed to replace
33 tetra-ethyl lead, that is registered by the EPA.

34 Sec. 66. Minnesota Statutes 2004, section 296A.01,
35 subdivision 24, is amended to read:

36 Subd. 24. [GASOLINE BLENDED WITH NONETHANOL OXYGENATE.]

1 "Gasoline blended with nonethanol oxygenate" means gasoline
2 blended with ETBE, MTBE, or other alcohol or ether, except
3 denatured ethanol, that is approved as an oxygenate by the EPA,
4 and that complies with ASTM specification ~~D4814-01~~ D4814-04a.
5 Oxygenates, other than denatured ethanol, must not be blended
6 into gasoline after the gasoline has been sold, transferred, or
7 otherwise removed from a refinery or terminal.

8 Sec. 67. Minnesota Statutes 2004, section 296A.01,
9 subdivision 25, is amended to read:

10 Subd. 25. [GASOLINE BLENDED WITH ETHANOL.] "Gasoline
11 blended with ethanol" means gasoline blended with up to ten
12 percent, by volume, agriculturally derived, denatured ethanol.
13 The blend must comply with the volatility requirements in Code
14 of Federal Regulations, title 40, part 80. The blend must also
15 comply with ASTM specification ~~D4814-01~~ D4814-04a, or the
16 gasoline base stock from which a gasoline-ethanol blend was
17 produced must comply with ASTM specification ~~D4814-01~~ D4814-04a;
18 and the gasoline-ethanol blend must not be blended with
19 casinghead gasoline, absorption gasoline, condensation gasoline,
20 drip gasoline, or natural gasoline after the gasoline-ethanol
21 blend has been sold, transferred, or otherwise removed from a
22 refinery or terminal. The blend need not comply with ASTM
23 specification ~~D4814-01~~ D4814-04a if it is subjected to a
24 standard distillation test. For a distillation test, a
25 gasoline-ethanol blend is not required to comply with the
26 temperature specification at the 50 percent liquid recovery
27 point, if the gasoline from which the gasoline-ethanol blend was
28 produced complies with all of the distillation specifications.

29 Sec. 68. Minnesota Statutes 2004, section 296A.01,
30 subdivision 26, is amended to read:

31 Subd. 26. [HEATING FUEL OIL.] "Heating fuel oil" means a
32 petroleum distillate, blend of petroleum distillates and
33 residuals, or petroleum residual heating fuel that meets the
34 specifications in ASTM specification ~~D396-01~~ D396-02a.

35 Sec. 69. Minnesota Statutes 2004, section 296A.01,
36 subdivision 28, is amended to read:

1 Subd. 28. [KEROSENE.] "Kerosene" means a refined petroleum
2 distillate consisting of a homogeneous mixture of hydrocarbons
3 essentially free of water, inorganic acidic and basic compounds,
4 and excessive amounts of particulate contaminants and that meets
5 the specifications in ASTM specification ~~D3699-01~~ D3699-03.

6 Sec. 70. Minnesota Statutes 2004, section 298.22, is
7 amended by adding a subdivision to read:

8 Subd. 9. [SALE OR PRIVATIZATION OF FUNCTIONS.] The
9 commissioner of Iron Range resources and rehabilitation may not
10 sell or privatize any project area or function of the agency
11 without prior approval by a majority vote of the board.

12 Sec. 71. [354B.33] [IRON RANGE RESOURCES AND
13 REHABILITATION; EARLY SEPARATION INCENTIVE PROGRAM
14 AUTHORIZATION.]

15 (a) Notwithstanding any law to the contrary, the
16 commissioner of Iron Range resources and rehabilitation, in
17 consultation with the commissioner of employee relations, may
18 offer a targeted early separation incentive program for
19 employees of the commissioner who have attained the age of 60
20 years and have at least five years of allowable service credit
21 under chapter 352, or who have received credit for at least 30
22 years of allowable service under the provisions of chapter 352.

23 (b) The early separation incentive program may include one
24 or more of the following:

25 (1) employer-paid postseparation health, medical, and
26 dental insurance until age 65; and

27 (2) cash incentives that may, but are not required to be,
28 used to purchase additional years of service credit through the
29 Minnesota State Retirement System, to the extent that the
30 purchases are otherwise authorized by law.

31 (c) The commissioner of Iron Range resources and
32 rehabilitation shall establish eligibility requirements for
33 employees to receive an incentive.

34 (d) The commissioner of Iron Range Resources and
35 Rehabilitation, consistent with the established program
36 provisions under paragraph (b), and with the eligibility

1 requirements under paragraph (c), may designate specific
2 programs or employees as eligible to be offered the incentive
3 program.

4 (e) Acceptance of the offered incentive must be voluntary
5 on the part of the employee and must be in writing. The
6 incentive may only be offered at the sole discretion of the
7 commissioner of Iron Range resources and rehabilitation.

8 (f) The cost of the incentive is payable solely by funds
9 made available to the commissioner of Iron Range resources and
10 rehabilitation by law, but only on prior approval of the
11 expenditures by a majority of the Iron Range Resources and
12 Rehabilitation Board.

13 (g) This section expires June 30, 2006.

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

16 Sec. 72. Minnesota Statutes 2004, section 357.021,
17 subdivision 1a, is amended to read:

18 Subd. 1a. [TRANSMITTAL OF FEES TO COMMISSIONER OF
19 FINANCE.] (a) Every person, including the state of Minnesota and
20 all bodies politic and corporate, who shall transact any
21 business in the district court, shall pay to the court
22 administrator of said court the sundry fees prescribed in
23 subdivision 2. Except as provided in paragraph (d), the court
24 administrator shall transmit the fees monthly to the
25 commissioner of finance for deposit in the state treasury and
26 credit to the general fund. \$30 of each fee collected in a
27 dissolution action under subdivision 2, clause (1), must be
28 deposited by the commissioner of finance in the special revenue
29 fund to be appropriated to the commissioner of employment and
30 economic development for the displaced homemaker program under
31 section 116L.96.

32 (b) In a county which has a screener-collector position,
33 fees paid by a county pursuant to this subdivision shall be
34 transmitted monthly to the county treasurer, who shall apply the
35 fees first to reimburse the county for the amount of the salary
36 paid for the screener-collector position. The balance of the

1 fees collected shall then be forwarded to the commissioner of
2 finance for deposit in the state treasury and credited to the
3 general fund. In a county in a judicial district under section
4 480.181, subdivision 1, paragraph (b), which has a
5 screener-collector position, the fees paid by a county shall be
6 transmitted monthly to the commissioner of finance for deposit
7 in the state treasury and credited to the general fund. A
8 screener-collector position for purposes of this paragraph is an
9 employee whose function is to increase the collection of fines
10 and to review the incomes of potential clients of the public
11 defender, in order to verify eligibility for that service.

12 (c) No fee is required under this section from the public
13 authority or the party the public authority represents in an
14 action for:

15 (1) child support enforcement or modification, medical
16 assistance enforcement, or establishment of parentage in the
17 district court, or in a proceeding under section 484.702;

18 (2) civil commitment under chapter 253B;

19 (3) the appointment of a public conservator or public
20 guardian or any other action under chapters 252A and 525;

21 (4) wrongfully obtaining public assistance under section
22 256.98 or 256D.07, or recovery of overpayments of public
23 assistance;

24 (5) court relief under chapter 260;

25 (6) forfeiture of property under sections 169A.63 and
26 609.531 to 609.5317;

27 (7) recovery of amounts issued by political subdivisions or
28 public institutions under sections 246.52, 252.27, 256.045,
29 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37, 260B.331,
30 and 260C.331, or other sections referring to other forms of
31 public assistance;

32 (8) restitution under section 611A.04; or

33 (9) actions seeking monetary relief in favor of the state
34 pursuant to section 16D.14, subdivision 5.

35 (d) The fees collected for child support modifications
36 under subdivision 2, clause (13), must be transmitted to the

1 county treasurer for deposit in the county general fund. The
2 fees must be used by the county to pay for child support
3 enforcement efforts by county attorneys.

4 Sec. 73. Minnesota Statutes 2004, section 357.021,
5 subdivision 2, is amended to read:

6 Subd. 2. [FEE AMOUNTS.] The fees to be charged and
7 collected by the court administrator shall be as follows:

8 (1) In every civil action or proceeding in said court,
9 including any case arising under the tax laws of the state that
10 could be transferred or appealed to the Tax Court, the
11 plaintiff, petitioner, or other moving party shall pay, when the
12 first paper is filed for that party in said action, a fee of
13 \$235, except in marriage dissolution actions the fee is \$265.

14 The defendant or other adverse or intervening party, or any
15 one or more of several defendants or other adverse or
16 intervening parties appearing separately from the others, shall
17 pay, when the first paper is filed for that party in said
18 action, a fee of \$235, except in marriage dissolution actions
19 the fee is \$265.

20 The party requesting a trial by jury shall pay \$75.

21 The fees above stated shall be the full trial fee
22 chargeable to said parties irrespective of whether trial be to
23 the court alone, to the court and jury, or disposed of without
24 trial, and shall include the entry of judgment in the action,
25 but does not include copies or certified copies of any papers so
26 filed or proceedings under chapter 103E, except the provisions
27 therein as to appeals.

28 (2) Certified copy of any instrument from a civil or
29 criminal proceeding, \$10, and \$5 for an uncertified copy.

30 (3) Issuing a subpoena, \$12 for each name.

31 (4) Filing a motion or response to a motion in civil,
32 family, excluding child support, and guardianship cases, \$55.

33 (5) Issuing an execution and filing the return thereof;
34 issuing a writ of attachment, injunction, habeas corpus,
35 mandamus, quo warranto, certiorari, or other writs not
36 specifically mentioned, \$40.

1 (6) Issuing a transcript of judgment, or for filing and
2 docketing a transcript of judgment from another court, \$30.

3 (7) Filing and entering a satisfaction of judgment, partial
4 satisfaction, or assignment of judgment, \$5.

5 (8) Certificate as to existence or nonexistence of
6 judgments docketed, \$5 for each name certified to.

7 (9) Filing and indexing trade name; or recording basic
8 science certificate; or recording certificate of physicians,
9 osteopaths, chiropractors, veterinarians, or optometrists, \$5.

10 (10) For the filing of each partial, final, or annual
11 account in all trusteeships, \$40.

12 (11) For the deposit of a will, \$20.

13 (12) For recording notary commission, \$100, of which,
14 notwithstanding subdivision 1a, paragraph (b), \$80 must be
15 forwarded to the commissioner of finance to be deposited in the
16 state treasury and credited to the general fund.

17 (13) Filing a motion or response to a motion for
18 modification of child support, a fee fixed by rule or order of
19 the Supreme Court.

20 (14) All other services required by law for which no fee is
21 provided, such fee as compares favorably with those herein
22 provided, or such as may be fixed by rule or order of the court.

23 (15) In addition to any other filing fees under this
24 chapter, a surcharge in the amount of \$75 must be assessed in
25 accordance with section 259.52, subdivision 14, for each
26 adoption petition filed in district court to fund the fathers'
27 adoption registry under section 259.52.

28 The fees in clauses (3) and (5) need not be paid by a
29 public authority or the party the public authority represents.

30 Sec. 74. [446A.083] [METHAMPHETAMINE LABORATORY CLEANUP
31 REVOLVING FUND.]

32 Subdivision 1. [DEFINITIONS.] As used in this section:

33 (1) "clandestine lab site" has the meaning given in section
34 152.0275, subdivision 1, paragraph (a);

35 (2) "property" has the meaning given in section 152.0275,
36 subdivision 2, paragraph (a), but does not include motor

1 vehicles; and

2 (3) "remediate" has the meaning given to remediation in
3 section 152.0275, subdivision 1, paragraph (a).

4 Subd. 2. [FUND ESTABLISHED.] The authority shall establish
5 a methamphetamine laboratory cleanup revolving fund to provide
6 loans to counties and cities to remediate clandestine lab
7 sites. The fund must be credited with repayments.

8 Subd. 3. [APPLICATIONS.] Applications by a county or city
9 for a loan from the fund must be made to the authority on the
10 forms prescribed by the authority. The application must
11 include, but is not limited to:

12 (1) the amount of the loan requested and the proposed use
13 of the loan proceeds;

14 (2) the source of revenues to repay the loan; and

15 (3) certification by the county or city that it meets the
16 loan eligibility requirements of subdivision 4.

17 Subd. 4. [LOAN ELIGIBILITY.] A county or city is eligible
18 for a loan under this section if the county or city:

19 (1) identifies a site or sites designated by a local public
20 health department or law enforcement as a clandestine lab site;

21 (2) has required the site's property owner to remediate the
22 site at cost, under a local public health nuisance ordinance
23 that addresses clandestine lab remediation;

24 (3) certifies that the property owner cannot pay for the
25 remediation immediately;

26 (4) certifies that the property owner has not properly
27 remediated the site; and

28 (5) issues a revenue bond payable to the authority to
29 secure the loan.

30 Subd. 5. [USE OF LOAN PROCEEDS; REIMBURSEMENT BY PROPERTY
31 OWNER.] (a) A loan recipient shall use the loan to remediate the
32 clandestine lab site or if this has already been done to
33 reimburse the applicable county or city fund for costs paid by
34 the recipient to remediate the clandestine lab site.

35 (b) A loan recipient shall seek reimbursement from the
36 owner of the property containing the clandestine lab site for

1 the costs of the remediation. In addition to other lawful means
2 of seeking reimbursement, the loan recipient may recover its
3 costs through a property tax assessment by following the
4 procedures specified in section 145A.08, subdivision 2,
5 paragraph (c).

6 Subd. 6. [AWARD AND DISBURSEMENT OF FUNDS.] The authority
7 shall award loans to recipients on a first-come, first-served
8 basis, provided that the recipient is able to comply with the
9 terms and conditions of the authority loan, which must be in
10 conformance with this section. The authority shall make a
11 single disbursement of the loan upon receipt of a payment
12 request that includes a list of remediation expenses and
13 evidence that a second-party sampling was undertaken to ensure
14 that the remediation work was successful or a guarantee that
15 such a sampling will be undertaken.

16 Subd. 7. [LOAN CONDITIONS AND TERMS.] (a) When making
17 loans from the revolving fund, the authority shall comply with
18 the criteria in paragraphs (b) to (e).

19 (b) Loans must be made at a two percent per annum interest
20 rate for terms not to exceed ten years unless the recipient
21 requests a 20-year term due to financial hardship.

22 (c) The annual principal and interest payments must begin
23 no later than one year after completion of the clean up. Loans
24 must be amortized no later than 20 years after completion of the
25 clean up.

26 (d) A loan recipient must identify and establish a source
27 of revenue for repayment of the loan and must undertake whatever
28 steps are necessary to collect payments within one year of
29 receipt of funds from the authority.

30 (e) The fund must be credited with all payments of
31 principal and interest on all loans, except the costs as
32 permitted under section 446A.04, subdivision 5, paragraph (a).

33 (f) Loans must be made only to recipients with a local
34 public health nuisance ordinance that addresses clandestine lab
35 remediation.

36 Subd. 8. [AUTHORITY TO INCUR DEBT.] Counties and cities

1 may incur debt under this section by resolution of the board or
2 council authorizing issuance of a revenue bond to the authority.

3 [EFFECTIVE DATE.] This section is effective July 1, 2005.

4 Sec. 75. Minnesota Statutes 2004, section 469.1082,
5 subdivision 1, is amended to read:

6 Subdivision 1. [AUTHORITY TO CREATE.] A county ~~located~~
7 ~~outside-the-metropolitan-area~~ may form a county economic
8 development authority or grant a housing and redevelopment
9 authority the powers specified in subdivision 4, clause (2), if
10 it receives a recommendation to do so from a committee formed
11 under subdivision 2. An economic development authority
12 established under this section has all the powers and rights of
13 an authority under sections 469.090 to 469.1081, except the
14 authority granted under section 469.094 if so limited under
15 subdivision 4. This section is in addition to any other
16 authority to create a county economic development authority or
17 service provider.

18 Sec. 76. Minnesota Statutes 2004, section 469.310,
19 subdivision 11, is amended to read:

20 Subd. 11. [QUALIFIED BUSINESS.] (a) "~~Qualified-business~~"
21 means A person carrying on a trade or business at a place of
22 business located within a job opportunity building zone is a
23 qualified business for the purposes of sections 469.310 to
24 469.320 according to the criteria in paragraphs (b) to (f).

25 (b) A person is a qualified business only on those parcels
26 of land for which the person has entered into a business subsidy
27 agreement, as required under section 469.313, with the
28 appropriate local government unit in which the parcels are
29 located.

30 (c) Prior to execution of the business subsidy agreement,
31 the local government unit must consider the following factors:

32 (1) how wages compare to the regional industry average;

33 (2) the number of jobs that will be provided relative to
34 overall employment in the community;

35 (3) the economic outlook for the industry the business will
36 engage in;

1 (4) sales that will be generated from outside the state of
2 Minnesota;

3 (5) how the business will build on existing regional
4 strengths or diversify the regional economy;

5 (6) how the business will increase capital investment in
6 the zone; and

7 (7) any other criteria the commissioner deems necessary.

8 **~~(b)~~** (d) A person that relocates a trade or business from
9 outside a job opportunity building zone into a zone is not a
10 qualified business, unless the business meets all of the
11 requirements of paragraphs (b) and (c) and:

12 (1) ~~(i)~~ increases full-time employment in the first full
13 year of operation within the job opportunity building zone by at
14 least a minimum of five jobs or 20 percent, whichever is
15 greater, measured relative to the operations that were relocated
16 and maintains the required level of employment for each year the
17 zone designation applies; or

18 ~~(ii)-makes-a-capital-investment-in-the-property-located~~
19 ~~within-a-zone-equivalent-to-ten-percent-of-the-gross-revenues-of~~
20 ~~operation-that-were-relocated-in-the-immediately-preceding~~
21 ~~taxable-year; and~~

22 (2) enters a binding written agreement with the
23 commissioner that:

24 (i) pledges the business will meet the requirements of
25 clause (1);

26 (ii) provides for repayment of all tax benefits enumerated
27 under section 469.315 to the business under the procedures in
28 section 469.319, if the requirements of clause (1) are not met
29 for the taxable year or for taxes payable during the year in
30 which the requirements were not met; and

31 (iii) contains any other terms the commissioner determines
32 appropriate.

33 (e) The commissioner may waive the requirements under
34 paragraph (d), clause (1), if the commissioner determines that
35 the qualified business will substantially achieve the factors
36 under this subdivision.

1 (f) A business is not a qualified business if, at its
2 location or locations in the zone, the business is primarily
3 engaged in making retail sales to purchasers who are physically
4 present at the business's zone location.

5 (g) A qualifying business must pay each employee
6 compensation, including benefits not mandated by law, that on an
7 annualized basis is equal to at least 110 percent of the federal
8 poverty level for a family of four.

9 [EFFECTIVE DATE.] This section is effective the day
10 following final enactment and applies to any business entering a
11 business subsidy agreement for a job opportunity development
12 zone after that date, except that paragraph (b) is effective
13 retroactively from June 9, 2003.

14 Sec. 77. Minnesota Statutes 2004, section 469.319,
15 subdivision 1, is amended to read:

16 Subdivision 1. [REPAYMENT OBLIGATION.] A business must
17 repay the amount of the total tax reduction listed in section
18 469.315 and any refund under section 469.318 in excess of tax
19 liability, received during the two years immediately before it
20 ceased to operate in the zone, if the business:

21 (1) received tax reductions authorized by section 469.315;
22 and

23 (2)(i) did not meet the goals specified in an agreement
24 entered into with the applicant that states any obligation the
25 qualified business must fulfill in order to be eligible for tax
26 benefits. The commissioner of employment and economic
27 development may extend for up to one year the period for meeting
28 any goals provided in an agreement. The applicant may extend
29 the period for meeting other goals by documenting in writing the
30 reason for the extension and attaching a copy of the document to
31 its next annual report to the commissioner of employment and
32 economic development; or

33 (ii) ceased to operate its facility located within the job
34 opportunity building zone or otherwise ceases to be or is not a
35 qualified business.

36 [EFFECTIVE DATE.] This section is effective the day

1 following final enactment.

2 Sec. 78. Minnesota Statutes 2004, section 469.319, is
3 amended by adding a subdivision to read:

4 Subd. 6. [RECONCILIATION.] Where this section is
5 inconsistent with section 116J.994, subdivision 3, paragraph
6 (e), or 6, or any other provisions of sections 116J.993 to
7 116J.995, this section prevails.

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

10 Sec. 79. Minnesota Statutes 2004, section 469.320,
11 subdivision 3, is amended to read:

12 Subd. 3. [REMEDIES.] If the commissioner determines, based
13 on a report filed under subdivision 1 or other available
14 information, that a zone or subzone is failing to meet its
15 performance goals, the commissioner may take any actions the
16 commissioner determines appropriate, including modification of
17 the boundaries of the zone or a subzone or termination of the
18 zone or a subzone. Before taking any action, the commissioner
19 shall consult with the applicant and the affected local
20 government units, including notifying them of the proposed
21 actions to be taken. ~~The commissioner shall publish any order~~
22 ~~modifying a zone in the State Register and on the Internet.~~ The
23 applicant may appeal the commissioner's order under the
24 contested case procedures of chapter 14.

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

27 Sec. 80. Minnesota Statutes 2004, section 469.330,
28 subdivision 11, is amended to read:

29 Subd. 11. [QUALIFIED BUSINESS.] (a) "Qualified business"
30 means a person carrying on a trade or business at a
31 biotechnology and health sciences industry facility located
32 within a biotechnology and health sciences industry zone. A
33 person is a qualified business only on those parcels of land for
4 which it has entered into a business subsidy agreement, as
35 required under section 469.333, with the appropriate local
36 government unit in which the parcels are located.

1 (b) A person that relocates a biotechnology and health
2 sciences industry facility from outside a biotechnology and
3 health sciences industry zone into a zone is not a qualified
4 business, unless the business:

5 (1)(i) increases full-time employment in the first full
6 year of operation within the biotechnology and health sciences
7 industry zone by at least 20 percent measured relative to the
8 operations that were relocated and maintains the required level
9 of employment for each year the zone designation applies; or

10 (ii) makes a capital investment in the property located
11 within a zone equivalent to ten percent of the gross revenues of
12 operation that were relocated in the immediately preceding
13 taxable year; and

14 (2) enters a binding written agreement with the
15 commissioner that:

16 (i) pledges the business will meet the requirements of
17 clause (1);

18 (ii) provides for repayment of all tax benefits enumerated
19 under section 469.336 to the business under the procedures in
20 section 469.340, if the requirements of clause (1) are not met;
21 and

22 (iii) contains any other terms the commissioner determines
23 appropriate.

24 **[EFFECTIVE DATE.]** This section is effective retroactively
25 from June 9, 2003.

26 Sec. 81. Minnesota Statutes 2004, section 469.340,
27 subdivision 1, is amended to read:

28 Subdivision 1. **[REPAYMENT OBLIGATION.]** A business must
29 repay the amount of the tax reduction listed in section 469.336
30 and any refunds under sections 469.338 and 469.339 in excess of
31 tax liability, received during the two years immediately before
32 it ceased to operate in the zone, if the business:

33 (1) received tax reductions authorized by section 469.336;
34 and

35 (2)(i) did not meet the goals specified in an agreement
36 entered into with the applicant that states any obligation the

1 qualified business must fulfill in order to be eligible for tax
2 benefits. The commissioner of employment and economic
3 development may extend for up to one year the period for meeting
4 any goals provided in an agreement. The applicant may extend
5 the period for meeting other goals by documenting in writing the
6 reason for the extension and attaching a copy of the document to
7 its next annual report to the commissioner of employment and
8 economic development; or

9 (ii) ceased to operate its facility located within the
10 biotechnology and health sciences industry zone or otherwise
11 ceases to be or is not a qualified business.

12 [EFFECTIVE DATE.] This section is effective the day
13 following final enactment.

14 Sec. 82. Minnesota Statutes 2004, section 517.08,
15 subdivision 1b, is amended to read:

16 Subd. 1b. [TERM OF LICENSE; FEE; PREMARITAL EDUCATION.]

17 (a) The local registrar shall examine upon oath the party
18 applying for a license relative to the legality of the
19 contemplated marriage. If at the expiration of a five-day
20 period, on being satisfied that there is no legal impediment to
21 it, including the restriction contained in section 259.13, the
22 local registrar shall issue the license, containing the full
23 names of the parties before and after marriage, and county and
24 state of residence, with the county seal attached, and make a
25 record of the date of issuance. The license shall be valid for
26 a period of six months. In case of emergency or extraordinary
27 circumstances, a judge of the district court of the county in
28 which the application is made, may authorize the license to be
29 issued at any time before the expiration of the five days.
30 Except as provided in paragraph (b), the local registrar shall
31 collect from the applicant a fee of \$85 \$95 for administering
32 the oath, issuing, recording, and filing all papers required,
33 and preparing and transmitting to the state registrar of vital
34 statistics the reports of marriage required by this section. If
35 the license should not be used within the period of six months
36 due to illness or other extenuating circumstances, it may be

1 surrendered to the local registrar for cancellation, and in that
2 case a new license shall issue upon request of the parties of
3 the original license without fee. A local registrar who
4 knowingly issues or signs a marriage license in any manner other
5 than as provided in this section shall pay to the parties
6 aggrieved an amount not to exceed \$1,000.

7 (b) The marriage license fee for parties who have completed
8 at least 12 hours of premarital education is ~~\$20~~ \$40. In order
9 to qualify for the reduced fee, the parties must submit a signed
10 and dated statement from the person who provided the premarital
11 education confirming that it was received. The premarital
12 education must be provided by a licensed or ordained minister or
13 the minister's designee, a person authorized to solemnize
14 marriages under section 517.18, or a person authorized to
15 practice marriage and family therapy under section 148B.33. The
16 education must include the use of a premarital inventory and the
17 teaching of communication and conflict management skills.

18 (c) The statement from the person who provided the
19 premarital education under paragraph (b) must be in the
20 following form:

21 "I, (name of educator), confirm that (names of both
22 parties) received at least 12 hours of premarital education that
23 included the use of a premarital inventory and the teaching of
24 communication and conflict management skills. I am a licensed
25 or ordained minister, a person authorized to solemnize marriages
26 under Minnesota Statutes, section 517.18, or a person licensed
27 to practice marriage and family therapy under Minnesota
28 Statutes, section 148B.33."

29 The names of the parties in the educator's statement must
30 be identical to the legal names of the parties as they appear in
31 the marriage license application. Notwithstanding section
32 138.17, the educator's statement must be retained for seven
33 years, after which time it may be destroyed.

34 (d) If section 259.13 applies to the request for a marriage
35 license, the local registrar shall grant the marriage license
36 without the requested name change. Alternatively, the local

1 registrar may delay the granting of the marriage license until
2 the party with the conviction:

3 (1) certifies under oath that 30 days have passed since
4 service of the notice for a name change upon the prosecuting
5 authority and, if applicable, the attorney general and no
6 objection has been filed under section 259.13; or

7 (2) provides a certified copy of the court order granting
8 it. The parties seeking the marriage license shall have the
9 right to choose to have the license granted without the name
10 change or to delay its granting pending further action on the
11 name change request.

12 Sec. 83. Minnesota Statutes 2004, section 517.08,
13 subdivision 1c, is amended to read:

14 Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the
15 marriage license fee collected pursuant to subdivision 1b,
16 paragraph (a), \$15 must be retained by the county. The local
17 registrar must pay ~~\$70~~ \$80 to the commissioner of finance to be
18 deposited as follows:

19 (1) \$50 in the general fund;

20 (2) \$3 in the special revenue fund to be appropriated to
21 the commissioner of education for parenting time centers under
22 section 119A.37;

23 (3) \$2 in the special revenue fund to be appropriated to
24 the commissioner of health for developing and implementing the
25 MN ENABL program under section 145.9255;

26 (4) ~~\$10~~ \$20 in the special revenue fund to be appropriated
27 to the commissioner of employment and economic development for
28 the displaced homemaker program under section 116L.96; and

29 (5) \$5 in the special revenue fund to be appropriated to
30 the commissioner of human services for the Minnesota Healthy
31 Marriage and Responsible Fatherhood Initiative under section
32 256.742.

33 (b) Of the ~~\$20~~ \$40 fee under subdivision 1b, paragraph (b),
34 \$15 must be retained by the county. The local registrar must
35 pay \$5 \$25 to the commissioner of finance to be ~~distributed~~
36 deposited as follows:

1 (1) \$5 as provided in paragraph (a), clauses (2) and (3);
2 and

3 (2) \$20 in the special revenue fund to be appropriated to
4 the commissioner of employment and economic development for the
5 displaced homemaker program under section 116L.96.

6 (c) The increase in the marriage license fee under
7 paragraph (a) provided for in Laws 2004, chapter 273, and
8 disbursement of the increase in that fee to the special fund for
9 the Minnesota Healthy Marriage and Responsible Fatherhood
10 Initiative under paragraph (a), clause (5), is contingent upon
11 the receipt of federal funding under United States Code, title
12 42, section 1315, for purposes of the initiative.

13 Sec. 84. Laws 2003, chapter 128, article 1, section 172,
14 is amended to read:

15 Sec. 172. [TEMPORARY PETROFUND FEE EXEMPTION FOR MINNESOTA
16 COMMERCIAL AIRLINES.]

17 (a) ~~A-commercial~~ An airline ~~providing-regularly-scheduled~~
18 ~~jet-service-and-with-its-corporate-headquarters-in-Minnesota-is~~
19 as defined under Minnesota Statutes, section 270.071,
20 subdivision 4, is exempt from the fee established in Minnesota
21 Statutes, section 115C.08, subdivision 3, until July 1, 2005
22 2007, provided the airline develops a plan approved by the
23 commissioner of commerce demonstrating that the savings from
24 this exemption will go towards minimizing job losses in
25 Minnesota, and to support the airline's efforts to avoid filing
26 for federal bankruptcy protections.

27 (b) ~~A-commercial~~ An airline exempted from the fee is
28 ineligible to receive reimbursement under Minnesota Statutes,
29 chapter 115C, until July 1, 2005 2007. ~~A-commercial~~ An airline
30 that has a release during the fee exemption period is ineligible
31 to receive reimbursement under Minnesota Statutes, chapter 115C,
32 for the costs incurred in response to that release.

33 Sec. 85. [TRANSITION PERIOD FOR CHIROPRACTOR AND PHYSICAL
34 THERAPIST WORKERS' COMPENSATION FEE MAXIMUMS.]

35 The requirement that the maximum fees for chiropractors and
36 physical therapists under Minnesota Statutes, section 176.136,

1 subdivision 1a, be the same as for medical physicians must be
2 phased in over three years commencing January 1, 2006. On
3 January 1, 2006, the difference in those maximum fees must be
4 reduced by one-third, on January 1, 2007, by another one-third,
5 and on January 1, 2008, the difference must be eliminated and
6 the maximum fees made the same.

7 To ensure that the fee adjustments mandated by this section
8 do not increase costs to the workers' compensation system, the
9 commissioner of labor and industry shall on October 1, 2005,
10 2006, and 2007, reduce the annual adjustment in the conversion
11 factors under Minnesota Statutes, section 176.136, subdivision
12 1a, so that savings in medical fee costs caused by the reduction
13 approximately equal the increase in costs caused by the
14 increased maximum fees provided by this section. The actual
15 fees shall be determined without application of any scaling
16 factors, but shall not exceed the provider's uniform, customary,
17 and reasonable fee.

18 Sec. 86. [SESQUICENTENNIAL COMMISSION.]

19 Subdivision 1. [COMMISSION; PURPOSE.] The Minnesota
20 Sesquicentennial Commission is established to plan for
21 activities relating to Minnesota's 150th anniversary of
22 statehood. The commission shall create a plan for capital
23 improvements, celebratory activities, and public engagement in
24 every county in the state of Minnesota.

25 Subd. 2. [MEMBERSHIP.] The commission shall consist of 17
26 members who shall serve until the completion of the
27 sesquicentennial year of statehood, appointed as follows:

28 (1) nine members appointed by the governor, representing
29 major corporate, nonprofit, and public sectors of the state,
30 selected from all parts of the state;

31 (2) two members appointed by the speaker of the house of
32 representatives;

33 (3) two members appointed by the minority leader of the
34 house of representatives;

35 (4) two members from the majority party in the senate,
36 appointed by the Subcommittee on Committees; and

1 (5) two members from the minority party in the senate,
2 appointed by the Subcommittee on Committees.

3 Subd. 3. [COMPENSATION; OPERATION.] The governor shall
4 appoint a chair from the membership of the commission. The
5 chair shall convene the first meeting and set the agenda for the
6 commission. The Minnesota Historical Society shall provide
7 office space and staff support for the commission, and shall
8 cooperate with the University of Minnesota and Minnesota State
9 Colleges and Universities to support the programs of the
10 commission. Meetings shall be at the call of the chair and must
11 be convened at least quarterly. The commission may appoint an
12 advisory council to advise and assist the commission with its
13 duties. Members shall receive no compensation for service on
14 the Sesquicentennial Commission. Members appointed by the
15 governor may be reimbursed for expenses under Minnesota
16 Statutes, section 15.059, subdivision 3.

17 Subd. 4. [DUTIES.] The commission shall have the following
18 duties:

19 (1) to present to the governor, senate and house of
20 representatives committees with jurisdiction over the Minnesota
21 Historical Society, and the Minnesota Historical Society a plan
22 for grants to pay for capital improvements on Minnesota's
23 historic public and private buildings, to be known as
24 sesquicentennial grants;

25 (2) to seek funding for activities to celebrate the 150th
26 anniversary of statehood, and to form partnerships with private
27 parties to further this mission; and

28 (3) to present an annual report to the governor,
29 legislative committees identified in clause (1), and the
30 Minnesota Historical Society outlining progress made towards the
31 celebration of the sesquicentennial.

32 Subd. 5. [EXPIRATION.] The commission shall continue to
33 operate until January 30, 2009, at which time it shall expire.

34 [EFFECTIVE DATE.] This section is effective the day
35 following final enactment.

36 Sec. 87. [REVISOR'S INSTRUCTION.]

1 (a) The revisor of statutes shall insert a first grade
2 headnote prior to Minnesota Statutes, section 181.722, that
3 reads "MISREPRESENTATION OF EMPLOYMENT RELATIONSHIPS."

4 (b) The revisor of statutes shall renumber Minnesota
5 Statutes, section 239.05, as section 239.051, alphabetize the
6 definitions, and correct any cross-references to that section
7 accordingly.

8 Sec. 88. [REPEALER.]

9 Minnesota Statutes 2004, sections 178.12; and 239.05,
10 subdivisions 6a and 6b, are repealed.

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

2005 Session - dollars in thousands

S.F. xxxx / H.F. xxx

4/21/2005

SF1879

Senate - Balanced Budget Bill

Senate

Senate

Governor's Recs-Biennial Budget

2/28/05 Base With Adjustments

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
1 Trade and Economic Development													
2 Busines & Community Development													
3 Direct	GF	8,233	8,233	16,466	8,233	8,233	16,466				8,233	8,233	16,466
4 Minnesota Investment Fund	GF	(1,203)	(1,203)	(2,406)	0	0	0				0	0	0
5 Methamphetamine Cleanup Fund	GF	250	250	500	0	0	0	250	250	500	250	250	500
6 Reduce Program Costs	GF	(329)	(329)	(658)	(329)	(329)	(658)				(329)	(329)	(658)
7 UoM/Mayo Biotech/Medical Reseach	GF							7,000		7,000	7,000		7,000
8 SBIR-Access to Federal Contracts	GF							100	100	200	100	100	200
9 Minnesota Inventors Congres-Grant	GF							50	50	100	50	50	100
10 NWRDC Cold-Hardy Vineyard Resear	GF							125	0	125	125	0	125
11 MEDA-Grant	GF							55	55	110	55	55	110
12 Get Broadband Grant-Blandin Fd	GF							250	0	250	250	0	250
13 Children's Discovery Museum	GF							100		100	100	0	100
14 Open & Standing - Base	GF-O	250	250	500	250	250	500				250	250	500
15 Eliminate Mortgage Credit Program	GF-O	(250)	(250)	(500)	(250)	(250)	(500)				(250)	(250)	(500)
16 Remediation	REM	700	700	1,400	700	700	1,400				700	700	1,400
17 Statutory	SR		29	29		0	0		29	29		29	29
18 Program Totals	GF	6,951	6,951	13,902	7,904	7,904	15,808	7,930	455	8,385	15,834	8,359	24,193
19	GF-O	0	0	0	0	0	0	0	0	0	0	0	0
20	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
21	ALL	7,651	7,651	15,302	8,604	8,604	17,208	7,930	455	8,385	16,534	9,059	25,593
22													
23 Workforce Partnerships													
24 Direct	GF	13,617	13,617	27,234	13,617	13,617	27,234				13,617	13,617	27,234
25 Eliminate Youthbuild	GF	(757)	(757)	(1,514)	0	0	0				0	0	0
26 Eliminate MN Youth Program	GF	(4,190)	(4,190)	(8,380)	0	0	0				0	0	0
27 Eliminate Learn-To-Earn Program	GF	(183)	(183)	(366)	0	0	0				0	0	0
28 Transfer Youth Inter to Public Safety	GF	(1,452)	(1,452)	(2,904)	0	0	0				0	0	0
29 NW Regional Curfew Center-Grant	GF							5	5	10	5	5	10
30 Direct	WKDF	1,725	1,725	3,450	1,725	1,725	3,450				1,725	1,725	3,450
31 Eliminate Displaced Homemaker Prog	WKDF	(750)	(750)	(1,500)	0	0	0	(750)	(750)	(1,500)	(750)	(750)	(1,500)
32 Eliminate Lifetrack Resources	WKDF	(100)	(100)	(200)	(100)	(100)	(200)	0	0	0	250	250	500
33 Job Skills - Boys and Girls Alliance	WKDF							1,000	2,000	3,000	1,000	2,000	3,000
34 OICs Indian Businesspersons	WKDF							500	500	1,000	500	500	1,000
35 OICs Nurses Training	WKDF							500	1,000	1,500	500	1,000	1,500
36 Educational Program-Ford Plant	WKDF							750	0	750	750	0	750
37 Youth Intervention Program	WKDF							500	1,500	2,000	1,400	2,400	3,800
38 Statutory													
39 Workforce Development Fund	WKDF	750	750	1,500	750	750	1,500				750	750	1,500
40 Statutory													
41 Displaced Homemaker Program	SR	200	200	400				643	848	1,491	643	848	1,491
42 Eliminate Displaced Homemaker Prog	SR	(200)	(200)	(400)	200	200	400				200	200	400
43 Program Totals	GF	7,035	7,035	14,070	13,617	13,617	27,234	5	5	10	13,622	13,622	27,244
44	SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
45	WKDF	875	875	1,750	1,625	1,625	3,250	2,500	4,250	6,750	5,375	7,125	12,500
46	ALL	7,910	7,910	15,820	15,442	15,442	30,884	3,148	5,103	8,251	19,840	21,795	41,635
47													

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

2005 Session - dollars in thousands

S.F. xxxx / H.F. xxx

4/21/2005

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill 2/28/05 Base With Adjustments			Senate Adjustments to SF1879			Senate SF1879 Plus Adjustments		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
48 Workforce Services													
49 Direct	GF	20,165	20,165	40,330	20,165	20,165	40,330				20,165	20,165	40,330
50 Direct	WKDF	6,945	6,945	13,890	6,945	6,945	13,890				6,945	6,945	13,890
51 Lifetrack Resources	WKDF							250	250	500	250	250	500
52 Program Totals	GF	20,165	20,165	40,330	20,165	20,165	40,330	0	0	0	20,165	20,165	40,330
53	WKDF	6,945	6,945	13,890	6,945	6,945	13,890	250	250	500	7,195	7,195	14,390
54	ALL	27,110	27,110	54,220	27,110	27,110	54,220	250	250	500	27,360	27,360	54,720
55													
56 State Funded Administration													
57 Direct	GF	3,721	3,721	7,442	3,721	3,721	7,442				3,721	3,721	7,442
58 Reduce Administrative Costs	GF	(444)	(444)	(888)	(444)	(444)	(888)				(444)	(444)	(888)
59 Statutory	SR	20	20	40	20	20	40				20	20	40
60 Program Totals	GF	3,277	3,277	6,554	3,277	3,277	6,554				3,277	3,277	6,554
61													
62 Agency Totals	GF	37,428	37,428	74,856	44,963	44,963	89,926	7,935	460	8,395	52,898	45,423	98,321
63	GF-O	0	0	0	0	0	0	0	0	0	0	0	0
64	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
65	WKDF	7,820	7,820	15,640	8,570	8,570	17,140	2,750	4,500	7,250	12,570	14,320	26,890
66	ALL	45,948	45,948	91,896	54,233	54,233	108,466	10,685	4,960	15,645	66,168	60,443	126,611
67													
68 Minnesota Conservation Corps													
69 Job Skills and Training Grant	WKDF							1,400	2,400	3,800	1,400	2,400	3,800
70 Agency Total	WKDF							1,400	2,400	3,800	1,400	2,400	3,800
71													
72													
73 Explore Minnesota Tourism													
74 Direct	GF	8,626	8,626	17,252	8,626	8,626	17,252				8,626	8,626	17,252
75 Base Reduction	GF	(1,000)	(1,000)	(2,000)	0	0	0				0	0	0
76 Film Board Funding Increase	GF							125	125	250	125	125	250
77 Public/Private Funding Enhancement	GF		1,000	1,000	0	0	0	0	1,000	1,000	0	0	1,000
78 Agency Total	GF	7,626	8,626	16,252	8,626	8,626	17,252	125	1,125	1,250	8,751	8,751	18,502
79													
80 Housing Finance Agency													
81 Direct	GF	34,885	34,885	69,770			0				34,885	34,885	69,770
82 Current Law Base Change-HAF	GF	885	885	1,770			0				885	885	1,770
83 Affordable Rental Investment-Preserv	GF	(742)	(742)	(1,484)	9,273	9,273	18,546				0	0	0
84 Family Homeless Prevention	GF	0	0	0	3,715	3,715	7,430				0	0	0
85 Housing Challenge Program	GF	(5,215)	(5,215)	(10,430)	9,622	9,622	19,244				0	0	0
86 Rental Assistance for Mentally Ill	GF	0	0	0	1,638	1,638	3,276				0	0	0
87 Homeownership, Ed, Counseling & Tr	GF	0	0	0	770	770	1,540				0	0	0
88 Rehabilitation Loan Program	GF	(1,318)	(1,318)	(2,636)	3,972	3,972	7,944				0	0	0
89 Homeownership Assistance Fund	GF	(885)	(885)	(1,770)	885	885	1,770				0	0	0
90 Non-Profit Capacity Building Program	GF	(55)	(55)	(110)	305	305	610				0	0	0
91 Tribal Indian Housing Program	GF	(1,105)	(1,105)	(2,210)	1,105	1,105	2,210				0	0	0
92 Urban Indian Housing Program	GF	(180)	(180)	(360)	180	180	360				0	0	0
93 Housing Trust Fund	GF				4,305	4,305	8,610				0	0	0
94 Ending Long-Term Homeless - HTF	GF	2,000	2,000	4,000	0	0	0				0	0	0
95 Agency Total	GF	28,270	28,270	56,540	35,770	35,770	71,540				35,770	35,770	71,540

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

2005 Session - dollars in thousands

S.F. xxxx / H.F. xxx

4/21/2005

SF1879

Senate - Balanced Budget Bill

Senate

Senate

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			2/28/05 Base With Adjustments			Senate Adjustments to SF1879			Senate SF1879 Plus Adjustments		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
96													
97													
98													
99 Commerce													
100 Financial Examinations													
101 Direct Base	GF	5,994	5,994	11,988	5,994	5,994	11,988				5,994	5,994	11,988
102 Program Total	GF	5,994	5,994	11,988	5,994	5,994	11,988				5,994	5,994	11,988
103													
104 Petroleum Tank Release Cleanup													
105 Direct Base	Petro	1,084	1,084	2,168	1,084	1,084	2,168				1,084	1,084	2,168
106 Program Total	Petro	1,084	1,084	2,168	1,084	1,084	2,168				1,084	1,084	2,168
107													
108													
109 Administrative Services													
110 Direct Base	GF	5,418	5,418	10,836	5,418	5,418	10,836				5,418	5,418	10,836
111 Program Total	GF	5,418	5,418	10,836	5,418	5,418	10,836				5,418	5,418	10,836
112													
113 Market Assurance													
114 Direct Base	GF	4,912	4,912	9,824	4,912	4,912	9,824				4,912	4,912	9,824
115 Reallocation of Contractor Admin FD	GF	(100)	(100)	(200)	(100)	(100)	(200)				(100)	(100)	(200)
116 Statutory	SR	100	100	200	100	100	200				100	100	200
117 Direct Base	WCSF	835	835	1,670	835	835	1,670				835	835	1,670
118 Program Totals	GF	4,812	4,812	9,624	4,812	4,812	9,624				4,812	4,812	9,624
119	WCSF	835	835	1,670	835	835	1,670				835	835	1,670
120	All	5,647	5,647	11,294	5,647	5,647	11,294				5,647	5,647	11,294
121													
122 Energy & Telecommunications													
123 Direct Base	GF	4,349	4,349	8,698	4,349	4,349	8,698				4,349	4,349	8,698
124 Division Expenses Reduction	GF	(125)	(125)	(250)	(125)	(125)	(250)				(125)	(125)	(250)
125 Open Appropriation - Base	GF-O	4,838	4,838	9,676	4,838	4,838	9,676				4,838	4,838	9,676
126 Shift Costs to Renewable Energy Fd	GF-O	(4,538)	(4,538)	(9,076)	0	0	0				0	0	0
127 Statutory													
128 Renewable Energy Encentive Paymt	RDF	4,538	4,538	9,076	4,538	4,538	9,076				4,538	4,538	9,076
129 Program Totals	GF	4,224	4,224	8,448	4,224	4,224	8,448				4,224	4,224	8,448
130	GF-O	300	300	600	4,838	4,838	9,676				4,838	4,838	9,676
131 Weights & Measures													
132 Direct Base	GF	2,507	2,507	5,014	2,507	2,507	5,014				2,507	2,507	5,014
133 Program Total	GF	2,507	2,507	5,014	2,507	2,507	5,014				2,507	2,507	5,014
134													
135 Agency Totals	GF	22,955	22,955	45,910	22,955	22,955	45,910				22,955	22,955	45,910
136	Petro	1,084	1,084	2,168	1,084	1,084	2,168				1,084	1,084	2,168
137	WCSF	835	835	1,670	835	835	1,670				835	835	1,670
138	ALL	24,874	24,874	49,748	24,874	24,874	49,748				24,874	24,874	49,748
139	GF-O	300	300	600	4,838	4,838	9,676				4,838	4,838	9,676
140													
141													

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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4/21/2005

SF1879

Senate - Balanced Budget Bill

Senate

Senate

Governor's Recs-Biennial Budget

2/28/05 Base With Adjustments

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
142 Accountancy Board													
143 Direct Base	GF	577	577	1,154	577	577	1,154				577	577	1,154
144 Consolid Admin with Arch & Engineer Bd	GF	(90)	(90)	(180)	(90)	(90)	(180)				(90)	(90)	(180)
145 Agency Total	GF	487	487	974	487	487	974				487	487	974
146													
147													
148 Arch, Eng, Surveying, Landscape, Geoscience & Interior Design													
149 Direct Base	GF	785	785	1,570	785	785	1,570				785	785	1,570
150 Agency Total	GF	785	785	1,570	785	785	1,570				785	785	1,570
151													
152													
153 Barbers & Cosmetologists Examiners													
154 Direct Base	GF	699	699	1,398	699	699	1,398				699	699	1,398
155 Agency Total	GF	699	699	1,398	699	699	1,398				699	699	1,398
156													
157													
158 Labor & Industry													
159 Workers Compensation Division													
160 Direct Base	WCSF	10,346	10,346	20,692	10,346	10,346	20,692				10,346	10,346	20,692
161 Vinland Center-Rehab Services	WCSF							25	25	50	25	25	50
162 Program Total	WCSF	10,346	10,346	20,692	10,346	10,346	20,692	25	25	50	10,371	10,371	20,742
163													
164 Workplace Services Division													
165 Direct Base	GF	2,494	2,494	4,988	2,494	2,494	4,988				2,494	2,494	4,988
166 Code Enforcement Increase	GF	378	378	756	0	0	0	378	378	756	378	378	756
167 Direct Base	WKDF	450	450	900	450	450	900				450	450	900
168 Apprenticeship Fee - Replacement	WKDF							300	300	600	300	300	600
169 Direct Base	SR							300	300	600	300	300	600
170 Apprenticeship Fee - Reduction	SR							(300)	(300)	(600)	(300)	(300)	(600)
171 Direct Base	WCSF	3,639	3,639	7,278	3,639	3,639	7,278				3,639	3,639	7,278
172 Program Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756	2,872	2,872	5,744
173	WKDF	450	450	900	450	450	900	300	300	600	750	750	1,500
174	WCSF	3,639	3,639	7,278	3,639	3,639	7,278	0	0	0	3,639	3,639	7,278
175	ALL	6,961	6,961	13,922	6,583	6,583	13,166	678	678	1,356	7,261	7,261	14,522
176													
177 General Support Divison													
178 Direct Base	WCSF	5,287	5,287	10,574	5,287	5,287	10,574				5,287	5,287	10,574
179 Program Total	WCSF	5,287	5,287	10,574	5,287	5,287	10,574				5,287	5,287	10,574
180													
181 Agency Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756	2,872	2,872	5,744
182	WKDF	450	450	900	450	450	900	300	300	600	750	750	1,500
183	WCSF	19,272	19,272	38,544	19,272	19,272	38,544	25	25	50	19,297	19,297	38,594
184	ALL	22,594	22,594	45,188	22,216	22,216	44,432	703	703	1,406	22,919	22,919	45,838
185													
186													
187 Mediation Services Bureau													
188 Direct Base	GF	1,773	1,773	3,546	1,773	1,773	3,546				1,773	1,773	3,546
189 Agency Total	GF	1,773	1,773	3,546	1,773	1,773	3,546				1,773	1,773	3,546

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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SF1879

Senate - Balanced Budget Bill

Senate

Senate

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			2/28/05 Base With Adjustments			Senate Adjustments to SF1879			Senate SF1879 Plus Adjustments		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
190													
191													
192 Workers Comp Court of Appeals													
193 Direct Base	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
194 Agency Total	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
195													
196													
197 Public Utilities Commission													
198 Direct Base	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
199 Agency Total	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
200													
201													
202 Historical Society													
203 Education and Outreach													
204 Direct Base	GF	12,381	12,381	24,762	12,381	12,381	24,762				12,381	12,381	24,762
205 Budget Reduction	GF	(557)	(557)	(1,114)	0	0	0				0	0	0
206 Program Total	GF	11,824	11,824	23,648	12,381	12,381	24,762				12,381	12,381	24,762
207													
208 Preservation & Access													
209 Direct Base	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
210 Program Total	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
211													
212 Pass Through Grants													
213 Direct Base													
214 MN International Center	GF	43	42	85	43	42	85				43	42	85
215 MN Air National Guard Museum	GF	16		16	16		16				16		16
216 MN Military Museum	GF	67		67	67		67				67		67
217 Farmamerica	GF	128	85	213	128	85	213				128	85	213
218 Sesquicentennial Project	GF							75	75	150	75	75	150
219 Historical Sites	GF							700	700	1,400	700	700	1,400
220 Program Total	GF	254	127	381	254	127	381	775	775	1,550	1,029	902	1,931
221													
222 Agency Total		21,850	21,723	43,573	22,407	22,280	44,687	775	775	1,550	23,182	23,055	46,237
223													
224 Arts Board													
225 Operation & Services													
226 Direct Base	GF	404	404	808	404	404	808				404	404	808
227 Program Total	GF	404	404	808	404	404	808				404	404	808
228													
229 Grant Programs													
230 Direct Base	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
231 Program Total	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
232													
233 Regional Arts Councils													
234 Direct Base	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
235 Program Total	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
236													
237 Agency Total	GF	8,593	8,593	17,186	8,593	8,593	17,186				8,593	8,593	17,186

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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Agency/Program/ Initiative	Fund	SF1879						Senate			Senate		
		Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Adjustments to SF1879			SF1879 Plus Adjustments		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
238													
239													
240 Electricity Board													
241 Statutory	SR	11,046	11,046	22,092	11,046	11,046	22,092				11,046	11,046	22,092
242 Agency Total	SR	11,046	11,046	22,092	11,046	11,046	22,092				11,046	11,046	22,092
243													
244													
245 Iron Range Resources & Rehabilitation													
246 Region - Occupation Tax	GF-0	468	468	936	468	468	936				468	468	936
247 Statutory	IRRRB	21,338	23,239	44,577	21,338	23,239	44,577				21,338	23,239	44,577
248 Statutory	GRG&SR	5,874	5,874	11,748	5,874	5,874	11,748				5,874	5,874	11,748
249 Statutory	NMEP	4,381	2,580	6,961	4,381	2,580	6,961				4,381	2,580	6,961
250 Agency Total	GF-0	468	468	936	468	468	936				468	468	936
251 Statutory		31,593	31,693	63,286	31,593	31,693	63,286				31,593	31,693	63,286
252 ALL		32,061	32,161	64,222	32,061	32,161	64,222				32,061	32,161	64,222
253													
254													
255													
256													
257													
258 Totals for all agencies	GF	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
259	GF-O	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
260	SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
261	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
262	Petro	1,084	1,084	2,168	1,084	1,084	2,168	0	0	0	1,084	1,084	2,168
263	WCSE	21,725	21,725	43,450	21,725	21,725	43,450	25	25	50	21,750	21,750	43,500
264	WKDF	8,270	8,270	16,540	9,020	9,020	18,040	4,450	7,200	11,650	14,720	17,470	32,190
265	ALL	170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
266													
267 Total Direct Appropriations		170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
268 Less General Fund Open		(768)	(768)	(1,536)	(5,306)	(5,306)	(10,612)	0	0	0	(5,306)	(5,306)	(10,612)
269 Total Appropriations in Bill		169,280	170,153	339,433	186,444	186,317	372,761	14,331	10,811	25,142	202,025	197,378	400,403
270													
271													
272 General Fund Revenue													
273 Commerce-Unclaimed Property Sale		25,000	5,000	30,000	25,000	5,000	30,000				25,000	5,000	30,000
274 Commerce-License Fee Change		734	734	1,468	0	0	0	734	734	1,468	734	734	1,468
275 Commerce-Insurance Certificate of Authority Fee		18	18	36	0	0	0	18	18	36	18	18	36
276 Labor & Industry-Boiler Inspection Fees &		810	810	1,620	0	0	0	810	810	1,620	810	810	1,620
277 Electricity Board Transfer		4,000		4,000	0	0	0				0	0	0
278 Total General Fund Revenue		30,562	6,562	37,124	25,000	5,000	30,000	1,562	1,562	3,124	26,562	6,562	33,124
279													
280													

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			SF1879 Senate - Balanced Budget Bill 2/28/05 Base With Adjustments			Senate Adjustments to SF1879			Senate SF1879 Plus Adjustments		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
281													
282													
283	Non-General Fund Revenue												
284	DEED-Meth Lab Cleanup Revolving Loan SR		29	29	0	0	0		29	29		29	29
285	DEED- Mn Investment Fund-Repayment SR	350	350	700	0	0	0						
286	DEED-Promotional & Marketing Rev Fd SR	20	20	40	0	0	0	20	20	40	20	20	40
287	DEED-\$10 Marriage Fee Reduction-DHP SR	(200)	(200)	(400)	0	0	0						
288	DEED-Marriage, Dissolution, Education Fees				200	200	400	643	848	1,491	843	1,048	1,891
289	Mn Tourism Public Private Enhancement SR	1,500	1,500	3,000	0	0	0				1,500	1,500	3,000
290	Total Non-General Fund Revenue	1,670	1,699	3,369	200	200	400	663	897	1,560	2,363	2,597	4,960
291													
292													
293	NET GENERAL FUND(Negatives are gains; Positives are Losses)												
294	Direct Appropriations	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
295	Plus Open & Standing	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
296	Less General Fund Revenues	(30,562)	(6,562)	(37,124)	(25,000)	(5,000)	(30,000)	(1,562)	(1,562)	(3,124)	(26,562)	(6,562)	(33,124)
297	Total Impact on General Fund	107,707	132,580	240,287	134,021	153,894	287,915	7,651	1,176	8,827	141,672	154,070	296,742
298													
299	Balanced Budget Bill - Difference from Gov Rec						47,628						56,455
300													

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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SF1879

Senate - Balanced Budget Bill

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Governor's Recs-Biennial Budget

2/28/05 Base With Adjustments

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
1 Trade and Economic Development													
2 Busines & Community Development													
3 Direct	GF	8,233	8,233	16,466	8,233	8,233	16,466				8,233	8,233	16,466
4 Minnesota Investment Fund	GF	(1,203)	(1,203)	(2,406)	0	0	0				0	0	0
5 Methamphetamine Cleanup Fund	GF	250	250	500	0	0	0	250	250	500	250	250	500
6 Reduce Program Costs	GF	(329)	(329)	(658)	(329)	(329)	(658)				(329)	(329)	(658)
7 UoM/Mayo Biotech/Medical Reseach	GF							7,000		7,000	7,000		7,000
8 SBIR-Access to Federal Contracts	GF							100	100	200	100	100	200
9 Minnesota Inventors Congres-Grant	GF							50	50	100	50	50	100
10 NWRDC Cold-Hardy Vineyard Resear	GF							125	0	125	125	0	125
11 MEDA-Grant	GF							55	55	110	55	55	110
12 Get Broadband Grant-Blandin Fd	GF							250	0	250	250	0	250
13 Children's Discovery Museum	GF							100		100	100	0	100
14 Open & Standing - Base	GF-O	250	250	500	250	250	500				250	250	500
15 Eliminate Mortgage Credit Program	GF-O	(250)	(250)	(500)	(250)	(250)	(500)				(250)	(250)	(500)
16 Remediation	REM	700	700	1,400	700	700	1,400				700	700	1,400
17 Statutory	SR		29	29		0	0		29	29		29	29
18 Program Totals	GF	6,951	6,951	13,902	7,904	7,904	15,808	7,930	455	8,385	15,834	8,359	24,193
19	GF-O	0	0	0	0	0	0	0	0	0	0	0	0
20	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
21	ALL	7,651	7,651	15,302	8,604	8,604	17,208	7,930	455	8,385	16,534	9,059	25,593
22													
23 Workforce Partnerships													
24 Direct	GF	13,617	13,617	27,234	13,617	13,617	27,234				13,617	13,617	27,234
25 Eliminate Youthbuild	GF	(757)	(757)	(1,514)	0	0	0				0	0	0
26 Eliminate MN Youth Program	GF	(4,190)	(4,190)	(8,380)	0	0	0				0	0	0
27 Eliminate Learn-To-Earn Program	GF	(183)	(183)	(366)	0	0	0				0	0	0
28 Transfer Youth Inter to Public Safety	GF	(1,452)	(1,452)	(2,904)	0	0	0				0	0	0
29 NW Regional Curfew Center-Grant	GF							5	5	10	5	5	10
30 Direct	WKDF	1,725	1,725	3,450	1,725	1,725	3,450				1,725	1,725	3,450
31 Eliminate Displaced Homemaker Prog	WKDF	(750)	(750)	(1,500)	0	0	0	(750)	(750)	(1,500)	(750)	(750)	(1,500)
32 Eliminate Lifetrack Resources	WKDF	(100)	(100)	(200)	(100)	(100)	(200)	0	0	0	250	250	500
33 Job Skills - Boys and Girls Alliance	WKDF							1,000	2,000	3,000	1,000	2,000	3,000
34 OICs Indian Businesspersons	WKDF							500	500	1,000	500	500	1,000
35 OICs Nurses Training	WKDF							500	1,000	1,500	500	1,000	1,500
36 Educational Program-Ford Plant	WKDF							750	0	750	750	0	750
37 Youth Intervention Program	WKDF							500	1,500	2,000	1,400	2,400	3,800
38 Statutory													
39 Workforce Development Fund	WKDF	750	750	1,500	750	750	1,500				750	750	1,500
40 Statutory													
41 Displaced Homemaker Program	SR	200	200	400				643	848	1,491	643	848	1,491
42 Eliminate Displaced Homemaker Prog	SR	(200)	(200)	(400)	200	200	400				200	200	400
43 Program Totals	GF	7,035	7,035	14,070	13,617	13,617	27,234	5	5	10	13,622	13,622	27,244
44	SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
45	WKDF	875	875	1,750	1,625	1,625	3,250	2,500	4,250	6,750	5,375	7,125	12,500
46	ALL	7,910	7,910	15,820	15,442	15,442	30,884	3,148	5,103	8,251	19,840	21,795	41,635
47													

ECONOMIC DEVELOPMENT(Ag, Env & Econ Dev)

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SF1879

Senate - Balanced Budget Bill

2/28/05 Base With Adjustments

Senate

Adjustments to SF1879

Senate

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate		
		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
48 Workforce Services													
49 Direct	GF	20,165	20,165	40,330	20,165	20,165	40,330				20,165	20,165	40,330
50 Direct	WKDF	6,945	6,945	13,890	6,945	6,945	13,890				6,945	6,945	13,890
51 Lifetrack Resources	WKDF							250	250	500	250	250	500
52 Program Totals	GF	20,165	20,165	40,330	20,165	20,165	40,330	0	0	0	20,165	20,165	40,330
53	WKDF	6,945	6,945	13,890	6,945	6,945	13,890	250	250	500	7,195	7,195	14,390
54	ALL	27,110	27,110	54,220	27,110	27,110	54,220	250	250	500	27,360	27,360	54,720
55													
56 State Funded Administration													
57 Direct	GF	3,721	3,721	7,442	3,721	3,721	7,442				3,721	3,721	7,442
58 Reduce Administrative Costs	GF	(444)	(444)	(888)	(444)	(444)	(888)				(444)	(444)	(888)
59 Statutory	SR	20	20	40	20	20	40				20	20	40
60 Program Totals	GF	3,277	3,277	6,554	3,277	3,277	6,554				3,277	3,277	6,554
61													
62 Agency Totals	GF	37,428	37,428	74,856	44,963	44,963	89,926	7,935	460	8,395	52,898	45,423	98,321
63	GF-O	0	0	0	0	0	0	0	0	0	0	0	0
64	REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
65	WKDF	7,820	7,820	15,640	8,570	8,570	17,140	2,750	4,500	7,250	12,570	14,320	26,890
66	ALL	45,948	45,948	91,896	54,233	54,233	108,466	10,685	4,960	15,645	66,168	60,443	126,611
67													
68 Minnesota Conservation Corps													
69 Job Skills and Training Grant	WKDF							1,400	2,400	3,800	1,400	2,400	3,800
70 Agency Total	WKDF							1,400	2,400	3,800	1,400	2,400	3,800
71													
72													
73 Explore Minnesota Tourism													
74 Direct	GF	8,626	8,626	17,252	8,626	8,626	17,252				8,626	8,626	17,252
75 Base Reduction	GF	(1,000)	(1,000)	(2,000)	0	0	0				0	0	0
76 Film Board Funding Increase	GF							125	125	250	125	125	250
77 Public/Private Funding Enhancement	GF		1,000	1,000	0	0	0	0	1,000	1,000	0	0	1,000
78 Agency Total	GF	7,626	8,626	16,252	8,626	8,626	17,252	125	1,125	1,250	8,751	8,751	18,502
79													
80 Housing Finance Agency													
81 Direct	GF	34,885	34,885	69,770			0				34,885	34,885	69,770
82 Current Law Base Change-HAF	GF	885	885	1,770			0				885	885	1,770
83 Affordable Rental Investment-Preserv	GF	(742)	(742)	(1,484)	9,273	9,273	18,546				0	0	0
84 Family Homeless Prevention	GF	0	0	0	3,715	3,715	7,430				0	0	0
85 Housing Challenge Program	GF	(5,215)	(5,215)	(10,430)	9,622	9,622	19,244				0	0	0
86 Rental Assistance for Mentally Ill	GF	0	0	0	1,638	1,638	3,276				0	0	0
87 Homeownership, Ed, Counseling & Tr	GF	0	0	0	770	770	1,540				0	0	0
88 Rehabilitation Loan Program	GF	(1,318)	(1,318)	(2,636)	3,972	3,972	7,944				0	0	0
89 Homeownership Assistance Fund	GF	(885)	(885)	(1,770)	885	885	1,770				0	0	0
90 Non-Profit Capacity Building Program	GF	(55)	(55)	(110)	305	305	610				0	0	0
91 Tribal Indian Housing Program	GF	(1,105)	(1,105)	(2,210)	1,105	1,105	2,210				0	0	0
92 Urban Indian Housing Program	GF	(180)	(180)	(360)	180	180	360				0	0	0
93 Housing Trust Fund	GF				4,305	4,305	8,610				0	0	0
94 Ending Long-Term Homeless - HTF	GF	2,000	2,000	4,000	0	0	0				0	0	0
95 Agency Total	GF	28,270	28,270	56,540	35,770	35,770	71,540				35,770	35,770	71,540

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Governor's Recs-Biennial Budget

2/28/05 Base With Adjustments

Adjustments to SF1879

SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
96													
97													
98													
99	Commerce												
100	Financial Examinations												
101	Direct Base	GF	5,994	5,994	11,988	5,994	5,994	11,988			5,994	5,994	11,988
102	Program Total	GF	5,994	5,994	11,988	5,994	5,994	11,988			5,994	5,994	11,988
103													
104	Petroleum Tank Release Cleanup												
105	Direct Base	Petro	1,084	1,084	2,168	1,084	1,084	2,168			1,084	1,084	2,168
106	Program Total	Petro	1,084	1,084	2,168	1,084	1,084	2,168			1,084	1,084	2,168
107													
108													
109	Administrative Services	GF											
110	Direct Base	GF	5,418	5,418	10,836	5,418	5,418	10,836			5,418	5,418	10,836
111	Program Total	GF	5,418	5,418	10,836	5,418	5,418	10,836			5,418	5,418	10,836
112													
113	Market Assurance												
114	Direct Base	GF	4,912	4,912	9,824	4,912	4,912	9,824			4,912	4,912	9,824
115	Reallocation of Contractor Admin FD	GF	(100)	(100)	(200)	(100)	(100)	(200)			(100)	(100)	(200)
116	Statutory	SR	100	100	200	100	100	200			100	100	200
117	Direct Base	WCSF	835	835	1,670	835	835	1,670			835	835	1,670
118	Program Totals	GF	4,812	4,812	9,624	4,812	4,812	9,624			4,812	4,812	9,624
119		WCSF	835	835	1,670	835	835	1,670			835	835	1,670
120		All	5,647	5,647	11,294	5,647	5,647	11,294			5,647	5,647	11,294
121													
122	Energy & Telecommunications												
123	Direct Base	GF	4,349	4,349	8,698	4,349	4,349	8,698			4,349	4,349	8,698
124	Division Expenses Reduction	GF	(125)	(125)	(250)	(125)	(125)	(250)			(125)	(125)	(250)
125	Open Appropriation - Base	GF-O	4,838	4,838	9,676	4,838	4,838	9,676			4,838	4,838	9,676
126	Shift Costs to Renewable Energy Fd	GF-O	(4,538)	(4,538)	(9,076)	0	0	0			0	0	0
127	Statutory												
128	Renewable Energy Encentive Paymt	RDF	4,538	4,538	9,076	4,538	4,538	9,076			4,538	4,538	9,076
129	Program Totals	GF	4,224	4,224	8,448	4,224	4,224	8,448			4,224	4,224	8,448
130		GF-O	300	300	600	4,838	4,838	9,676			4,838	4,838	9,676
131	Weights & Measures												
132	Direct Base	GF	2,507	2,507	5,014	2,507	2,507	5,014			2,507	2,507	5,014
133	Program Total	GF	2,507	2,507	5,014	2,507	2,507	5,014			2,507	2,507	5,014
134													
135	Agency Totals	GF	22,955	22,955	45,910	22,955	22,955	45,910			22,955	22,955	45,910
136		Petro	1,084	1,084	2,168	1,084	1,084	2,168			1,084	1,084	2,168
137		WCSF	835	835	1,670	835	835	1,670			835	835	1,670
138		ALL	24,874	24,874	49,748	24,874	24,874	49,748			24,874	24,874	49,748
139		GF-O	300	300	600	4,838	4,838	9,676			4,838	4,838	9,676
140													
141													

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Agency/Program/ Initiative	Fund	Governor's Recs-Biennial Budget			Senate - Balanced Budget Bill			Senate			Senate					
		FY06	FY07	FY06-07	2/28/05 Base With Adjustments	FY06	FY07	FY06-07	Adjustments to SF1879	FY06	FY07	FY06-07	SF1879 Plus Adjustments	FY06	FY07	FY06-07
142 Accountancy Board																
143 Direct Base	GF	577	577	1,154	577	577	1,154						577	577	1,154	
144 Conslid Admin with Arch & Enginer Bd	GF	(90)	(90)	(180)	(90)	(90)	(180)						(90)	(90)	(180)	
145 Agency Total	GF	487	487	974	487	487	974						487	487	974	
146																
147																
148 Arch, Eng, Surveying, Landscape, Geoscience & Interior Design																
149 Direct Base	GF	785	785	1,570	785	785	1,570						785	785	1,570	
150 Agency Total	GF	785	785	1,570	785	785	1,570						785	785	1,570	
151																
152																
153 Barbers & Cosmetologists Examiners																
154 Direct Base	GF	699	699	1,398	699	699	1,398						699	699	1,398	
155 Agency Total	GF	699	699	1,398	699	699	1,398						699	699	1,398	
156																
157																
158 Labor & Industry																
159 Workers Compensation Division																
160 Direct Base	WCSF	10,346	10,346	20,692	10,346	10,346	20,692						10,346	10,346	20,692	
161 Vinland Center-Rehab Services	WCSF							25	25	50			25	25	50	
162 Program Total	WCSF	10,346	10,346	20,692	10,346	10,346	20,692	25	25	50			10,371	10,371	20,742	
163																
164 Workplace Services Division																
165 Direct Base	GF	2,494	2,494	4,988	2,494	2,494	4,988						2,494	2,494	4,988	
166 Code Enforcement Inrease	GF	378	378	756	0	0	0	378	378	756			378	378	756	
167 Direct Base	WKDF	450	450	900	450	450	900						450	450	900	
168 Apprenticeship Fee - Replacement	WKDF							300	300	600			300	300	600	
169 Direct Base	SR							300	300	600			300	300	600	
170 Apprenticeship Fee - Reduction	SR							(300)	(300)	(600)			(300)	(300)	(600)	
171 Direct Base	WCSF	3,639	3,639	7,278	3,639	3,639	7,278						3,639	3,639	7,278	
172 Program Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756			2,872	2,872	5,744	
173	WKDF	450	450	900	450	450	900	300	300	600			750	750	1,500	
174	WCSF	3,639	3,639	7,278	3,639	3,639	7,278	0	0	0			3,639	3,639	7,278	
175	ALL	6,961	6,961	13,922	6,583	6,583	13,166	678	678	1,356			7,261	7,261	14,522	
176																
177 General Support Divison																
178 Direct Base	WCSF	5,287	5,287	10,574	5,287	5,287	10,574						5,287	5,287	10,574	
179 Program Total	WCSF	5,287	5,287	10,574	5,287	5,287	10,574						5,287	5,287	10,574	
180																
181 Agency Totals	GF	2,872	2,872	5,744	2,494	2,494	4,988	378	378	756			2,872	2,872	5,744	
182	WKDF	450	450	900	450	450	900	300	300	600			750	750	1,500	
183	WCSF	19,272	19,272	38,544	19,272	19,272	38,544	25	25	50			19,297	19,297	38,594	
184	ALL	22,594	22,594	45,188	22,216	22,216	44,432	703	703	1,406			22,919	22,919	45,838	
185																
186																
187 Mediation Services Bureau																
188 Direct Base	GF	1,773	1,773	3,546	1,773	1,773	3,546						1,773	1,773	3,546	
189 Agency Total	GF	1,773	1,773	3,546	1,773	1,773	3,546						1,773	1,773	3,546	

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SF1879 Plus Adjustments

Agency/Program/ Initiative	Fund	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
190													
191													
192 Workers Comp Court of Appeals													
193 Direct Base	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
194 Agency Total	WCSF	1,618	1,618	3,236	1,618	1,618	3,236				1,618	1,618	3,236
195													
196													
197 Public Utilities Commission													
198 Direct Base	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
199 Agency Total	GF	4,163	4,163	8,326	4,163	4,163	8,326				4,163	4,163	8,326
200													
201													
202 Historical Society													
203 Education and Outreach													
204 Direct Base	GF	12,381	12,381	24,762	12,381	12,381	24,762				12,381	12,381	24,762
205 Budget Reduction	GF	(557)	(557)	(1,114)	0	0	0				0	0	0
206 Program Total	GF	11,824	11,824	23,648	12,381	12,381	24,762				12,381	12,381	24,762
207													
208 Preservation & Access													
209 Direct Base	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
210 Program Total	GF	9,772	9,772	19,544	9,772	9,772	19,544				9,772	9,772	19,544
211													
212 Pass Through Grants													
213 Direct Base													
214 MN International Center	GF	43	42	85	43	42	85				43	42	85
215 MN Air National Guard Museum	GF	16		16	16		16				16		16
216 MN Military Museum	GF	67		67	67		67				67		67
217 Farmamerica	GF	128	85	213	128	85	213				128	85	213
218 Sesquicentennial Project	GF							75	75	150	75	75	150
219 Historical Sites	GF							700	700	1,400	700	700	1,400
220 Program Total	GF	254	127	381	254	127	381	775	775	1,550	1,029	902	1,931
221													
222 Agency Total		21,850	21,723	43,573	22,407	22,280	44,687	775	775	1,550	23,182	23,055	46,237
223													
224 Arts Board													
225 Operation & Services													
226 Direct Base	GF	404	404	808	404	404	808				404	404	808
227 Program Total	GF	404	404	808	404	404	808				404	404	808
228													
229 Grant Programs													
230 Direct Base	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
231 Program Total	GF	5,767	5,767	11,534	5,767	5,767	11,534				5,767	5,767	11,534
232													
233 Regional Arts Councils													
234 Direct Base	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
235 Program Total	GF	2,422	2,422	4,844	2,422	2,422	4,844				2,422	2,422	4,844
236													
237 Agency Total	GF	8,593	8,593	17,186	8,593	8,593	17,186				8,593	8,593	17,186

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		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	
238														
239														
240	Electricity Board													
241	Statutory	SR	11,046	11,046	22,092	11,046	11,046	22,092			11,046	11,046	22,092	
242	Agency Total	SR	11,046	11,046	22,092	11,046	11,046	22,092			11,046	11,046	22,092	
243														
244														
245	Iron Range Resources & Rehabilitation													
246	Region - Occupation Tax	GF-0	468	468	936	468	468	936			468	468	936	
247	Statutory	IRRRB	21,338	23,239	44,577	21,338	23,239	44,577			21,338	23,239	44,577	
248	Statutory	GRG&SR	5,874	5,874	11,748	5,874	5,874	11,748			5,874	5,874	11,748	
249	Statutory	NMEP	4,381	2,580	6,961	4,381	2,580	6,961			4,381	2,580	6,961	
250	Agency Total	GF-0	468	468	936	468	468	936			468	468	936	
251	Statutory		31,593	31,693	63,286	31,593	31,693	63,286			31,593	31,693	63,286	
252	ALL		32,061	32,161	64,222	32,061	32,161	64,222			32,061	32,161	64,222	
253														
254														
255														
256														
257														
258	Totals for all agencies	GF	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
259		GF-O	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
260		SR	0	0	0	200	200	400	643	848	1,491	843	1,048	1,891
261		REM	700	700	1,400	700	700	1,400	0	0	0	700	700	1,400
262		Petro	1,084	1,084	2,168	1,084	1,084	2,168	0	0	0	1,084	1,084	2,168
263		WCSEF	21,725	21,725	43,450	21,725	21,725	43,450	25	25	50	21,750	21,750	43,500
264		WKDF	8,270	8,270	16,540	9,020	9,020	18,040	4,450	7,200	11,650	14,720	17,470	32,190
265		ALL	170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
266														
267	Total Direct Appropriations		170,048	170,921	340,969	191,750	191,623	383,373	14,331	10,811	25,142	207,331	202,684	411,015
268	Less General Fund Open		(768)	(768)	(1,536)	(5,306)	(5,306)	(10,612)	0	0	0	(5,306)	(5,306)	(10,612)
269	Total Appropriations in Bill		169,280	170,153	339,433	186,444	186,317	372,761	14,331	10,811	25,142	202,025	197,378	400,403
270														
271														
272	General Fund Revenue													
273	Commerce-Unclaimed Property Sale		25,000	5,000	30,000	25,000	5,000	30,000				25,000	5,000	30,000
274	Commerce-License Fee Change		734	734	1,468	0	0	0	734	734	1,468	734	734	1,468
275	Commerce-Insurance Certificate of Authority Fee		18	18	36	0	0	0	18	18	36	18	18	36
276	Labor & Industry-Boiler Inspection Fees &		810	810	1,620	0	0	0	810	810	1,620	810	810	1,620
277	Electricity Board Transfer		4,000		4,000	0	0	0				0	0	0
278	Total General Fund Revenue		30,562	6,562	37,124	25,000	5,000	30,000	1,562	1,562	3,124	26,562	6,562	33,124
279														
280														

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		FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07	FY06	FY07	FY06-07
281													
282													
283	Non-General Fund Revenue												
284	DEED-Meth Lab Cleanup Revolving Loan SR		29	29	0	0	0		29	29		29	29
285	DEED- Mn Investment Fund-Repayment SR	350	350	700	0	0	0						
286	DEED-Promotional & Marketing Rev Fd SR	20	20	40	0	0	0	20	20	40	20	20	40
287	DEED-\$10 Marriage Fee Reduction-DHP SR	(200)	(200)	(400)	0	0	0						
288	DEED-Marriage, Dissolution, Education Fees				200	200	400	643	848	1,491	843	1,048	1,891
289	Mn Tourism Public Private Enhancement SR	1,500	1,500	3,000	0	0	0				1,500	1,500	3,000
290	Total Non-General Fund Revenue	1,670	1,699	3,369	200	200	400	663	897	1,560	2,363	2,597	4,960
291													
292													
293	NET GENERAL FUND(Negatives are gains: Positives are Losses)												
294	Direct Appropriations	137,501	138,374	275,875	153,715	153,588	307,303	9,213	2,738	11,951	162,928	155,326	319,254
295	Plus Open & Standing	768	768	1,536	5,306	5,306	10,612	0	0	0	5,306	5,306	10,612
296	Less General Fund Revenues	(30,562)	(6,562)	(37,124)	(25,000)	(5,000)	(30,000)	(1,562)	(1,562)	(3,124)	(26,562)	(6,562)	(33,124)
297	Total Impact on General Fund	107,707	132,580	240,287	134,021	153,894	287,915	7,651	1,176	8,827	141,672	154,070	296,742
298													
299	Balanced Budget Bill - Difference from Gov Rec						47,628						56,455
300													

2005 Session - Ag, Env & Econ Dev

Spending Proposals - General Fund

4/21/2005

(ooo omitted)

FY06 FY07 FY06 & 07

Econ Dev:

Spending - not in SF1879

Meth Lab Revolving Fund	250	250	500
Inspection & Code Enforcement	378	378	756
Firm Board	125	125	250
Tourism		1,000	1,000
Subtotal	753	1,753	2,506

Spending by Bills

251 Children's Discovery Museum-Grand Rapids	100		100
677 Historical Sites	700	700	1,400
980 MEDA	55	55	110
1120 Broadband	250		250
1309 UoM/Mayo Biotech/Medical/Genomics	7,000		7,000
1627 Minn Inventors Congress	50	50	100
1714 NW Regional Curfew	5	5	10
1951 Cold Weather Vineyard Research	125		125
2011 Sesquicentennial Project	50	50	100
2164 Fed Contract Procurement-DEED	100	100	200
Subtotal	8,435	960	9,395

Revenues:

Commerce Licensing Changes	752	752	1,504
Labor & Industry Code Enforcement	810	810	1,620
Subtotal	1,562	1,562	3,124

Spending Less Revenues:

8,777

Ag & Env:

Spending not in SF1879

(888)

Revenues

6,105

Subtotal

5,217

Total - General Fund Spending

13,994

Target for Division Spending less Revenues

14,000

Over or (Under) Target

(6)

Workforce Development Fund:

Displaced Homemaker Adjustment	(750)	(750)	(1,500)
Apprenticeship Fee Adjustment	300	300	600
450 Job Skills - Boys & Girls Clubs	1,000	2,000	3,000
771 Mn Conservation Corps	1,200	2,400	3,600
937 Youth Intervention Program	500	1,500	2,000
1393 Lifetrack Resources	250	250	500
1618 Nurses Training - OICs	500	1,000	1,500
2095 Entrepreneur/Business - OICs	500	500	1,000
2212 Educational Program - Ford Plant	750		750
866 EE-Employment Support	200	200	400
1133 EE-Increase Reimbursement Rate	400	400	800
1334 Deaf & Hard of Hearing	150	150	300
Subtotal	5,000	7,950	12,950

Workers Compensation Fund

958 Vinland Center-Rehab	25	25	50
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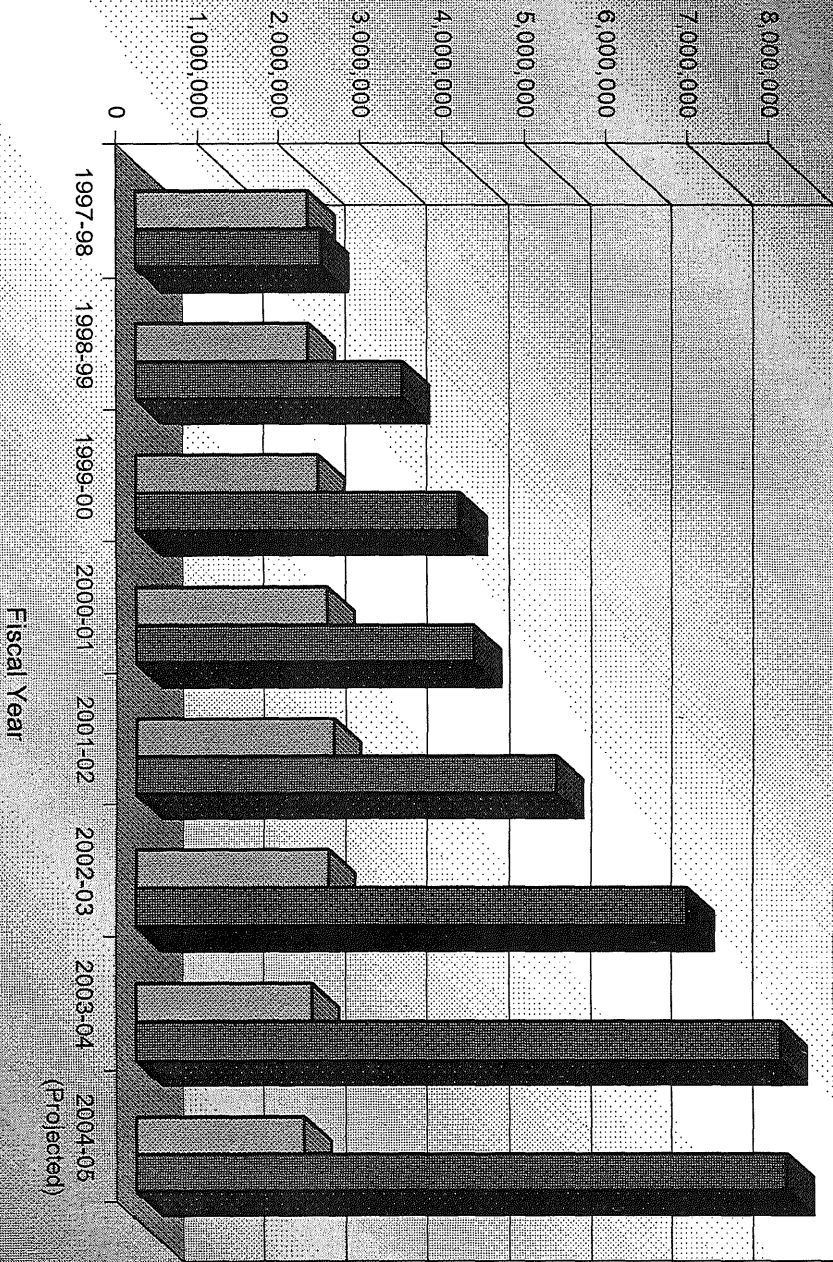
1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 13, after line 10, insert:

3 "\$,.,.,.,000 the first year is for a
4 grant to the Veterinary Diagnostic
5 Laboratory at the University of
6 Minnesota to expand animal disease
7 surveillance and to protect animal
8 agriculture and public health. This
9 appropriation is available until June
10 30, 2007."

Sen Steve Dille

Livestock Producer & Tax Payer Revenue
University of Minnesota
Veterinary Diagnostic Laboratory



■ Tax Payer Support
■ Livestock Producer Fees

Livestock Producer & Tax Payer Revenue

University of Minnesota Veterinary Diagnostic Laboratory

Fiscal Year	Tax Payer Support	Livestock Producer Fees	Total Revenue*	Percent Paid by Livestock Producers	Expenses**	Margin
2004-05 (Projected)	\$ 2,066,978	\$ 7,996,845	\$ 10,063,823	79	\$ 10,627,365	(563,542)
2003-04	2,169,578	7,915,966	10,085,544	78	9,896,981	188,563
2002-03	2,367,299	6,766,766	9,134,065	74	9,248,025	(113,960)
2001-02	2,432,505	5,145,958	7,578,463	68	7,420,651	157,812
2000-01	2,357,491	4,138,753	6,496,244	64	7,104,843	(608,599)
1999-00	2,241,356	3,978,450	6,219,806	64	6,135,500	84,306
1998-99	2,124,171	3,276,917	5,401,088	61	5,219,984	181,104
1997-98	2,124,482	2,288,894	4,413,376	52	4,549,835	(136,459)
1996-97	1,799,482	NA	NA		NA	NA
1995-96	1,799,482	NA	NA		NA	NA
1994-95	1,799,482	NA	NA		NA	NA
1993-94	1,727,287	NA	NA		NA	NA
Deficit 1997-2005						(810,775)

*Total Revenue includes State Special, O&M Funds, User Fee (External and Internal), Foundation, Gifts (Collins Research income is not included)

**Expenses includes Direct Costs, Depreciation, Payroll, and Other Expenses

\$2.35 Million Funding to Support the University of Minnesota Veterinary Diagnostic Laboratory

The Minnesota Pork Board is requesting \$2.35 million for the University of Minnesota Veterinary Diagnostic Laboratory to expand animal disease surveillance and to protect animal agriculture and public health. Increased animal diagnostic funding is vitally important to protect Minnesota's \$6 billion animal industry from emerging and foreign animal diseases. The funding is essential to accommodate testing for Mad Cow Disease, Johne's disease and mastitis in cattle; PRRS virus and other respiratory diseases in swine; and influenza virus ("bird flu") and avian pneumovirus in poultry. This strategic investment will be returned to Minnesotans many times over by protecting livestock and poultry from devastating pathogens that might be accidentally or intentionally introduced into livestock populations and by maximizing Minnesota's agricultural productivity and international competitiveness.

Reasons for the Request:

- The need for laboratory services continues to increase because of increased disease threats.
 - The number of tests has more than doubled from 429,559 in 1993 to > 1.1 million tests in 2004.
- The laboratory funding has remained static and well below peer institutions for the past 10 years.
 - 1994 State Special Funding - \$1,799,482
 - 2004 State Special Funding - \$1,796,378
- The University of Minnesota's need to fund indirect costs of laboratory operations by assessing an "Institutional Revenue Sharing (IRS)" fee against laboratory revenue.
 - **Annual Increases in University IRS Rate**
 - FY1999 - 1.00%
 - FY2000 - 2.25%
 - FY2001 - 3.25%
 - FY2002 - 3.75%
 - FY2003 - 6.35%
 - FY2004 - 8.50% *\$750,000*
 - **Total Assessment since FY2001 - \$2,645,376**
 - **The IRS fees are exhausting laboratory resources required for infrastructure investment.**
- The laboratory mission has changed from reporting diseases to providing an early warning of animal disease threats by providing "real time" diagnostic testing.

Funding use:

- **Environmental and Employee Safety** - Biohazardous waste containment to protect laboratory employees and to prevent pathogen escape to the environment- \$350,000.
- **Emergency Preparedness** - Expansion of laboratory methods, equipment and personnel to meet the testing surge associated with disease outbreaks and to provide for "just in time" animal health monitoring - \$400,000.

- **Enhanced Productivity** – Connect the University of Minnesota Veterinary Diagnostic Laboratory information system to animal production databases throughout greater MN, i.e. virtually move the laboratory into every MN barn. Automate laboratory testing to further improve productivity - \$450,000.
- **Expanded Research and Development** – Develop accurate, fast and low cost, molecular diagnostic tests to combat emerging diseases and potential agro-terrorism agents and maximize financial competitiveness - \$400,000.
- **University Facilities Support** – Fund the University of Minnesota IRS fee for indirect cost recovery to operate the laboratory - \$750,000.

- **Outcomes:**

- Enhanced protection of Minnesota's animal agriculture economy from devastating livestock diseases.
- Potential to reduced economic damage caused by disease outbreaks.
- Faster communication by providing real time access to laboratory results 24/7 throughout greater Minnesota.
- Prepared for the testing surge that accompanies emerging and foreign animal disease outbreaks.
- Protection of public health and animal agriculture by enhancing the secure handling of animal and human pathogens.
- Improvement of animal well being will reduce the need for antibiotic use in livestock.
- Assurance that laboratory accreditation status is maintained to protect interstate and international agricultural commerce.

Background:

The University of Minnesota Veterinary Diagnostic Laboratory protects and promotes animal and human health through early detection and monitoring of animal diseases, develops new diagnostic methods, and trains veterinarians and graduate students. It is part of the College of Veterinary Medicine and serves as the state's only full service, accredited diagnostic facility for animal health and disease. As the official laboratory of the Minnesota Board of Animal Health, the laboratory supports the state's animal disease control and eradication programs. The Veterinary Diagnostic Laboratory is the only laboratory in Minnesota that will "drop everything" to respond to a foreign animal disease or emerging disease threat.

The University of Minnesota Veterinary Diagnostic Laboratory is among the finest laboratory systems in the US with excellent facilities, "world class" faculty and staff, and excellent working relationships with Minnesota Board of Animal Health, Minnesota Department of Agriculture, Minnesota Department of Health, United States Department of Agriculture, Minnesota Department of Natural Resources, and many other organizations. It is the first and only veterinary laboratory to be selected as a full member of the Centers for Disease Control's Laboratory Response Network.

The funding project is consistent with the University of Minnesota initiatives in biotechnology and healthy foods-healthy lives.

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 103, after line 26, insert:

3 "Sec. 119. [116H.55] [DEFINITIONS.]

4 Subdivision 1. [SCOPE.] For the purposes of this chapter,
5 the following terms have the meanings given.

6 Subd. 2. [CATHODE RAY TUBE OR CRT.] "Cathode ray tube" or
7 "CRT" means a vacuum tube or picture tube used to convert an
8 electronic signal into a visual image. It is composed primarily
9 of glass, and is the video display component of a television or
10 computer monitor, and includes other items integrally attached
11 to the CRT.

12 Subd. 3. [COMPUTER MONITOR.] "Computer monitor" means an
13 electronic device that is a cathode ray tube or flat panel
14 display primarily intended to display information from a central
15 processing unit or the Internet. Computer monitor includes a
16 laptop computer.

17 Subd. 4. [FULL TRUCKLOAD.] "Full truckload" means a
18 quantity weighing 25,000 pounds or more of video display devices.

19 Subd. 5. [HENNEPIN COUNTY STUDY.] "Hennepin County study"
20 means the Hennepin County Consumer Electronics Brand Tally,
21 published January 2005.

22 Subd. 6. [HOUSEHOLD.] "Household" means an occupant of a
23 single detached dwelling unit or a single unit of a multiple
24 dwelling unit who has used a video display device at a dwelling
25 unit primarily for personal use.

26 Subd. 7. [INTERMEDIATE CONSOLIDATION POINT.] "Intermediate
27 consolidation point" means a facility in the state approved by
28 the Office of Environmental Assistance pursuant to section
29 116H.65, paragraph (d), clause (3), where local governments and
30 households can deliver for consolidation video display devices
31 generated by households and destined for recycling,
32 refurbishment, or reuse. The facility may be operated by a
33 private entity or a local unit of government, and must be
34 capable of consolidating a full truckload of video display
35 devices from households in accordance with all applicable
36 federal, state, and local laws, rules, regulations, and

1 ordinances.

2 Subd. 8. [MANUFACTURER.] "Manufacturer" means a person
3 who: (1) manufactures video display devices to be sold under
4 its own brand as identified by its own brand label; or (2) sells
5 video display devices manufactured by others under its own brand
6 as identified by its own brand label.

7 Subd. 9. [MANUFACTURER'S BRANDS.] "Manufacturer's brands"
8 means a manufacturer's name, brand name, or brand label, and all
9 manufacturer's names, brand names, and brand labels for which
10 the manufacturer has legal responsibility, including those
11 manufacturer's names, brand names, and brand labels of companies
12 that have been acquired by the manufacturer.

13 Subd. 10. [OFFICE.] "Office" means the Office of
14 Environmental Assistance.

15 Subd. 11. [ORPHAN WASTE.] "Orphan waste" means a video
16 display device covered by this section for which (1) no
17 manufacturer can be identified, or (2) the manufacturer no
18 longer exists and no successor can be identified.

19 Subd. 12. [PRO RATA SHARE.] "Pro rata share" means the
20 percentage that is the proportion, multiplied by 100, of the
21 total weight of video display devices, of the manufacturer's
22 brands registered by a registrant, as required by section
23 116H.60, paragraph (e), received at intermediate consolidation
24 points divided by the total weight of video display devices
25 received at intermediate consolidation points, as determined by
26 the sampling program at intermediate consolidation points
27 pursuant to section 116H.65, paragraph (d), clause (1). The pro
28 rata share for the first program year shall be based on the
29 Hennepin County study.

30 Subd. 13. [REGISTRANT.] "Registrant" means a manufacturer
31 that submits the registration required by section 116H.60,
32 paragraph (a), or an independent party that submits the
33 registration required by section 116H.60, paragraph (a), in lieu
34 of a manufacturer.

35 Subd. 14. [SELL OR SALE.] "Sell" or "sale" means any
36 transfer for consideration of title or of the right to use, by

1 lease or sales contract, including, but not limited to,
2 transactions conducted through sales outlets, catalogs, or the
3 Internet, or any other similar electronic means either inside or
4 outside of the state, by a person who conducts the transaction
5 and controls the delivery of a video display device to a
6 consumer in the state, but does not include a wholesale
7 transaction with a distributor or a retailer.

8 Subd. 15. [TELEVISION.] "Television" means an electronic
9 device that is a cathode ray tube or flat panel display
10 primarily intended to receive video programming via broadcast,
11 cable, or satellite transmission or video from surveillance or
12 other similar cameras.

13 Subd. 16. [VIDEO DISPLAY DEVICE.] "Video display device"
14 means a computer monitor or television with a screen size
15 greater than eight inches measured diagonally. The term "video
16 display device" does not include a video display device that is
17 part of or contained in a motor vehicle; industrial, commercial,
18 or medical equipment; or any appliance.

19 Sec. 120. [116H.60] [REGISTRATION PROGRAM.]

20 (a) On and after July 1, 2006, a retailer or manufacturer
21 may not sell or offer for sale a new video display device to any
22 person in the state unless:

23 (1) the video display device is labeled with the
24 manufacturer's brand, which label is permanently affixed and
25 readily visible; and

26 (2) the video display device is subject to a registration
27 filed by a registrant with the office according to this section,
28 with the registration effective upon receipt by the office.

29 (b) A retailer or manufacturer who sells or offers for sale
30 a new video display device to a consumer in this state must,
31 before initial offer for sale of the device, submit to the
32 office a certification that the retailer or manufacturer has
33 reviewed the office's Web site specified in paragraph (h), and
34 has determined that all new video display devices that the
35 retailer or manufacturer is then offering for sale are labeled
36 with manufacturer's brands that are subject to registration

1 statements filed with the office. After the initial submittal,
2 the certification must be submitted to the office annually by
3 July 10 of each year, effective as of July 1 of each year. A
4 retailer is not responsible for an unlawful sale under this
5 paragraph if the registration expired or was revoked and the
6 retailer took possession of the video display device prior to
7 the expiration or revocation of the registration and the
8 unlawful sale occurred within six months after the expiration or
9 revocation.

10 (c) By February 1, 2006, a manufacturer of video display
11 devices sold to a consumer in this state must submit a
12 registration to the office that includes a certification that a
13 registrant will participate in the intermediate consolidation
14 point program as specified in paragraph (m) beginning July 1,
15 2006. A manufacturer who begins to sell or offer for sale video
16 display devices after February 1, 2006, and has not filed a
17 registration pursuant to this section must submit a registration
18 to the office within ten days of beginning to sell or offer for
19 sale video display devices to consumers in the state. The
20 registration is effective upon receipt by the office.

21 (d) The registration must list the manufacturer's brands.
22 The registration must be updated within ten days after a change
23 in the manufacturer's brands, such as in the event of an
24 acquisition, merger, or divestiture.

25 (e) A registrant may partner with one or more manufacturers
26 or other parties, collectively a "registrant," to prepare and
27 submit to the office a joint video display device recycling,
28 refurbishment, or reuse program.

29 (f) Each manufacturer who registers under this section must
30 pay an annual fee which is deposited in an electronic waste
31 account established in the environmental fund. The fee is equal
32 to \$2,000 multiplied by the manufacturer's pro rata share of
33 video display devices as determined under section 116H.55,
34 subdivision 12. A manufacturer registered under this section
35 whose pro rata share is less than 0.25 percent must pay a
36 minimum fee of \$500. Money in the electronic waste account is

1 appropriated to the office for the purpose of administering the
2 program.

3 (g) The office shall develop procedures to administer and
4 implement the program and shall present them to the legislature
5 by January 15, 2006.

6 (h) The office must review each registration and notify the
7 registrant if the registration does not include the information
8 required by this section. Within 30 days of receipt of a
9 notification from the office, the registrant must file with the
10 office a revised registration providing the information noted by
11 the office.

12 (i) The office must maintain on its Web site the names of
13 the registrants and the manufacturers' brands that are listed in
14 registrations filed with the office. The office must update the
15 Web site information promptly upon receipt of a new registration
16 or an updated registration.

17 (j) The obligations of a manufacturer or registrant apply
18 only to video display devices received from households in this
19 state and do not apply to video display devices received from
20 owners other than households.

21 (k) Persons who receive a video display device for
22 recycling, refurbishment, or reuse pursuant to a registration
23 may recycle, refurbish, or reuse, including resell, the video
24 display device. Except to the extent otherwise required by law,
25 such persons have no responsibility for any data that may be on
26 the video display device if an information storage device is
27 included with the video display device.

28 (l) A city, county, or other public agency may not require
29 households to use the intermediate consolidation point program
30 to recycle their video display devices to the exclusion of other
31 programs legally available. Nothing in this chapter prohibits or
32 restricts any video display recycling programs that are in
33 addition to those provided by manufacturers or registrants or
34 prohibits or restricts any persons from receiving, storing,
35 transporting, or recycling video display devices.

36 (m) By October 1 of each year, each registrant must submit

1 a report to the office that describes the implementation of the
2 program during the preceding program year. The program year is
3 July 1 through June 30. The first report must be submitted by
4 October 1, 2007. The report must:

5 (1) identify the total weight of the video display devices
6 that the registrant has arranged for pickup from intermediate
7 consolidation points during the preceding year, and the total
8 weight of video display devices that the registrant has received
9 from households through other methods during the preceding year
10 and for which the registrant has used such video display devices
11 to satisfy all or a portion of its pro rata share responsibility
12 during the preceding year; and

13 (2) describe the processes and methods used to recycle,
14 refurbish, or reuse video display devices that the registrant
15 has arranged for pickup from intermediate collection points
16 during the preceding year and that the registrant has received
17 from households through other methods, and for which the
18 registrant has used such video display devices to satisfy all or
19 a portion of its pro rata share responsibility during the
20 preceding year; and, in particular, identify any disassembly,
21 physical recovery operation including crushing, shredding,
22 grinding, or glass to glass recycling, or any other operation
23 that was used and describe where it took place. The report must
24 also discuss whether these activities included procedures
25 described in the United States Environmental Protection Agency's
26 guidelines for the environmentally sound management of
27 electronic equipment.

28 (n) Participation in the intermediate consolidation point
29 program requires that a registrant must:

30 (1) arrange for the pickup and recycling of a full
31 truckload or full truckloads of computer monitor video display
32 devices or television video display devices received by
33 intermediate consolidation points after July 1, 2006, up to the
34 registrant's pro rata share of computer monitor video display
35 devices or television video display devices, from intermediate
36 consolidation points, pursuant to procedures developed under

1 paragraph (g), capable of consolidating a full truckload of
2 video display devices from households in accordance with all
3 applicable federal, state, and local laws, rules, regulations,
4 and ordinances; and

5 (2) arrange for the pickup and recycling of the
6 registrant's pro rata share of orphan waste by weight from
7 intermediate consolidation points, pursuant to procedures
8 developed under paragraph (g).

9 (o) Registrants are responsible for the costs of pickup and
10 recycling of the video display devices. A registrant may
11 satisfy a portion or all of its pro rata share responsibility by
12 receipt of video display devices from households through other
13 methods if the registrant has not charged for the recycling,
14 refurbishment, or reuse of the video display devices that the
15 registrant has received from households in this state through
16 the other methods. A registrant who intends to satisfy a
17 portion or all of its pro rata share responsibility by receipt
18 of the video display devices from households through other
19 methods must provide the office with a report of its receipt of
20 video display devices through the other methods on a quarterly
21 basis.

22 (p) After receipt of the report required by paragraph (m)
23 to be filed on October 1, 2009, the office must review the
24 performance of the program and may issue performance standards
25 related to the number of units collected per household.

26 Sec. 121. [116H.65] [DUTIES OF OFFICE.]

27 (a) The office must administer and enforce this chapter.

28 (b) The office must establish procedures for:

29 (1) receipt and maintenance of the registration statements
30 and certifications filed with the office pursuant to section
31 116H.60; and

32 (2) making the statements and certifications easily
33 available to registrants, manufacturers, distributors,
34 retailers, and members of the public.

35 (c) On or before December 1, 2010, and every three years
36 thereafter, the office must provide a report to the governor and

1 the legislature on the implementation of this chapter. For each
2 of the preceding three program years, the report must discuss
3 the total weight of video display devices received by all
4 registrants from intermediate consolidation points, the total
5 weight of video display devices received by each registrant from
6 intermediate consolidation points, the total weight of video
7 display devices that the registrant has received from households
8 through other methods during the preceding year and which the
9 registrant has used to satisfy all or a portion of its pro rata
10 share responsibility during the preceding year, and a summary of
11 information in the report submitted by registrants pursuant to
12 section 116H.60, paragraph (1). The report must also discuss
13 the various collection programs used to collect video display
14 devices and information received by the office regarding video
15 display devices that are not being collected by the
16 registrants. The report must include a description of
17 enforcement actions under this chapter and information about
18 video display devices, if any, being disposed of in landfills in
19 this state. The office may include in its report other
20 information received by the office regarding the implementation
21 of the chapter.

22 (d) The office must administer the intermediate
23 consolidation point program.

24 (e) The office must calculate pro rata shares for video
25 display devices on an annual program year basis for each
26 registrant. Pro rata shares for the first program year must be
27 determined by the office by May 1, 2006, using the Hennepin
28 County study. For each subsequent year, pro rata shares must be
29 determined by May 1 of the preceding year based upon an annual
30 sampling survey conducted by the office at intermediate
31 consolidation points during that preceding year. The sampling
32 survey must identify televisions and computer monitors
33 separately, and calculate the weight of televisions and computer
34 monitors separately. The office may provide registrants with
35 projections or estimates of the amount by weight of video
36 display devices for which the registrant may be responsible

1 during a given program year.

2 (f) The office must establish under section 116H.60,
3 paragraph (g), a system to coordinate among registrants pickups
4 from intermediate consolidation points after an intermediate
5 consolidation point has notified the office that a full
6 truckload of video display devices from households has been
7 consolidated. The office must provide a program year accounting
8 of the extent to which each registrant met its pro rata share
9 responsibility as established pursuant to section 116H.60,
10 paragraph (n), and methods for addressing amounts greater than
11 or less than a registrant's pro rata share responsibility that
12 were picked up and recycled by a registrant during the program
13 year.

14 (g) By February 1, 2006, the office must receive
15 applications for the establishment of intermediate consolidation
16 points. The director must seek to receive at least 15
17 applications with at least ten of the applications from outside
18 the metropolitan area. By April 30, 2006, the office must
19 establish a list of approved intermediate consolidation points
20 and must provide the list on its Web site. Manufacturers and
21 registrants have no responsibility for any costs of the
22 intermediate consolidation points. Applications for the
23 establishment of intermediate consolidation points must specify
24 any method that will be used to ensure that video display
25 devices will be collected only from households or that video
26 display devices from households will be segregated from other
27 video display devices.

28 Sec. 122. [116H.75] [REQUIREMENTS FOR PURCHASES BY STATE
29 AGENCIES.]

30 (a) The Department of Administration must ensure that
31 acquisitions of video display devices under chapter 16C are
32 certified by the vendor to be in compliance with section 116H.60.

33 (b) The bid solicitation documents must specify that the
34 prospective bidder is required to cooperate fully in providing
35 reasonable access to its records and documents that evidence
36 compliance with paragraph (a) and section 116H.60.

1 (c) Any person awarded a contract under chapter 16C for
2 purchase or lease of video display devices that is found to be
3 in violation of paragraph (a) or section 116H.60 is subject to
4 the following sanctions:

5 (1) the contract must be voided;

6 (2) the contractor is ineligible to bid on any state
7 contract for a period of three years; and

8 (3) if the attorney general establishes that any money,
9 property, or benefit was obtained by a contractor as a result of
10 violating paragraph (a) or section 116H.60, the court may, in
11 addition to any other remedy, order the disgorgement of the
12 unlawfully obtained money, property, or benefit.

13 Sec. 123. [116H.80] [REGULATION OF CRT DEVICES.]

14 Rules adopted by the office or by the Pollution Control
15 Agency regarding the handling, storage, and treatment of cathode
16 ray tube devices or video display devices being recycled may not
17 be more restrictive than regulations adopted by the United
18 States Environmental Protection Agency. If the United States
19 Environmental Protection Agency adopts regulations under the
20 Resource Conservation and Recovery Act regarding the handling,
21 storage, or treatment of cathode ray tube devices or video
22 display devices being recycled, those regulations are
23 automatically effective in this state on the same date and
24 supersede any rules previously adopted by the office or the
25 Pollution Control Agency regarding the handling, storage, or
26 treatment of cathode ray tube devices or video display devices
27 being recycled.

28 Sec. 124. [116H.85] [ENFORCEMENT.]

29 This chapter shall be enforced in the manner provided by
30 sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072.

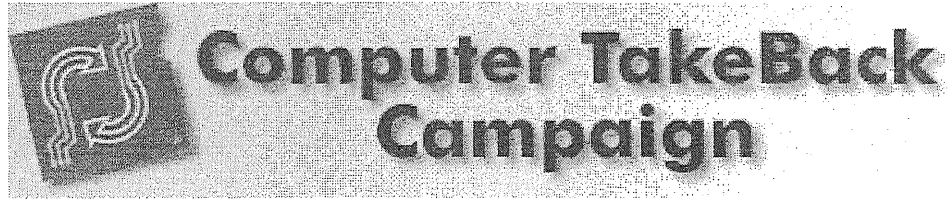
31 Sec. 125. [116H.90] [LIMITATIONS.]

32 This chapter expires if a federal law, or combination of
33 federal laws, takes effect that is applicable to all video
34 display devices sold in the United States and establishes a
35 program for the collection and recycling or reuse of video
36 display devices that is applicable to all video display devices

1 discarded by households."

2 Renumber the sections in sequence and correct the internal
3 references

4 Amend the title accordingly



April 21, 2005

To: Members of the Senate Environment, Agriculture and Economic Development Budget Division – Senators Sams, Dibble, Dille, Frederickson, Anderson, Bachmann, Bakk, Cohen, Jungbauer, Kubly, Metzen, Pariseau, Rosen, Vickerman

Re: Electronic Waste Recycling (SF 1298)

The “Producer Responsibility” approach to handling electronic waste is the better alternative. This method for handling electronic waste can eliminate millions of dollars in taxpayer subsidies and stimulate waste electronic recycling. In short, true Producer Responsibility, where electronics producers pay for the entire cost associated with collection, reuse and recycling of electronic waste, is better for the environment, human health and taxpayers.

Senate File 1298, in the form of a “Producer Responsibility” bill, is a step in the right direction. We urge you to keep the focus on passing a “Producer Responsibility” bill.

Your decisions about how electronic waste, which contains toxic substances, is handled today will have profound effects on Minnesotans for decades to come. So we also urge you to support amendments to broaden the scope of products included in a Producer Responsibility bill, create a process to include additional products, protect the health and safety of recyclers and establish realistic and substantive recycling goals and timelines.

The provisions in Senate Files 1298 (as a “Producer Responsibility” bill) and four prudent amendments can be used to address immediate electronic waste recycling issues, minimize burdens to governmental units and eliminate taxpayer subsidies.

For additional information, please contact Tim Rudnicki/ Representing Computer TakeBack Campaign/ Cell: 612-801-3266

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 63, after line 28, insert:

3 "Sec. 60. Minnesota Statutes 2004, section 84.780, is
4 amended to read:

5 84.780 [OFF-HIGHWAY VEHICLE DAMAGE ACCOUNT.]

6 (a) The off-highway vehicle damage account is created in
7 the natural resources fund. Money in the off-highway vehicle
8 damage account is appropriated to the commissioner of natural
9 resources for:

10 (1) the repair or restoration of property damaged by the
11 operation of off-highway vehicles in an unpermitted area after
12 August-17-2003;

13 (2) the repair or restoration of driveways that have been
14 damaged from the legal operation of off-highway vehicles within
15 a public road right-of-way; and

16 ~~for~~ (3) the costs of administration for this section.

17 (b) Before the commissioner may make a payment from this
18 account, the commissioner must determine whether the damage to
19 the applicant's property was caused by the unpermitted use of
20 off-highway vehicles, that the applicant has made reasonable
21 efforts to identify the responsible individual and obtain
22 payment from the individual, and that the applicant has made
23 reasonable efforts to prevent recurrence. By June 30, 2005,
24 the commissioner of finance must transfer the remaining balance
25 in the account to the off-highway motorcycle account under
26 section 84.794, the off-road vehicle account under section
27 84.803, and the all-terrain vehicle account under section
28 84.927. The amount transferred to each account must be
29 proportionate to the amounts received in the damage account from
30 the relevant off-highway vehicle accounts or by the legal
31 operation of off-highway vehicles within a public road
32 right-of-way.

33 ~~(b)~~ (c) Determinations of the commissioner under this
34 section may be made by written order and are exempt from the
35 rulemaking provisions of chapter 14. Section 14.386 does not
36 apply.

1 ~~{e}-This-section-expires-July-17-2005-~~"

2 Renumber the sections in sequence and correct the internal
3 references

4 Amend the title accordingly

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 9, after line 27, insert:

4 "(h) The Pollution Control Agency must establish a
5 multistakeholder Oversight and Advisory Committee within one
6 year following enactment of this chapter for the purpose of
7 overseeing producer electronic waste recycling program plan
8 implementation, reviewing producer plan annual reports and
9 identifying and recommending additional products to be included
10 as electronic waste. An annual report consistent with this
11 section must be submitted to the legislature commencing in
12 February 2006."

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 1, after line 2, insert:

4 "Sec. 119. [116H.52] [PERFORMANCE GOALS.]

5 This chapter establishes a performance standard of 1.75
6 pounds per person per year for the goal for collecting and
7 processing covered material. This overall goal would be
8 distributed between manufacturers according to their pro rata
9 share. This goal will remain unenforceable until 2009, but data
10 collected in the annual reports by the registrants should be
11 used by the office in assessing the effectiveness of the program
12 and in making recommendations to the legislature on making the
13 goals enforceable."

14 Renumber the sections in sequence and correct the internal
15 references

16 Amend the title accordingly

1 Senator moves to amend the ENVAG3A-4 amendment to
2 (ENV-AG-3) as follows:

3 Page 7, after line 25, insert:

4 "(q) All persons collecting, recovering, and recycling
5 electronic waste as part of the electronic waste producer plan
6 under this section must protect the health and safety of their
7 workers and contractors by:

8 (1) providing clear evidence of compliance with all state
9 and federal occupational safety and health laws and regulations;

10 (2) performing routine industrial hygiene monitoring and
11 quarterly reporting for all facilities for all hazardous
12 materials of concern, including, but not limited to, monitoring
13 for airborne lead and bromine, chlorine, and mercury compounds;
14 and

15 (3) performing routine human health monitoring and
16 quarterly reporting, in accordance with all applicable privacy
17 protections, for all workers and contractors, including, but not
18 limited to, blood testing for exposure to lead and bromine,
19 chlorine, and mercury compounds."

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 11, after line 32, insert:

3 "\$..,000 the first year and \$..,000 the
4 second year are for annual grants to
5 the Northern Minnesota Forage-Turf Seed
6 Advisory Committee for basic and
7 applied research on the improved
8 production of forage and turf seed
9 related to new and improved varieties.
10 The grant recipient may subcontract
11 with a qualified third party for some
12 or all of the basic and applied
13 research."

1 Senator moves to amend (ENV-AG-3) as follows:

2 Page 8, after line 9, insert:

3 "\$25,000 the first year is for a grant
4 to a community-based organization for a
5 youth development program to enhance
6 the appreciation of ichthyology."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 116J.571, is
5 amended to read:

6 116J.571 [CREATION OF ACCOUNTS.]

7 Two ~~greater-Minnesota~~ redevelopment accounts are created,
8 one in the general fund and one in the bond proceeds fund.

9 Money in the accounts may be used to make grants as provided in
10 section 116J.575.~~---Money-in-the-bond-proceeds-fund-may-only-be~~
11 ~~used-for-eligible-costs-for-publicly-owned-property.---Money-in~~
12 ~~the-general-fund-may-be-used~~ and to pay for the commissioner's
13 costs in reviewing ~~the~~ applications and making grants.

14 Sec. .. Minnesota Statutes 2004, section 116J.572, is
15 amended to read:

16 116J.572 [DEFINITIONS.]

17 Subdivision 1. [SCOPE OF APPLICATION.] For purposes of
18 sections 116J.571 to 116J.575, the terms in this section have
19 the meanings given.

20 Subd. 2. [DEVELOPMENT AUTHORITY.] "Development authority"
21 includes a statutory or home rule charter city, county, housing
22 and redevelopment authority, economic development authority, or
23 port authority ~~located-outside.~~

24 Subd. 2a. [METROPOLITAN AREA.] "Metropolitan area" means
25 the seven-county metropolitan area, as defined in section
26 473.121, subdivision 2.

27 Subd. 2b. [MUNICIPALITY.] "Municipality" means the
28 statutory or home rule charter city, town, or, in the case of
29 unorganized territory, county in which the redevelopment is
30 located.

31 Subd. 3. [~~ELIGIBLE REDEVELOPMENT~~ COSTS OR COSTS.]

32 "~~Eligible Redevelopment~~ costs" or "costs" means the costs of
33 land acquisition, stabilizing unstable soils when infill is
34 required, demolition, infrastructure improvements, and ponding
35 or other environmental infrastructure, ~~building-construction,~~
36 ~~design-and-engineering,~~ and costs necessary for adaptive reuse

1 of buildings, including remedial activities. ~~Eligible-costs-do~~
 2 ~~not-include-project-administration-and-legal-fees.~~

3 ~~Subd.-4.--[REDEVELOPMENT.]-"Redevelopment"-means-recycling~~
 4 ~~obsolete,-abandoned,-or-underutilized-properties-for-new~~
 5 ~~industrial,-commercial,-or-residential-uses.~~

6 Sec. .. Minnesota Statutes 2004, section 116J.574, is
 7 amended to read:

8 116J.574 [GRANT APPLICATIONS.]

9 Subdivision 1. [APPLICATION REQUIRED.] To obtain a
 10 redevelopment grant, a development authority shall apply to the
 11 commissioner. The governing body of the municipality must
 12 approve the application by resolution.

13 Subd. 2. [REQUIRED CONTENT.] The commissioner shall
 14 prescribe and provide the application form. The application
 15 must include at least the following information:

16 (1) identification of the site;

17 (2) a redevelopment plan for the site;

18 (3) a detailed budget estimate, including along with
 19 necessary supporting evidence, of the total redevelopment costs
 20 for the site including-the-total-eligible-redevelopment-costs;

21 ~~(3)-a-complete~~ (4) an assessment of the development
 22 potential or likely use of the site after completion of the
 23 redevelopment plan, including any specific commitments from
 24 third parties to construct improvements on the site;

25 ~~(4)-a-complete-financing-plan,-including~~ (5) the manner in
 26 which the development-authority-uses-innovative-financial
 27 partnerships-between-government,-private-for-profit,-and
 28 nonprofit-sectors municipality will meet the local match
 29 requirement; and

30 ~~(5)~~ (6) any additional information or material that the
 31 commissioner prescribes.

32 Sec. .. Minnesota Statutes 2004, section 116J.575, is
 33 amended to read:

34 116J.575 [GRANTS.]

35 Subdivision 1. [COMMISSIONER DISCRETION.] The commissioner
 36 may make a grant for up to 50 percent of the eligible costs of a

1 project. The determination of whether to make a grant for a
2 site is within the discretion of the commissioner, subject to
3 this section and sections 116J.571 to 116J.574 and available
4 unencumbered money in the ~~greater-Minnesota~~ redevelopment
5 account. The commissioner's decisions and application of the
6 priorities under this section are not subject to judicial
7 review, except for abuse of discretion.

8 Subd. 1a. [PRIORITIES.] (a) If applications for grants
9 exceed the available appropriations, grants shall be made for
10 sites that, in the commissioner's judgment, provide the highest
11 return in public benefits for the public costs incurred.
12 "Public benefits" include job creation, bioscience development,
13 environmental benefits to the state and region, efficient use of
14 public transportation, efficient use of existing infrastructure,
15 provision of affordable housing, multiuse development that
16 constitutes community rebuilding rather than single-use
17 development, crime reduction, blight reduction, community
18 stabilization, and property tax base maintenance or
19 improvement. In making this judgment, the commissioner shall
20 give priority to redevelopment projects with one or more of the
21 following characteristics:

22 (1) the need for redevelopment in conjunction with
23 contamination remediation needs;

24 (2) the redevelopment project meets current tax increment
25 financing requirements for a redevelopment district and tax
26 increments will contribute to the project;

27 (3) the redevelopment potential within the municipality;

28 (4) proximity to public transit if located in the
29 metropolitan area; and

30 (5) multijurisdictional projects that take into account the
31 need for affordable housing, transportation, and environmental
32 impact.

33 (b) The factors in paragraph (a) are not listed in a rank
34 order of priority; rather, the commissioner may weigh each
35 factor, depending upon the facts and circumstances, as the
36 commissioner considers appropriate.

1 Subd. 2. [APPLICATION CYCLES.] In making grants, the
2 commissioner shall establish semiannual application deadlines in
3 which grants will be authorized from all or part of the
4 available money in the account.

5 Subd. 3. [MATCH REQUIRED.] In order to qualify for a grant
6 under sections 116J.571 to 116J.575, the municipality must pay
7 for at least one-half of the redevelopment costs as a local
8 match from any money available to the municipality."

9 Page .., after line .., insert:

10 "Sec. .. [MINNESOTA REDEVELOPMENT ACCOUNTS.]

11 Applications for the Minnesota redevelopment accounts grant
12 program under Minnesota Statutes, section 116J.573, must be
13 submitted to the commissioner of employment and economic
14 development by August 1, 2005.

15 By October 1, 2005, the commissioner shall have awarded
16 grants for qualified redevelopment projects from greater
17 Minnesota.

18 By November 1, 2005, the commissioner shall have awarded
19 grants for qualified redevelopment projects in the seven-county
20 metropolitan area."

21 Page .., after line .., insert:

22 "Sec. .. [REPEALER.]

23 Minnesota Statutes 2004, section 116J.573, is repealed."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 11A.24,
5 subdivision 6, is amended to read:

6 Subd. 6. [OTHER INVESTMENTS.] (a) In addition to the
7 investments authorized in subdivisions 1 to 5, and subject to
8 the provisions in paragraph (b), the state board may invest
9 funds in:

10 (1) venture capital investment businesses through
11 participation in limited partnerships, trusts, private
12 placements, limited liability corporations, limited liability
13 companies, limited liability partnerships, and corporations;

14 (2) real estate ownership interests or loans secured by
15 mortgages or deeds of trust or shares of real estate investment
16 trusts through investment in limited partnerships, bank
17 sponsored collective funds, trusts, mortgage participation
18 agreements, and insurance company commingled accounts, including
19 separate accounts;

20 (3) regional and mutual funds through bank sponsored
21 collective funds and open-end investment companies registered
22 under the Federal Investment Company Act of 1940, and closed-end
23 mutual funds listed on an exchange regulated by a governmental
24 agency;

25 (4) resource investments through limited partnerships,
26 trusts, private placements, limited liability corporations,
27 limited liability companies, limited liability partnerships, and
28 corporations; and

29 (5) international securities.

30 (b) The investments authorized in paragraph (a) must
31 conform to the following provisions:

32 (1) the aggregate value of all investments made according
33 to paragraph (a), clauses (1) to (4), may not exceed 35 percent
34 of the market value of the fund for which the state board is
35 investing;

36 (2) there must be at least four unrelated owners of the

1 investment other than the state board for investments made under
2 paragraph (a), clause (1), (2), (3), or (4);

3 (3) state board participation in an investment vehicle is
4 limited to 20 percent thereof for investments made under
5 paragraph (a), clause (1), (2), (3), or (4); and

6 (4) state board participation in a limited partnership does
7 not include a general partnership interest or other interest
8 involving general liability. The state board may not engage in
9 any activity as a limited partner which creates general
10 liability.

11 (c) All financial or proprietary data received, prepared,
12 used, or retained by the state board in connection with
13 investments authorized by paragraph (a), clause (1), (2), or
14 (4), are nonpublic data under section 13.02, subdivision 9. As
15 used in this paragraph, "financial or proprietary data" means
16 information, as determined by the executive director, that is of
17 a financial or proprietary nature, the release of which could
18 cause competitive harm to the state board, the legal entity in
19 which the state board has invested or has considered an
20 investment, the managing entity of an investment, or a portfolio
21 company in which the legal entity holds an interest. Regardless
22 of whether they could be considered financial or proprietary
23 data, the following data received, prepared, used, or retained
24 by the state board in connection with investments authorized by
25 paragraph (a), clause (1), (2), or (4), are public at all times:

26 (1) the name and industry group classification of the legal
27 entity in which the state board has invested or in which the
28 state board has considered an investment;

29 (2) the state board commitment amount, if any;

30 (3) the funded amount of the state board's commitment to
31 date, if any;

32 (4) the market value of the investment by the state board;

33 (5) the state board's internal rate of return for the
34 investment, including expenditures and receipts used in the
35 calculation of the investment's internal rate of return; and

36 (6) the age of the investment in years.

1 Sec. .. Minnesota Statutes 2004, section 13.635, is
2 amended by adding a subdivision to read:

3 Subd. 1a. [STATE BOARD OF INVESTMENT.] Certain government
4 data of the State Board of Investment related to venture capital
5 investments are classified under section 11A.24, subdivision 6.

6 Sec. .. [116P.081] [MINNESOTA EARLY STAGE VENTURE CAPITAL
7 INVESTMENTS.]

8 (a) For purposes of this section, "Minnesota early stage
9 company" means an early stage company with its headquarters and
10 principal place of business located in this state.

11 (b) Until June 30, 2019, the State Board of Investment must
12 invest at least \$25,000,000 of the principal of the Minnesota
13 environmental and natural resources trust fund in early stage
14 venture capital investments, subject to the following conditions:

15 (1) the board may not make initial investments of more than
16 a total of \$50,000,000 under this section;

17 (2) each separate investment vehicle must commit 50 percent
18 or more of its assets to investments in Minnesota early stage
19 companies;

20 (3) the board's investment may not exceed 50 percent of the
21 total investment in an investment vehicle;

22 (4) no new investment vehicles may be purchased after June
23 30, 2008; and

24 (5) the board may reinvest returns from investments made
25 under this section.

26 The board may set evaluation criteria for investment
27 vehicles and fund managers of investments under this section
28 different from those it uses for other investments.

29 (c) This section expires August 1, 2019.

30 [EFFECTIVE DATE.] This section is effective the day
31 following final enactment."

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

3 Page .., after .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 16B.61,
5 subdivision 1, is amended to read:

6 Subdivision 1. [ADOPTION OF CODE.] Subject to sections
7 16B.59 to ~~16B.75~~ 16B.77, the commissioner shall by rule
8 establish a code of standards for the construction,
9 reconstruction, alteration, and repair of buildings, governing
10 matters of structural materials, design and construction, fire
11 protection, health, sanitation, and safety, including design and
12 construction standards regarding heat loss control,
13 illumination, and climate control. The code must also include
14 duties and responsibilities for code administration, including
15 procedures for administrative action, penalties, and suspension
16 and revocation of certification. The code must conform insofar
17 as practicable to model building codes generally accepted and in
18 use throughout the United States, including a code for building
19 conservation. In the preparation of the code, consideration
20 must be given to the existing statewide specialty codes
21 presently in use in the state. Model codes with necessary
22 modifications and statewide specialty codes may be adopted by
23 reference. The code must be based on the application of
24 scientific principles, approved tests, and professional
25 judgment. To the extent possible, the code must be adopted in
26 terms of desired results instead of the means of achieving those
27 results, avoiding wherever possible the incorporation of
28 specifications of particular methods or materials. To that end
29 the code must encourage the use of new methods and new
30 materials. Except as otherwise provided in sections 16B.59 to
31 ~~16B.75~~ 16B.77, the commissioner shall administer and enforce the
32 provisions of those sections.

33 The commissioner shall develop rules addressing the plan
34 review fee assessed to similar buildings without significant
35 modifications including provisions for use of building systems
36 as specified in the industrial/modular program specified in

1 section 16B.75. Additional plan review fees associated with
2 similar plans must be based on costs commensurate with the
3 direct and indirect costs of the service.

4 Sec. .. Minnesota Statutes 2004, section 16B.70,
5 subdivision 2, is amended to read:

6 Subd. 2. [COLLECTION AND REPORTS.] All permit surcharges
7 must be collected by each municipality and a portion of them
8 remitted to the state. Each municipality having a population
9 greater than 20,000 people shall prepare and submit to the
10 commissioner once a month a report of fees and surcharges on
11 fees collected during the previous month but shall retain the
12 greater of two percent or that amount collected up to \$25 to
13 apply against the administrative expenses the municipality
14 incurs in collecting the surcharges. All other municipalities
15 shall submit the report and surcharges on fees once a quarter
16 but shall retain the greater of four percent or that amount
17 collected up to \$25 to apply against the administrative expenses
18 the municipalities incur in collecting the surcharges. The
19 report, which must be in a form prescribed by the commissioner,
20 must be submitted together with a remittance covering the
21 surcharges collected by the 15th day following the month or
22 quarter in which the surcharges are collected. All money
23 collected by the commissioner under subdivision 1 for mechanical
24 systems permits is appropriated to the Board of Mechanical
25 Systems for the purposes of section 16B.77. \$135,250 of the
26 money collected by the commissioner through surcharges and other
27 fees prescribed by sections 16B.59 to ~~16B.75~~ 16B.77 shall be
28 deposited in the state government special revenue fund and is
29 appropriated to the Board of Mechanical Systems for the purposes
30 of section 16B.77. The remainder is appropriated to the
31 commissioner for the purpose of administering and enforcing
32 the remaining portions of the State Building Code under sections
33 16B.59 to ~~16B.75~~ 16B.77.

34 Sec. .. Minnesota Statutes 2004, section 16B.70,
35 subdivision 3, is amended to read:

36 Subd. 3. [REVENUE TO EQUAL COSTS.] Revenue received from

1 the surcharge imposed in subdivision 1 should approximately
2 equal the cost, including the overhead cost, of administering
3 sections 16B.59 to ~~16B.75~~ 16B.77. By November 30 each year, the
4 commissioner must report to the commissioner of finance and to
5 the legislature on changes in the surcharge imposed in
6 subdivision 1 needed to comply with this policy. In making this
7 report, the commissioner must assume that the services
8 associated with administering sections 16B.59 to ~~16B.75~~ 16B.77
9 will continue to be provided at the same level provided during
10 the fiscal year in which the report is made.

11 Sec. .. [16B.77] [BOARD OF MECHANICAL SYSTEMS.]

12 Subdivision 1. [MEMBERSHIP.] (a) The Board of Mechanical
13 Systems consists of the following members appointed by the
14 governor as provided under section 15.0575:

15 (1) two journeymen and two contractors in the fuel systems
16 discipline;

17 (2) two journeymen and two contractors in the sheet metal
18 and ventilation systems discipline;

19 (3) two journeymen and two contractors in the refrigeration
20 systems discipline;

21 (4) two journeymen, two contractors, and two
22 representatives of utilities in the piping systems discipline;

23 (5) two journeymen and two contractors in the medical and
24 nonmedical gas systems discipline;

25 (6) one mechanical engineer; and

26 (7) two members of the public, as defined in section 214.02.

27 (b) For purposes of this section, "journeyman" means a
28 person with at least five years of verifiable experience in the
29 relevant discipline, and "contractor" means a person with at
30 least five years of experience operating a business that is
31 primarily engaged in the discipline who remains active in the
32 discipline during their term on the board.

33 (c) The board must adopt a new mechanical code no later
34 than four months after convening.

35 (d) Section 15.0575, subdivision 3, does not apply to the
36 board.

1 Subd. 2. [ORGANIZATION AND MEETINGS.] (a) The board must
2 meet at least once in each quarter of the calendar year.

3 (b) The board must establish subcommittees in each of the
4 disciplines listed in subdivision 1. No member who is a
5 contractor or journeyman may serve on more than one
6 subcommittee, and the engineer appointed under subdivision 1,
7 clause (6), must serve on all of the subcommittees. Each
8 subcommittee must elect a chairperson. The subcommittee must
9 meet at the call of the chairperson.

10 Subd. 3. [POWERS OF THE BOARD; MECHANICAL CODE.] The board
11 has the powers of the commissioner under sections 16B.59 to
12 16B.77 regarding all mechanical code issues, including, but not
13 limited to, rulemaking, interpretation, administration, and
14 enforcement, including appeals from local units of government.
15 No appeal from a decision of the board may be made to the
16 commissioner.

17 Subd. 4. [SUPPORT.] The board may use the funds
18 appropriated to it to hire the staff necessary to conduct its
19 functions."

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

3 Page .., after line .., insert:

4 "Sec. ... Minnesota Statutes 2004, section 129D.02,
5 subdivision 3, is amended to read:

6 Subd. 3. [COMPENSATION.] Members shall be compensated at
7 ~~the rate of \$35 per day spent on board activities. In addition,~~
8 ~~members shall receive reimbursement for expenses in the same~~
9 ~~manner and amount as state employees. Employees of the state or~~
10 ~~its political subdivisions shall not be entitled to the per~~
11 ~~diem, but they shall suffer no loss in compensation or benefits~~
12 ~~as a result of service on the board. Members not entitled to~~
13 ~~the per diem shall receive expenses as provided in this~~
14 ~~subdivision unless the expenses are reimbursed from another~~
15 ~~source~~ as provided in section 15.0575, subdivision 3."

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

3 Page .., after line .., insert:

4 "Sec. .. Minnesota Statutes 2004, section 120A.40, is
5 amended to read:

6 120A.40 [SCHOOL CALENDAR.]

7 (a) Except for learning programs during summer, flexible
8 learning year programs authorized under sections 124D.12 to
9 124D.127, and learning year programs under section 124D.128, a
10 district must not commence an elementary or secondary school
11 year before ~~September-1~~ Labor Day, except as provided under
12 paragraph (b). Days devoted to teachers' workshops may be held
13 before ~~September-1~~ Labor Day. Districts that enter into
14 cooperative agreements are encouraged to adopt similar school
15 calendars.

16 (b) A district may begin the school year on any day before
17 ~~September-1~~ Labor Day to accommodate a construction or
18 remodeling project of \$400,000 or more affecting a district
19 school facility."

Minnesota 4-H Adult Volunteers Association

Resolution

Early School Openings

Whereas, the early school openings have a negative impact on the 4-H State Fair Program by reducing the length of the 4-H experience at the State Fair, and

Whereas several 4-H members were denied excused absences from school and school activities there by reducing skill and leadership development at the State Fair.

Therefore, be it resolved that the Minnesota 4-H Adult Volunteers Association supports HF 205 and SF 307 that would return school openings to after Labor Day.

This resolution was passed at the M 4-HAVA Annual Meeting on February 25, 2005 at Willmar, Minnesota. Over 50 delegates represented 250 members.

Submitted by Marvin Ziner, President of M4-HAVA
763 441 2822
mdziner@aol.com

**Minnesota Association of Convention & Visitors Bureaus
Resolution – February 28, 2005**

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus is a non-for-profit organization which provides members with legislative representation and public recognition of the tourism and convention industry in Minnesota, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus represent over 50 Convention & Visitors Bureaus in the State of Minnesota, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus serve a constituency representing lodging, campgrounds, resorts, restaurants, transportation services, attractions, as well as the retail and commercial resources that are important to visitors, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus is a united voice dedicated to the needs of destination marketing organizations, and

WHEREAS, the Minnesota Association of Convention & Visitors Bureaus collectively invest in excess of over \$12 million dollars for convention and promotion in the State of Minnesota, and

WHEREAS, recent changes in state law to allow school openings prior to Labor Day has had a significant negative economic impact on the Tourism industry in the Metropolitan area and Greater Minnesota,

NOW THEREFORE BE IT RESOLVED, the Minnesota Association of Convention & Visitors Bureaus strongly urge the Minnesota State Legislature to support the legislation requiring Minnesota's state schools open no earlier than the traditional end of summer on Labor Day, so the Minnesota Tourism Industry, one of the largest industries in Minnesota, can realize and contribute to the economic impact for their industry and the State of Minnesota.

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

3 Page .., after line .., insert:

4 "\$8,500 in the first year and \$8,500 in
5 the second year are from the
6 department's base for a grant to the
7 Twin Cities Community Voice Mail to
8 maintain the toll-free telephone number
9 for the Greater Minnesota Project. The
10 commissioner must ensure that the
11 telephone number is not changed for the
12 2006-2007 biennium."

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

3 Page 7, after line 13, insert:

4 "The agency shall establish a priority
5 for supportive housing projects that
6 provide employment support and housing
7 for offenders who are discharged from a
8 correctional or detention facility. Up
9 to \$1,400,000 of the appropriation to
10 the housing trust fund in 2005 S.F. No.
11 1879, if enacted, shall be awarded to
12 projects that address this priority and
13 the greatest number of priorities
14 established under the rules governing
15 the housing trust fund program."

1 A bill for an act

relating to human services; modifying discharge plans
for offenders with serious and persistent mental
4 illness; clarifying eligibility for medical assistance
5 for offenders released for work release; authorizing
6 commissioner of corrections to enter into a purchasing
7 pool for prescription drugs; allocating housing funds
8 for projects that provide employment support;
9 appropriating money; amending Minnesota Statutes 2004,
10 sections 241.01, by adding a subdivision; 244.054;
11 256B.055, by adding a subdivision.

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

13 Section 1. Minnesota Statutes 2004, section 241.01, is
14 amended by adding a subdivision to read:

15 Subd. 10. [PURCHASING FOR PRESCRIPTION DRUGS.] In
16 accordance with section 241.021, subdivision 4, the commissioner
may contract with a separate entity to purchase prescription
18 drugs for persons confined in institutions under the control of
19 the commissioner. Local governments may participate in this
20 purchasing pool in order to purchase prescription drugs for
21 those persons confined in local correctional facilities in which
22 the local government has responsibility for providing health
23 care. If any county participates, the commissioner shall
24 appoint a county representative to any committee convened by the
25 commissioner for the purpose of establishing a drug formulary to
26 be used for state and local correctional facilities.

27 Sec. 2. Minnesota Statutes 2004, section 244.054, is
28 amended to read:

1 244.054 [DISCHARGE PLANS; OFFENDERS WITH SERIOUS AND
2 PERSISTENT MENTAL ILLNESS.]

3 Subdivision 1. [OFFER TO DEVELOP PLAN.] The commissioner
4 of human services, in collaboration with the commissioner of
5 corrections, shall offer to develop a discharge plan for
6 community-based services for every offender with serious and
7 persistent mental illness, as defined in section 245.462,
8 subdivision 20, paragraph (c), and every offender who has had a
9 diagnosis of mental illness and would otherwise be eligible for
10 case management services under section 245.462, subdivision 20,
11 paragraph (c), but for the requirement that the offender be
12 hospitalized or in residential treatment, who is being released
13 from a correctional facility. If an offender is being released
14 pursuant to section 244.05, the offender may choose to have the
15 discharge plan made one of the conditions of the offender's
16 supervised release and shall follow the conditions to the extent
17 that services are available and offered to the offender.

18 Subd. 2. [CONTENT OF PLAN.] If an offender chooses to have
19 a discharge plan developed, the commissioner of human services
20 shall develop and implement a discharge plan, which must include
21 at least the following:

22 (1) at least 90 days before the offender is due to be
23 discharged, the commissioner of human services shall designate
24 ~~an agent of the Department of Human Services~~ a discharge planner
25 with mental health training to serve as the primary person
26 responsible for carrying out discharge planning activities;

27 (2) at least 75 days before the offender is due to be
28 discharged, the offender's designated-agent discharge planner
29 shall:

30 (i) obtain informed consent and releases of information
31 from the offender that are needed for transition services, and
32 forward them to the appropriate local entity;

33 (ii) contact the county human services department in the
34 community where the offender expects to reside following
35 discharge, and inform the department of the offender's impending
36 discharge and the planned date of the offender's return to the

1 community; determine whether the county or a designated
2 contracted provider will provide case management services to the
3 offender; refer the offender to the case management services
4 provider; and confirm that the case management services provider
5 will have opened the offender's case prior to the offender's
6 discharge; and

7 (iii) ~~refer the offender to appropriate staff in the county~~
8 ~~human services department in the community where the offender~~
9 ~~expects to reside following discharge, for enrollment of the~~
10 ~~offender if eligible in medical assistance or general assistance~~
11 ~~medical care, using special procedures established by process~~
12 ~~and Department of Human Services bulletin~~ assist the offender in
13 filling out an application for medical assistance, general
14 assistance medical care, or MinnesotaCare and submit the
15 application for eligibility determination to the commissioner.
16 The commissioner shall determine an offender's eligibility no
17 more than 45 days, or no more than 60 days if the offender's
18 disability status must be determined, from the date that the
19 application is received by the department. The effective date
20 of eligibility for the health care program shall be no earlier
21 than the date of the offender's release. If eligibility is
22 approved, the commissioner shall mail a Minnesota health care
23 program membership card to the facility in which the offender
24 resides and transfer the offender's case to MinnesotaCare
25 operations within the department or the appropriate county human
26 services agency in the county where the offender expects to
27 reside following release for ongoing case management;

28 (3) at least 2-1/2 months before discharge, the offender's
29 ~~designated agent~~ discharge planner shall secure timely
30 appointments for the offender with a psychiatrist no later than
31 30 days following discharge, and with other program staff at a
32 community mental health provider that is able to serve former
33 offenders with serious and persistent mental illness;

4 (4) at least 30 days before discharge, the offender's
35 ~~designated agent~~ discharge planner shall convene a pre-discharge
36 assessment and planning meeting of key staff from the programs

1 in which the offender has participated while in the correctional
2 facility, the offender, the supervising agent, and the mental
3 health case management services provider assigned to the
4 offender. At the meeting, attendees shall provide background
5 information and continuing care recommendations for the
6 offender, including information on the offender's risk for
7 relapse; current medications, including dosage and frequency;
8 therapy and behavioral goals; diagnostic and assessment
9 information, including results of a chemical dependency
10 evaluation; confirmation of appointments with a psychiatrist and
11 other program staff in the community; a relapse prevention plan;
12 continuing care needs; needs for housing, employment, and
13 finance support and assistance; and recommendations for
14 successful community integration, including chemical dependency
15 treatment or support if chemical dependency is a risk factor.
16 Immediately following this meeting, the offender's designated
17 agent discharge planner shall summarize this background
18 information and continuing care recommendations in a written
19 report;

20 (5) immediately following the pre-discharge assessment and
21 planning meeting, the provider of mental health case management
22 services who will serve the offender following discharge shall
23 offer to make arrangements and referrals for housing, financial
24 support, benefits assistance, employment counseling, and other
25 services required in sections 245.461 to 245.486;

26 (6) at least ten days before the offender's first scheduled
27 postdischarge appointment with a mental health provider, the
28 offender's designated-agent discharge planner shall transfer the
29 following records to the offender's case management services
30 provider and psychiatrist: the pre-discharge assessment and
31 planning report, medical records, and pharmacy records. These
32 records may be transferred only if the offender provides
33 informed consent for their release;

34 (7) upon discharge, the offender's designated-agent
35 discharge planner shall ensure that the offender leaves the
36 correctional facility with at least a ten-day supply of all

1 necessary medications; and

2 (8) upon discharge, the prescribing authority at the
3 offender's correctional facility shall telephone in
4 prescriptions for all necessary medications to a pharmacy in the
5 community where the offender plans to reside. The prescriptions
6 must provide at least a ~~30-day~~ 60-day supply of all necessary
7 medications, and must be able to be refilled once for one
8 additional 30-day supply.

9 Sec. 3. Minnesota Statutes 2004, section 256B.055, is
10 amended by adding a subdivision to read:

11 Subd. 14. [PERSONS DETAINED BY LAW.] (a) An inmate of a
12 correctional facility who is conditionally released as
13 authorized under section 241.26, 244.065, or 631.425 is eligible
14 for medical assistance if the individual does not require the
15 security of a public detention facility and is housed in a
16 halfway house or community correction center, or under house
17 arrest and monitored by electronic surveillance in a residence
18 approved by the commissioner of corrections.

19 (b) An individual, regardless of age, who is involuntarily
20 detained by law in the custody of a correctional or detention
21 facility as an individual accused or convicted of a crime, is
22 not eligible for medical assistance. An individual is not
23 determined to be involuntarily detained for purposes of medical
24 assistance eligibility if the individual is placed in a
25 detention facility for a temporary period pending other
26 arrangements appropriate to the individual's needs.

27 Sec. 4. [PRIORITY IN JANITORIAL CONTRACTS.]

28 When awarding contracts to provide the janitorial services
29 for the new Department of Human Services and Department of
30 Health buildings, the commissioner of administration shall give
31 priority to supported work vendors.

32 Sec. 5. [APPROPRIATION.]

33 For the biennium ending June 30, 2007, the commissioner of
34 the Housing Finance Agency shall allocate \$..... from the
35 housing trust fund account in the housing development fund for
36 supportive housing projects that provide employment support.

1 Senator moves to amend S.F. No. 1000 as follows:

2 Page 5, after line 36, insert:

3 "Sec. 6. [EFFECTIVE DATE.]

4 Section 2 is effective August 1, 2006, or upon health match
5 implementation, whichever is later."

1 Senator moves to amend S.F. No. 1000 as follows:
2 Page 5, line 13, delete "is" and insert "may be"
3 Page 5, delete lines 19 to 26 and insert:
4 "(b) An individual, regardless of age, who is considered an
5 inmate of a public institution as defined in Code of Federal
6 Regulations, title 42, section 435.1009, is not eligible for
7 medical assistance."

1 Senator moves to amend S.F. No. 2133 as follows:
2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 2004, section 97A.485,
4 subdivision 6, is amended to read:

5 Subd. 6. [LICENSES TO BE SOLD AND ISSUING FEES.] (a)
6 Persons authorized to sell licenses under this section must
7 issue the following licenses for the license fee and the
8 following issuing fees:

9 (1) to take deer or bear with firearms and by archery, the
10 issuing fee is \$1;

11 (2) Minnesota sporting, the issuing fee is \$1; and

12 (3) to take small game, to take fish by angling or by
13 spearing, and to trap fur-bearing animals, the issuing fee is
14 \$1;

15 (4) for a ~~trout-and-salmon~~ stamp that is not issued
16 simultaneously with ~~an-angling-or-sporting~~ a license, ~~an~~ the
17 issuing fee ~~of is~~ 50 cents ~~may-be-charged-at-the-discretion-of~~
18 ~~the-authorized-seller;~~

19 (5) for stamps ~~other-than-a-trout-and-salmon-stamp,-and-for~~
20 ~~a-special-season-Canada-geese-license~~ issued simultaneously with
21 a license, there is no fee; and

22 (6) for licenses, seals, tags, or coupons issued without a
23 fee under section 97A.441 or 97A.465, ~~there-is-no~~ the issuing
24 fee is 50 cents;

25 (7) for lifetime licenses, there is no fee; and

26 (8) for all other licenses, permits, renewals, or
27 applications or any other transaction through the electronic
28 licensing system under this chapter or any other chapter when an
29 issuing fee is not specified, the issuing fee is 50 cents.

30 (b) An issuing fee may not be collected for issuance of a
31 trout and salmon stamp if a stamp validation is issued
32 simultaneously with the related angling or sporting license.
33 Only one issuing fee may be collected when selling more than one
34 trout and salmon stamp in the same transaction after the end of
35 the season for which the stamp was issued.

36 (c) The agent shall keep the issuing fee as a commission

1 for selling the licenses.

2 (d) The commissioner shall collect the issuing fee on
3 licenses sold by the commissioner.

4 (e) A license, except stamps, must state the amount of the
5 issuing fee and that the issuing fee is kept by the seller as a
6 commission for selling the licenses.

7 (f) For duplicate licenses, including licenses issued
8 without a fee, the issuing fees are:

9 (1) for licenses to take big game, 75 cents; and

10 (2) for other licenses, 50 cents.

11 (g) The commissioner may issue one-day angling licenses in
12 books of ten licenses each to fishing guides operating charter
13 boats upon receipt of payment of all license fees, excluding the
14 issuing fee required under this section. Copies of sold and
15 unsold licenses shall be returned to the commissioner. The
16 commissioner shall refund the charter boat captain for the
17 license fees of all unsold licenses. Copies of sold licenses
18 shall be maintained by the commissioner for one year."

1 Page .., after line .., insert:

2 "Sec. ... [EXTENDED EMPLOYMENT PROGRAM WAGE RATES.]

3 The commissioner of employment and economic development
4 must study the issue of the appropriate level of wages to be
5 paid to participants in extended employment programs under
6 Minnesota Statutes, chapter 268A. The commissioner must consult
7 with employers, rehabilitation facilities, program participants
8 and their parents or legal guardians, advocacy groups, other
9 involved government agencies, and others the commissioner
10 determines necessary. The commissioner shall report the results
11 of the study along with any recommendations by February 1, 2006,
12 to the chairs of the legislative committees with fiscal or
13 policy jurisdiction over those extended employment programs."

14 Renumber the sections in sequence and correct the internal
15 references

16 Amend the title accordingly

1 Section 1. Minnesota Statutes 2004, section 237.295,
2 subdivision 1, is amended to read:

3 Subdivision 1. [~~PAYMENT-FOR-INVESTIGATION FILING FEE FOR~~
4 ~~NEW AUTHORITY.~~] ~~(a)-Whenever-the-department-or-commission,-in-a~~
5 ~~proceeding-upon-its-own-motion,-on-complaint,-or-upon-an~~
6 ~~application-to-it,-considers-it-necessary,-in-order-to-carry-out~~
7 ~~the-duties-imposed-on-it,-to-investigate-the-books,-accounts,-~~
8 ~~practices,-and-activities-of-any-company,-parties-to-the~~
9 ~~proceeding-shall-pay-the-expenses-reasonably-attributable-to-the~~
10 ~~proceeding.--The-department-and-commission-shall-ascertain-the~~
11 ~~expenses,-and-the-department-shall-render-a-bill-for-these~~
12 ~~expenses-to-the-parties,-at-the-conclusion-of-the-proceeding.~~
13 ~~The-department-is-authorized-to-submit-billings-to-parties-at~~
14 ~~intervals-selected-by-the-department-during-the-course-of-a~~
15 ~~proceeding.~~

16 ~~(b)-The-allocation-of-costs-may-be-adjusted-for-cause-by~~
17 ~~the-commission-during-the-course-of-the-proceeding,-or-upon-the~~
18 ~~closing-of-the-docket-and-issuance-of-an-order.--In-addition-to~~
19 ~~the-rights-granted-in-subdivision-3,-parties-to-a-proceeding-may~~
20 ~~object-to-the-allocation-at-any-time-during-the-proceeding.~~
21 ~~Withdrawal-by-a-party-to-a-proceeding-does-not-absolve-the-party~~
22 ~~from-paying-allocated-costs-as-determined-by-the-commission.~~
23 ~~The-commission-may-decide-that-a-party-should-not-pay-any~~
24 ~~allocated-costs-of-the-proceeding.~~

25 ~~(c)-The-bill-constitutes-notice-of-the-assessment-and-a~~
26 ~~demand-for-payment.--The-amount-of-the-bills-assessed-by-the~~
27 ~~department-under-this-subdivision-must-be-paid-by-the-parties~~
28 ~~into-the-state-treasury-within-30-days-from-the-date-of~~
29 ~~assessment.--The-total-amount,-in-a-calendar-year,-for-which-a~~
30 ~~telephone-company-may-become-liable,-by-reason-of-costs-incurred~~
31 ~~by-the-department-and-commission-within-that-calendar-year,-may~~
32 ~~not-exceed-two-fifths-of-one-percent-of-the-gross-jurisdictional~~
33 ~~operating-revenue-of-the-telephone-company-in-the-last-preceding~~
34 ~~calendar-year.--Direct-charges-may-be-assessed-without-regard-to~~
35 ~~this-limitation-until-the-gross-jurisdictional-operating-revenue~~
36 ~~of-the-telephone-company-for-the-preceding-calendar-year-has~~

1 ~~been reported for the first time. Where, under this~~
 2 ~~subdivision, costs are incurred within a calendar year that are~~
 3 ~~in excess of two-fifths of one percent of the gross~~
 4 ~~jurisdictional operating revenues, the excess costs are not~~
 5 ~~chargeable as part of the remainder under subdivision 2.~~

6 ~~(d) Except as otherwise provided in paragraph (e), for~~
 7 ~~purposes of assessing the cost of a proceeding to a party,~~
 8 ~~"party" means any entity or group subject to the laws and rules~~
 9 ~~of this state, however organized, whether public or private,~~
 10 ~~whether domestic or foreign, whether for profit or nonprofit,~~
 11 ~~and whether natural, corporate, or political, such as a business~~
 12 ~~or commercial enterprise organized as any type or combination of~~
 13 ~~corporation, limited liability company, partnership, limited~~
 14 ~~liability partnership, proprietorship, association, cooperative,~~
 15 ~~joint venture, carrier, or utility, and any successor or~~
 16 ~~assignee of any of them, a social or charitable organization,~~
 17 ~~and any type or combination of political subdivision, which~~
 18 ~~includes the executive, judicial, or legislative branch of the~~
 19 ~~state, a local government unit, an agency of the state or a~~
 20 ~~local government unit, or a combination of any of them.~~

21 ~~(e) For assessment and billing purposes, "party" does not~~
 22 ~~include the Department of Commerce or the Residential Utilities~~
 23 ~~Division of the Office of Attorney General, any entity or group~~
 24 ~~instituted primarily for the purpose of mutual help and not~~
 25 ~~conducted for profit, intervenors awarded compensation under~~
 26 ~~section 237.075, subdivision 10, or any individual or group or~~
 27 ~~counsel for the individual or group representing the interests~~
 28 ~~of end users or classes of end users of services provided by~~
 29 ~~telephone companies or telecommunications carriers, as~~
 30 ~~determined by the commission~~ An application for a new authority
 31 must be accompanied by a payment not to exceed \$2,000 as
 32 determined by the Public Utilities Commission. This fee will be
 33 reviewed annually and adjusted accordingly.

34 Sec. 2. Minnesota Statutes 2004, section 237.295,
 35 subdivision 2, is amended to read:

36 Subd. 2. [ASSESSMENT OF COSTS.] The department and

1 commission shall quarterly, at least 30 days before the start of
2 each quarter, estimate the total of their expenditures in the
3 performance of their duties relating to telephone companies,
4 other than amounts chargeable to telephone companies under
5 subdivision 1, 5, or 6. The remainder must be assessed by the
6 department to the telephone companies operating in this state in
7 proportion to their respective gross jurisdictional operating
8 revenues during the last calendar year. The assessment must be
9 paid into the state treasury within 30 days after the bill has
10 been mailed to the telephone companies. The bill constitutes
11 notice of the assessment and demand of payment. ~~The total~~
12 ~~amount that may be assessed to the telephone companies under~~
13 ~~this subdivision may not exceed one-eighth of one percent of the~~
14 ~~total gross jurisdictional operating revenues during the~~
15 ~~calendar year.~~ The assessment for the third quarter of each
16 fiscal year must be adjusted to compensate for the amount by
17 which actual expenditures by the commission and department for
18 the preceding fiscal year were more or less than the estimated
19 expenditures previously assessed. A telephone company with
20 gross jurisdictional operating revenues of less than \$5,000 is
21 exempt from assessments under this subdivision.

22 Sec. 3. [237.491] [COMBINED PER NUMBER FEE.]

23 Subdivision 1. [DEFINITIONS.] (a) The definitions in this
24 subdivision apply to this section.

25 (b) "911 emergency and public safety communications program"
26 means the program governed by chapter 403.

27 (c) "Minnesota telephone number" means a ten-digit
28 telephone number being used to connect to the public switched
29 telephone network and starting with area code 218, 320, 507,
30 612, 651, 763, or 952, or any subsequent area code assigned to
31 this state.

32 (d) "Service provider" means a provider doing business in
33 this state who provides real time, two-way voice service with a
34 Minnesota telephone number.

35 (e) "Telecommunications access Minnesota program" means the
36 program governed by sections 237.50 to 237.55.

1 (f) "Telephone assistance program" means the program
2 governed by sections 237.69 to 237.711.

3 Subd. 2. [PER NUMBER FEE.] (a) By January 15, 2006, the
4 commissioner of commerce shall report to the legislature and to
5 the senate Committee on Jobs, Energy, and Community Development
6 and the house Committee on Regulated Industries, recommendations
7 for the amount of and method for assessing a fee that would
8 apply to each service provider based upon the number of
9 Minnesota telephone numbers in use by current customers of the
10 service provider. The fee would be set at a level calculated to
11 generate only the amount of revenue necessary to fund:

12 (1) the telephone assistance program and the
13 telecommunications access Minnesota program at the levels
14 established by the commission under sections 237.52, subdivision
15 2, and 237.70; and

16 (2) the 911 emergency and public safety communications
17 program at the levels appropriated by law to the commissioner of
18 public safety and the commissioner of finance for purposes of
19 sections 403.11, 403.113, 403.27, 403.30, and 403.31 for each
20 fiscal year.

21 (b) The recommendations must include any changes to
22 Minnesota Statutes necessary to establish the procedures whereby
23 each service provider, to the extent allowed under federal law,
24 would collect and remit the fee proceeds to the commissioner of
25 revenue. The commissioner of revenue would allocate the fee
26 proceeds to the three funding areas in paragraph (a) and credit
27 the allocations to the appropriate accounts.

28 (c) The recommendations must be designed to allow the
29 combined per telephone number fee to be collected beginning July
30 1, 2006. The per access line fee used to collect revenues to
31 support the TAP, TAM, and 911 programs remains in effect until
32 the statutory changes necessary to implement the per telephone
33 number fee have become effective.

34 (d) As part of the process of developing the
35 recommendations and preparing the report to the legislature
36 required under paragraph (a), the commissioner of commerce must,

1 at a minimum, consult regularly with the Departments of Public
2 Safety, Finance, and Administration, the Public Utilities
3 Commission, service providers, the chairs and ranking minority
4 members of the senate and house committees, subcommittees, and
5 divisions having jurisdiction over telecommunications and public
6 safety, and other affected parties.

7 Sec. 4. Minnesota Statutes 2004, section 237.701,
8 subdivision 1, is amended to read:

9 Subdivision 1. [FUND CREATED; AUTHORIZED EXPENDITURES.]

10 The telephone assistance fund is created as a separate account
11 in the state treasury to consist of amounts received by the
12 commissioner of public safety representing the surcharge
13 authorized by section 237.70, subdivision 6, and amounts earned
14 on the fund assets. Money in the fund may be used only for:

15 (1) reimbursement to local service providers for expenses
16 and credits allowed in section 237.70, subdivision 7, paragraph
17 (d), clause (5);

18 (2) reimbursement of the reasonable administrative expenses
19 of the commission ~~not-to-exceed-\$25,000-annually~~, a portion of
20 which may be used for periodic promotional activities,
21 including, but not limited to, radio or newspaper
22 advertisements, to inform eligible households of the
23 availability of the telephone assistance program; and

24 (3) reimbursement of the statewide indirect cost of the
25 commission.

26 Sec. 5. [325F.991] [911 EMERGENCY PHONE SERVICE
27 REPRESENTATIONS.]

28 Subdivision 1. [DEFINITIONS.] For purposes of this
29 section, the terms defined in this subdivision have the meanings
30 given them.

31 (a) "911 emergency telecommunications system" means a
32 dedicated emergency telecommunications system required by
33 section 403.025.

34 (b) "Person" means an individual, corporation, firm, or
35 other legal entity.

36 (c) "Service provider" means a person doing business in

1 Minnesota who provides real time, two-way voice service
2 interconnected with the public switched telephone network using
3 numbers allocated for Minnesota by the North American Numbering
4 Plan Administration.

5 Subd. 2. [REPRESENTATIONS OF 911 SERVICE.] A person shall
6 not advertise, market, or otherwise represent that the person
7 furnishes a service capable of providing access to emergency
8 services by dialing 911 unless the person provides a service
9 that routes 911 calls through the 911 emergency
10 telecommunications system.

11 Subd. 3. [DISCLOSURE.] A service provider that does not
12 provide 911 dialing that routes 911 calls through the 911
13 emergency telecommunications system must disclose that fact in
14 all advertisements, marketing materials, and contracts. The
15 disclosure must be in capital letters, in 12-point font, and on
16 the front page of the advertisement, marketing materials, and
17 contracts. The disclosure must state: "THIS SERVICE DOES NOT
18 ROUTE 911 CALLS THROUGH THE 911 EMERGENCY SYSTEM."

19 Subd. 4. [CERTAIN CALLS NOT 911 CALLS.] For purposes of
20 this section, 911 calls routed to the general access number at a
21 public safety answering point do not qualify as being routed
22 through a 911 emergency telecommunications system.

23 Sec. 6. Laws 1999, chapter 224, section 7, as amended by
24 Laws 2004, chapter 261, article 6, section 3, is amended to read:

25 Sec. 7. [SUNSET.]

26 ~~Sections 2 and 4 expire on August 17, 2005, and~~ Minnesota
27 Statutes 1998, sections 237.63, 237.65, and 237.68, expire on
28 December 31, 2004.

29 [EFFECTIVE DATE.] This section is effective the day
30 following final enactment.

31 Sec. 7. [REPEALER.]

32 Laws 1999, chapter 125, section 4, as amended by Laws 2002,
33 chapter 398, section 7, is repealed.